



Lamar State College Port Arthur

FACULTY HANDBOOK AND POLICY MANUAL

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With 2015 Updates

MEMBER THE TEXAS STATE UNIVERSITY SYSTEM

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SECTION I: INTRODUCTION

A. Mission Statement.

Lamar State College - Port Arthur, a member of [The Texas State University System](#), is an open-access, comprehensive public two-year college offering quality and affordable instruction leading to associate degrees and a variety of certificates. The College embraces the premise that education is an ongoing process that enhances career potential, broadens intellectual horizons, and enriches life.

Core Values

- Shared commitment by faculty, staff and administration to a mission characterized by student learning, diversity, and community involvement
- General education/core curriculum that develops the values and concepts that allow the student to make a meaningful contribution in the workplace or community
- Academic and technical programs designed to fulfill our commitment to accommodate students with diverse goals and backgrounds, using a variety of delivery methods, on and off campus
- Technical education programs that provide for the acquisition of the knowledge, skills and behavior necessary for initial and continued employment
- Student achievement characterized by attainment of individual goals and measured by successful accomplishments and completion of curriculum
- Co-curricular opportunities that develop social, financial and civic acuity

Principles

Lamar State College - Port Arthur operates in the belief that all individuals should be:

- treated with dignity and respect;
- afforded equal opportunity to acquire a complete educational experience;
- given an opportunity to discover and develop their special aptitudes and insights; and,
- provided an opportunity to equip themselves for a fulfilling life and responsible citizenship in a world characterized by change.

Revised May 2011

B. Historical Statement.

John W. Gates of New York City, one of the founders of Texaco, established Port Arthur Business College in 1909. The school was organized to train people for the petrochemical industry, then in its infancy. Port Arthur Business College became Port Arthur Collegiate Institute in 1911, when the school was presented to the Board of Education of the Methodist Episcopal Church North, a forerunner of the present United Methodist Church. The church operated the growing campus until 1918, when it was turned over to a non-profit Texas corporation. This corporation had no capital stock and was overseen by a self-perpetuating Board of Trustees. The name of the school was changed back to Port Arthur Business College and finally, in 1932, to Port Arthur College.

On July 31, 1974, a proposal to form Lamar University-Port Arthur by merging Port Arthur College and Lamar University was approved. The trustees of Port Arthur College and the regents of Lamar University agreed that a merger was in the best interests of both institutions and their constituencies. The 64th Legislature of the State of Texas authorized the merger and appropriated \$600,000 for the creation of the Lamar University Center at Port Arthur. On August 21, 1975, the trustees presented the deed for Port Arthur College to the Lamar University Board of Regents. Classes began on the Port Arthur campus on August 28, 1975.

Subsequent legislative sessions have approved additional legislation which directly impacted Lamar State College-Port Arthur.

1. **House Bill 1134** (1977) re-named the campus as Lamar University at Port Arthur; the "Extension Center" designation was dropped.
2. **Senate Bill 409** (1983) deleted the restrictive language of H.B. 130 (passed in 1971 by the 63rd Legislature), thereby making Lamar-Port Arthur eligible, on an equal basis with other state institutions, for state funds to be utilized in the purchase of land and/or buildings.
3. **Senate Bill 410** (1983) provided Lamar University regents with the authority to levy a fixed student fee and the authority to bond against said fee for the construction of a student center building on the Port Arthur campus. This legislation was validated by a majority vote of the Lamar-Port Arthur student body in November 1983.
4. **Senate Bill 620** (1983) created the Lamar University System. Lamar University-Port Arthur became a component institution of that system on August 29, 1983.
5. **Senate Bill 578** (1985) named Lamar University-Port Arthur as a beneficiary institution to the Higher Educational Assistance Fund providing financial support for major repairs and rehabilitation, capital equipment, and library materials.
6. **The General Appropriations Act** (1985) directed that a formula be developed by the Texas Higher Education Coordinating Board to provide operational funding to Lamar University- Port Arthur on the same basis as other state-supported institutions of higher education.
7. **Senate Bill 843** (1991) clarified the issue of degree-granting authority by granting permission for Lamar University-Port Arthur to issue associate degrees in its own name.
8. **House Bill 2313** (1995) merged the member institutions of the Lamar University System into the Texas State University System, effective September 1, 1995.
9. **House Bill 1297** (1999) changed the name of the institution to Lamar State College at Port Arthur, effective June 1999.

Section I Last Revised May 2011

SECTION II: POLICIES AND PROCEDURES REGARDING INITIAL APPOINTMENT, RANK, AND PROMOTION

A. Appointment of Administrative Officers.

The following officers have administrative responsibility for the instructional program at Lamar State College-Port Arthur.

1. President.

Appointment of the President is the prerogative and responsibility of the Board of Regents of the Texas State University System. Specific guidelines for the selection of a new President are found in Chapter IV of the Texas State University System Rules and Regulations.

2. Vice President for Academic Affairs.

The appointment of the Vice President for Academic Affairs is the prerogative and responsibility of the President, acting with the approval of the Board of Regents. A search committee, appointed by the President, may be utilized to provide input from students, faculty, Department Chairs, and Deans regarding the appointment.

3. Deans.

The appointment of Instructional Deans and the Dean of Library Services is the prerogative and responsibility of the President. Such appointments shall be included in the personnel actions approved by the Board of Regents in their public meetings. The President will normally solicit a recommendation from the Vice President for Academic Affairs. A search committee, appointed by the Vice President, may be utilized to provide input from the students, faculty members, and Department Chairs regarding the appointment.

4. Department Chairs.

Appointment of Department Chairs is the responsibility of the respective Division Dean after input from the faculty, consultation with the Vice President for Academic Affairs, and with the approval of the President. The President will present these appointments to the Board of Regents for approval.

5. Program Coordinators.

Appointment of Program Coordinators is the responsibility of the respective Division Dean with input from the Department Chair, consultation with the Vice President for Academic Affairs, and with the approval of the President.

B. Administrative Procedures.

Administrative procedures involved in decision making are described in the section "Academic Administrative Procedures," located in Appendix A.

C. Faculty Appointment and Employment.

The philosophy of Lamar State College-Port Arthur is to maintain a learned faculty who, by precept and example, will instruct and inspire their students and reflect credit upon the institution. Scholarship, creative activity, research, and public service are encouraged, but Lamar-Port Arthur reaffirms that the primary goal of each faculty member shall be to attain a greater proficiency in teaching.

1. All appointments to the faculty of Lamar-Port Arthur are subject to the approval of the Board of Regents. The President shall recommend to the Board the employment or re-employment of faculty members to be awarded term or annual appointments.
2. The President is designated by the Board of Regents to both offer employment and accept resignation of faculty and staff. Authority is vested in the President to designate ranks, titles, and salaries of those appointed members of the faculty.

D. Re-appointment.

Written notice of a decision not to appoint will be given to a tenure-track faculty member not later than March 1 of the first year, or not later than December 15 of the second year of probationary service. After two or more academic years, written notice shall be given not later than August 31 that the subsequent academic year will be the terminal year of appointment. The notice required by this section is not applicable where termination of employment is for good cause as described elsewhere in this Handbook or Section 4.4 of the Texas State University System Rules and Regulations, or for faculty members appointed on a term basis.

Official notice of employment status will be issued by the President prior to the beginning of each academic year. Faculty members will receive notice by May 15 of each year of their status, number of years acceptable toward tenure, designated length of probationary service, special conditions, responsibilities, and any special prerequisites. Faculty will be notified of their status by May 15 except when the Legislature and Governor have not acted upon the budget, in which case notice will be given as soon as possible.

E. Selection of Faculty and Terms of Appointment.

New faculty are recruited by divisions to assure balance among fields and sub-fields within Academic Programs, Technical Programs, and Developmental Education, and to provide diversity in the origin of degrees and training of faculty. In the employment of faculty the following procedures will be followed:

1. Each hiring department must complete form F3.1, Request to Fill a Position, and receive administrative approval prior to posting full-time faculty vacancies. Teaching field, qualifications, and duties must be provided on the job description accompanying the F3.1.
2. Upon receiving administrative approval, advertising in the approved recruitment sources may begin. Positions may be advertised in one or more of the following ways:
 - a. On campus only
 - b. In the "Position Available" circulation only
 - c. In newspapers and journals
 - d. Internet
 - e. By other means calculated to assure the recruitment of qualified faculty
3. All vitae/resumes must be returned to Human Resources Office, Lamar State College-Port Arthur, P.O. Box 310, Port Arthur, TX 77641-0310.

4. Applicants for faculty positions can be screened by a member of the Human Resources staff to determine that the applicant meets the minimum qualifications for the position.
5. The applicant packet will be sent to the Department Chair when a position closes and will contain:
 - a. Hiring memo
 - b. Applicant list
 - c. Applications and resumes
 - d. Applicant screening form
 - e. Applicant rank order form
 - f. Interview rank order form
 - g. Authorization for reference checks
 - h. Other materials that may be used to assure the employment of qualified faculty
6. When employing new faculty the College must ascertain that the prospective faculty member has appropriate academic preparation before the applicant is hired. At some point a situation may occur in which an applicant whose highest earned degree presented as the credential qualifying the applicant to teach at the College was earned at a non-regionally accredited institution within the United States or an institution outside the United States. In this case the College, if it decides to consider the applicant for employment, would utilize an approved credential evaluation service to evaluate that person's academic preparation. The College reserves the right to require an individual with this background, regardless of the outcome of the credential evaluation, to complete additional courses, or obtain a graduate degree, as a condition of continued employment.
7. After the preliminary screening process has been completed, the chairperson of the hiring department will consult with the appropriate Dean, who will forward to the Vice President for Academic Affairs the names and credentials of applicants selected for interview. The Vice President may add to the list of those invited or delete applicants from consideration.
8. After receiving the Vice President for Academic Affairs' approval / recommendation the hiring department may begin the interview process. The Division Dean in consultation with the Department Chair will appoint a search committee that will ordinarily consist of the Department Chair, Program Coordinator (if applicable), faculty in the department, and in selected cases faculty from related disciplines or departments. The Division Dean may invite other members of campus community to serve on the search committee in an ex officio capacity. Interviews conducted by the search committee should be directed toward the applicants' qualifications related to the duties and responsibilities of the position, as well as conditions of the work. The hiring department must interview a minimum of three applicants unless the applicant pool is three or less. The candidates selected for interviews should reflect the most qualified applicants based on their applications. Reference checks and educational verification are the responsibility of the hiring department unless it requests the Human Resources Office to conduct checks on the top two candidates.
9. After the search committee has completed the interviews it will make a recommendation to the Division Dean, who in turn will recommend an applicant to the Vice President for concurrence. If the Vice President concurs with the recommendation, the department then forwards a completed applicant hiring packet to the Human Resources Office. The hiring packet must contain all completed forms, a completed Personnel Action Request Form (F3.2), and a letter of recommendation.

10. After review by the Human Resources Office, the recommendation and F3.2 is forwarded to the President for approval. The hiring department will be notified of the approval by the Human Resources Office, and the F3.2 will be forwarded to the Finance Office.
11. It is the policy of Lamar State College-Port Arthur to recruit, employ, and promote all faculty and staff without regard to race, color, age, sex, religion, national origin, handicap, or veteran status.

F. Faculty Credentials.

1. It is the policy of Lamar State College-Port Arthur to employ only faculty members, full-time and part-time, who possess the credentials required by the Southern Association of Colleges and Schools Commission on Colleges. To ensure that only instructors with proper credentials are employed for any full-time position, the following measures are included as part of the process for selection of faculty described elsewhere in Section II:
 - a. The Human Resources staff shall review the applications to determine which applicants meet the minimum qualifications stated on the position announcement. The minimum qualifications for a position shall include credential requirements identified in the SACS Criteria including education, prior employment experience, or both. At this stage the Human Resources staff may eliminate from consideration any candidate who does not possess the minimum standards for academic preparation. Other questions regarding credentials shall be called to the attention of the chair of the hiring department.
 - b. The Department Chair shall conduct a thorough review of the qualifications and credentials included in the application packets provided by the Human Resources Office. Part of the review shall include making a determination of each applicant's compliance with SACS faculty credential requirements.
 - c. Upon completing the review of the applications the Department Chair shall recommend a pool of qualified candidates to the Division Dean, who in turn will recommend the applicants to the Vice President for Academic Affairs for review and consideration. The Dean shall review the credentials of the applicants prior to recommending them to the Vice President for Academic Affairs for further consideration. Concerns that the Dean might have about credentials shall be shared with the Vice President at this stage.
 - d. The Vice President for Academic Affairs shall review the applications submitted by the Division Dean. The Vice President's review shall include an examination of the credentials of each candidate, and the Vice President may eliminate candidates from consideration who do not meet SACS Criteria. The applications shall then be returned to the department and subsequently forwarded to a search committee.
 - e. Although by this stage the applicants under consideration should clearly meet SACS requirements, the search committee shall include inspection of faculty credentials as part of its decision-making activities. An interview can be used to clarify credential issues, or as a result of the interview a candidate may be asked to supply additional information. After the search committee has completed its interviews and deliberations it will submit a recommendation to the Division Dean. Search committees shall nominate only applicants with appropriate credentials for all faculty position.
2. All part-time instructors must possess the credentials required by the Southern Association of Colleges and Schools Commission on Colleges. Department Chairs are responsible for verifying that the credentials of any person nominated for employment as a part-time instructor shall meet the SACS Criteria. Questions regarding credentials should be presented to the Division Dean and, if necessary, forwarded to the Vice President for Academic Affairs.

G. Policy Pertaining to Creditable Full-time Experience.

At the time of initial employment, a faculty member should be informed in writing of the institutional policy regarding creditable full-time experience. The President, upon recommendation of the Vice President for Academic Affairs, establishes the amount of creditable experience, notes it in the initial letter of appointment, and records it in the permanent file of the faculty member. Unless specifically noted otherwise, the years of creditable experience noted in the initial letter of appointment and permanent file shall be used to determine eligibility for promotion and tenure consideration. Establishment of creditable service is based upon the recommendation of the Department Chair and Dean, and shall not exceed three years.

H. Exceptions.

In a demonstrably exceptional case, a talented and productive applicant for a faculty position may be considered for appointment or promotion to instructional rank although the applicant does not technically fulfill the minimum criteria for holding such rank. In such an instance, the appointment must be determined by the President to be in the best interest of the institution. The Department Chair, Dean, and Vice President for Academic Affairs may submit a recommendation regarding initial rank, but the final decision rests with the President.

I. Administrative Personnel.

Administrative personnel considered for promotion in instructional rank must meet the stated criteria for promotion to that rank. In order to be considered for promotion in rank in either of the instructional divisions or the Developmental Education Department, a faculty member must have a regular teaching assignment during all years counted as time in rank. "Regular teaching assignment" is interpreted to mean at least 20 percent of load during both the fall and spring semester during each year to be counted.

J. Allied Health Department Faculty.

1. Faculty members in the Allied Health Department who are required to possess master's degrees as a condition of employment are eligible for instructional rank according to the guidelines of the Academic Programs Division.
2. Faculty members in the Allied Health Department who are not required to possess a master's degree as a condition of employment are eligible for instructional rank within the guidelines of the Technical Programs Division.

K. Initial Appointment of Academic Division Faculty to Instructional Rank, Creditable Experience Policy, and Criteria for Promotion in Instructional Rank.

1. The academic ranks for regular, full-time faculty in Academic Programs are Instructor, Assistant Professor, Associate Professor, and Professor.
2. In most cases the initial instructional rank assigned at the time of employment will be Instructor. Faculty may petition for higher rank at the time of employment if they qualify under existing policy. The minimum criteria for initial appointment or promotion to the instructional ranks are as follows:

Instructor

Master's degree from a regionally accredited institution.

Assistant Professor

Doctorate or approved terminal degree from a regionally accredited institution; or thirty hours beyond the master's degree and four years of creditable experience.

Associate Professor

Doctorate or approved terminal degree from an accredited institution; six years of creditable experience; demonstrated proficiency in teaching; recognized scholarly production, research, or professional achievement; and productive participation in departmental and campus affairs.

Professor

Doctorate or approved terminal degree from a regionally accredited institution; twelve years of creditable experience; superior teaching effectiveness; recognized scholarly production, research, or professional achievement; substantial contributions to departmental and campus affairs; and demonstrated performance as a leader.

L. Criteria for Promotion.

Decisions regarding the promotion of faculty in the Academic Programs Division are based on the following criteria:

Instructor

Master's degree from a regionally accredited institution.

Assistant Professor

Doctorate or approved terminal degree from a regionally accredited institution or thirty hours beyond the master's; four years of full-time teaching at Lamar-Port Arthur; productive participation in campus affairs; and demonstrated proficiency in teaching, recognized scholarly production, research, or professional achievement (See Policy on Terminal Degrees).

Associate Professor

Doctorate or approved terminal degree from a regionally accredited institution; four years as a full-time Assistant Professor at Lamar-Port Arthur; demonstrated proficiency in teaching; recognized scholarly production, research, or professional achievement; and productive participation in campus affairs (See Policy on Terminal Degrees).

Professor

Doctorate or approved terminal degree from a regionally accredited institution, six years as a full-time Associate Professor at Lamar-Port Arthur; superior teaching effectiveness; recognized scholarly production, research, or professional achievement; substantial contribution to campus affairs; and demonstrated performance as a leader.

The criteria listed represent minimum levels of academic achievement necessary for a faculty member to be considered for promotion; however, neither attainment of minimum qualifications nor fulfillment of the criteria for promotion guarantees promotion. Other factors may make it necessary or desirable, in the institution's judgment, to limit the number of promotions available in a particular year. Thus, promotion may be based not only on merit but on competition with one's colleagues and other factors as determined by the institution.

Claims of excellence or distinction in any area must be documented. In the review process, attention will be focused upon the accomplishments since appointment to the present rank.

M. Policy on Terminal Degrees.

An earned doctoral degree is the standard for promotion or appointment beyond the rank of Assistant Professor except in those fields which normally do not have the degree available or which recognize other evidence of academic or professional achievement in lieu of the doctorate (example: Master of Fine Arts). The President, upon recommendation of the Vice President for Academic Affairs, shall establish the status of the degrees in these areas.

N. Exceptions to the Terminal Degree Policy.

Requests for exceptions to the terminal degree policy must demonstrate superior teaching effectiveness, recognized scholarly production, research, professional achievement, and productive participation in departmental and campus affairs. They have a special obligation to demonstrate superior performance in scholarly and/or creative production.

O. Technical Division Faculty, Initial Appointment, Creditable Experience Policy, and Criteria for Promotion in Rank.

1. The instructional ranks for regular, full-time faculty in the Technical Programs Division are Instructor I, Instructor II, Instructor III, and Instructor IV. Faculty members teaching in the Allied Health Department who are not required to possess a master's degree as a condition of employment are eligible for the same instructional rank as technical faculty.
2. Initial technical rank is established at the time of employment. The minimum criteria are:

Instructor I

Business Related: Bachelor's degree and necessary certification, or master's degree, and three years of acceptable experience.

Industrial Related: (a) Associate degree and four years' experience; or (b) eight years of acceptable experience.

Allied Health Related: The appropriate level of academic preparation and three years of acceptable experience.

Instructor II

Business Related: Master's degree and four years of experience.

Industrial Related: Bachelor's degree and four years of experience.

Allied Health Related: Bachelor's degree and four years of experience.

"Degree" in the preceding criteria refers to a degree in the instructor's teaching field. Ranks III and IV are not listed because instructors normally are not initially employed into the upper ranks. When required, instructors must have the appropriate approval from state or national accrediting bodies.

P. Promotion to Technical Ranks.

For instructors initially employed at the Instructor I rank, the following criteria should be met to be considered for promotion from Instructor I to Instructor II:

1. First Promotion (From I to II): Four years of teaching experience at Lamar-Port Arthur and evidence of effective teaching, professional growth, and campus service.
2. Second Promotion (From II to III): Ten years of teaching experience at Lamar-Port Arthur; minimum of bachelor's degree for faculty in Industrial Technology and Allied Health; master's degree for faculty in Business Technology; demonstrated proficiency in teaching; recognized scholarly production, research, and/or record of professional growth and achievement; and productive participation in departmental and campus affairs.
3. Promotion to Instructor IV Rank: Fifteen years of teaching experience at Lamar-Port Arthur; superior teaching effectiveness; recognized scholarly production, research, and/or record of professional achievement and growth; demonstrated performance as a leader in departmental and campus affairs.

Instructors initially employed at the Instructor II level must meet the following criteria to be eligible for promotion to higher rank:

1. Promotion (From II to III): Five years of teaching experience at Lamar-Port Arthur, proven mastery in teaching; recognized scholarly production, record of professional attainment and growth, and/or research; and productive participation in campus and departmental affairs.
2. Promotion to Instructor IV Rank: Ten years of teaching experience at Lamar-Port Arthur; superior teaching effectiveness; recognized scholarly production, research, and/or record of professional achievement and growth; demonstrated leadership in departmental and campus affairs.

Q. Alternative Ranks for Faculty Members in the Technical Programs Division.

Faculty members in the Technical Programs Division who meet the qualifications established for instructional rank in the Academic Programs Division may petition for that rank in lieu of the standard technical ranks. Technical Division faculty members eligible for the alternative rank who are employed at the time of the adoption of this Faculty Handbook and Policy Manual, and faculty members who subsequently become eligible for the alternative ranks, must follow all of the application procedures for Academic Programs Division faculty members specified elsewhere in Section II.

R. Initial Appointment of Developmental Education Faculty, Policy on Creditable Experience, and Criteria for Promotion in Rank.

1. The instructional ranks for contracted, full-time faculty in the Developmental Education Department are Instructor, Assistant Professor, Associate Professor, and Professor.
2. In most cases the initial instructional rank assigned at the time of employment will be Instructor. Faculty may petition for higher rank at the time of employment if they qualify under existing policy. The minimum criteria for initial appointment or promotion to the instructional ranks are as follows:

Instructor

Master's degree from a regionally accredited institution.

Assistant Professor

Doctorate from a regionally accredited institution; or thirty hours beyond the master's degree and four years of creditable experience.

Associate Professor

Doctorate from a regionally accredited institution; six years of creditable experience; demonstrated proficiency in teaching; recognized scholarly production or research; professional achievement; productive participation in departmental and campus affairs.

Professor

Doctorate from a regionally accredited institution; twelve years of creditable experience; superior teaching effectiveness; recognized scholarly production, research, or professional achievement; substantial contributions to departmental and campus affairs; and demonstrated performance as a leader.

3. The criteria listed above represent minimum levels of achievement necessary for a faculty member to be considered for appointment; neither attainment of minimum qualifications nor fulfillment of the criteria for promotion guarantees promotion. Other factors may make it necessary, or desirable, in the institution's opinion to limit the number of promotions available in a particular year. Thus, promotion may be based not only on merit but also on competition with one's colleagues and other factors as determined by the college. Claims of excellence or distinction in any area must be documented. In the review process, attention will be focused upon the accomplishments since appointment to the present rank.

S. Review and Recommendation Procedures for Faculty Promotion

1. The promotion of a faculty member is discretionary on the part of Lamar-Port Arthur. Faculty members do not have entitlement to a prospective promotion rising to the level of a property interest, and the denial of a prospective promotion is not sufficiently stigmatic to constitute a liberty interest. No commitments, implied or otherwise, shall be made by any individual regarding faculty promotions without the prior written approval of the President, and all faculty promotions shall be subject to the approval of the Board of Regents. Faculty members who are not recommended for promotion shall not be entitled to a statement of reasons for the decision against the recommendation. At the institution's discretion, a supervisor may offer suggestions for a program of professional development in teaching, scholarly or creative work, and leadership or service that may enhance the likelihood of promotions in the future.
2. Decisions regarding promotion include but shall not be limited to:
 - a. Teaching in the classroom, laboratory, or clinic;
 - b. Studying, investigating, discovering, and creating;
 - c. Performing curricular tasks auxiliary to teaching and research, e.g., serving on faculty committees, attending to administrative and disciplinary tasks, and promoting diligence and honest work in the student body;

- d. Advising and counseling of students, including the posting or publishing of office hours in such a manner as may be required by the President;
- e. Influencing beneficially students and citizens in various extracurricular ways.
- f. A faculty member becomes eligible for promotions by meeting or exceeding these criteria, although such eligibility shall not entitle him or her to a promotion.

T. Procedures for Applying for and Approving Promotions.

The following procedures have been established for applying for and awarding promotions:

1. The individual faculty member may initiate a documented application for consideration for promotion when he or she believes the criteria for promotion have been met. The member should prepare application forms and supporting materials, in sufficient copies, and present them to the Department Chair. The Department Chair shall review all applications and recommend for or against promotion. In those cases where more than one applicant is recommended for promotion to a specific rank, the Department Chair shall rank the applicants. The applications and Department Chair's recommendations shall be submitted to the Division Promotion Committee. The Chair shall notify the applicant, in writing, of the decision regarding the promotion application.
2. Department Chairs are encouraged to forward all meritorious applications for promotion. Division committees and deans are encouraged to be cognizant of any limitations on the number of available promotions and to consider those limitations in making recommendations. Consideration for promotion should be given separately by rank, rating the candidates in each rank separately.
3. The Division Promotion Committee shall review the applications and recommend for or against promotion. In those cases where more than one applicant is recommended for promotion to a specific rank, the committee shall rank the applicants. The application and recommendations of the Department Chair and the Division Committee shall be submitted to the Division Dean. The Division Promotion Committee shall notify the applicant, in writing, of the decision regarding the promotion application.
4. The Division Dean shall review the application. The Dean should rank all applicants whom he or she chooses to recommend for promotion. The application and recommendations of the Department Chair, Division Committee, and Dean shall be submitted to the Vice President for Academic Affairs. The Dean shall notify the applicant, in writing, of the decision regarding the promotion application.
5. The Vice President for Academic Affairs shall review the applications and all previous recommendations and prepare a recommendation for the President. In the event that the Vice President for Academic Affairs recommends against promotion, the Vice President shall, in writing, inform the candidate and the appropriate Dean and Department Chair of the disposition of the candidate's application.
6. The applications of candidates recommended for promotion by the Vice President for Academic Affairs shall be forwarded to the President for review and recommendations.
7. The President, after reviewing all pertinent information, shall forward the recommendations for promotion to the Board of Regents.

U. Composition of Promotion Committee.

The Academic Programs Division and the Technical Programs Division shall each establish a five-member Division Promotion Committee. The Division Promotion Committees makes recommendations to the division Deans concerning the promotion of faculty members. Each committee should be as representative as possible of its respective division. The election is supervised by the Dean. Each committee shall elect its own chairperson.

1. Tenured faculty (excluding Deans and Department Chairs) should be chosen to serve on the division committees; if the number of tenured faculty is insufficient to fill committee positions and provide adequate faculty representation, tenure-track, full-time faculty with at least three (3) years teaching experience at Lamar-Port Arthur shall be eligible to serve.
2. Full-time teaching faculty with a minimum of one year's service at Lamar-Port Arthur, except Deans and Department Chairs/Program Coordinators, are eligible to vote for committee membership.
3. A person shall be permitted to strike his or her name from the list of eligible faculty to serve on a committee--for cause--prior to election. No person who is applying for promotion may serve on a promotion committee.
4. While it may not be possible to have all members present for each committee meeting, a majority of members must be present to constitute a quorum. It may be necessary for some committee members to vote on promotions to a rank higher than their own.
5. The Technical Division Promotion Committee represents the Allied Health, Business and Technology and Commercial Music Departments. The Academic Division Promotion Committee represents the Math and Science, Developmental Education, and Liberal Arts Departments.

Revised Sept 2012

V. Distinguished Professor, Emeritus Faculty, and Distinguished Emeritus Faculty.

1. Upon the recommendation of the President, the Board of Regents may bestow the title of "Distinguished Professor" upon a very select number of tenured faculty members who already have held the rank of Professor for at least five years.
2. The academic title of "Emeritus" may be conferred after retirement, or in anticipation of retirement, by the President for exceptional and distinguished service to the institution. The Board, upon the recommendation of the President, may bestow the title of "Distinguished Professor Emeritus" or "Distinguished Associate Professor Emeritus" upon retired members of the faculty or in anticipation of the retirement of a faculty member. The title becomes effective upon retirement. The conferring of these titles is not automatic upon retirement but shall be based upon individual distinction, exceptionally high quality service, and outstanding contributions to Lamar State College-Port Arthur, which clearly demonstrate individual's worthiness for this honor.

Section II Last Revised 9-30-2012

SECTION III: RIGHTS AND RESPONSIBILITIES AS A TEACHER AND AS A CITIZEN

A. Academic Freedom.

Institutions of higher education are conducted for the common good. The common good depends upon a free search for truth and its free expression. Hence, it is essential that faculty members be free to pursue scholarly inquiry without undue restriction and voice and publish their conclusions concerning the significance of evidence that they consider relevant. The faculty must be free from fear that others, inside or outside the institution, because their views may differ, may threaten the faculty member's professional career or the material benefits accruing from it.

Faculty members are entitled to full protection of their rights under the First Amendment to the Constitution of the United States and such further rights as conferred on the faculty member by contractual agreement, as they discuss the subject which they teach in the classroom. Further, the employees of Lamar State College-Port Arthur are entitled to the protection of the Fourteenth Amendment of the Constitution of the United States, which prohibits the institution, as an arm of the state, from depriving a citizen of life, liberty, or property without due process of law.

B. Academic Responsibility.

The concept of academic freedom must be accompanied by an equally demanding concept of responsibility, which shall be shared by Lamar-Port Arthur administrator's faculty members. The fundamental responsibilities of faculty members as teachers and scholars include maintenance of competence in their fields of specialization and the exhibition of such competence in lectures, discussions, or publications.

Exercise of professional integrity of faculty members includes recognition that the public will judge their profession and their institution by their statements. Therefore, they should strive to be accurate, exercise appropriate restraint, show respect for the opinions of others, and avoid creating the impression that they speak or act for the institution when they speak or act as private persons.

C. Classroom Responsibilities of Faculty.

The faculty member is entitled to freedom in the classroom in discussing the faculty member's subject. However, controversial material should be used relevantly in the classroom and should be introduced only as such material has a clear relationship to the subject field.

D. Classroom Management and Related Duties.

Faculty members are responsible for maintaining proper and complete records, accounts, enrollments, grades, and related documentation. Faculty members, including Department Chairs and Program Coordinators, are expected to participate in departmental, committee, and general faculty meetings immediately before the beginning of each semester and continuing through commencement, the official end of the semester.

E. Community Service.

Faculty activities rendered as a service to the constituency of the institution are important functions. These activities include teaching non-credit courses; preparation of informational bulletins; clinical services; speeches; providing counseling and technical assistance through the Small Business Development Center; conference planning and participation; consultation without compensation to business, industry and government; participation in professional societies; and other educational and leadership activities. Questions relating to community service activities should be addressed to the Dean of the appropriate division.

F. Grievance (Faculty).

1. Grievances on Terms and Conditions of Employment
 - a. Every employee, including faculty, shall be entitled to present grievances concerning such individuals' wages, hours of work, or conditions of work individually or through a representative that does not claim the right to strike to a hearing officer designated by the President.
 - b. Grievance topics may include wages, hours of work, or conditions of work. Such grievances shall not involve formal hearings (*Texas State University System Rules and Regulations* CHAPTER V, 2.15).
2. Grievances on Non-renewal or Termination of Employment
 - a. For purposes of this policy (SECTION III. F), "faculty member" means a person employed full-time by a System Component as a member of the faculty whose duties include teaching, research, administration, or the performance of professional services. It does not include a person who holds faculty rank but spends the majority of his or her time engaged in managerial or supervisory activities.
 - b. A faculty member, whose employment is terminated prior to the end of his or her contract period, shall be entitled to invoke the full due process procedures provided to tenured faculty under Paragraph 4.5 of Chapter V of the Texas State University System Rules and Regulations and Section VII of the LSC-PA Faculty Handbook and Policy Manual.
3. Grievances on Termination of Employment Prior to the End of Contract Period
 - a. A faculty member may present a grievance, in person, to the president on an issue related to non-renewal or termination of the faculty member's employment at the end of his or her contract period.
 - b. The president shall designate a member of his or her administration as a hearing officer to consider grievances under this *Chapter*.
 - c. No later than thirty (30) business days after the grievant learns (or in the exercise of reasonable care should have learned) of the action or condition giving rise to the grievance, he or she shall file the grievance on a form prescribed by the Component, providing supporting documentation, if any. The hearing officer will meet with the grievant at a mutually convenient time to review any documentation or other evidence that the grievant may present in support of his or her position.
 - d. The hearing officer may not recommend changing the administration's action regarding non-renewal or termination of employment unless the faculty member establishes a *prima facie* case—that is, presents evidence sufficient to establish a claim in the absence of rebuttal by the Component—that he or she has been denied a right guaranteed by the constitutions or laws of the United States or of the State of Texas.
 - e. If finding that the grievant has established a *prima facie* case, the hearing officer shall determine whether the administration has stated a non-discriminatory reason for its decision and so advise the president.
 - f. The president shall make the final decision regarding the grievance.
 - g. A grievance under this Paragraph is not a due process hearing, requiring the formalities specified in Paragraph 4.5 of Chapter V of the Texas State University System Rules and Regulations.

Revised 9/1/2014

G. Maintaining a Correct Mailing Address.

Each faculty member shall keep the Human Resources Office and the Vice President for Academic Affairs notified of the faculty member's current mailing address. Written notices regarding tenure and termination shall be sent by certified mail, return receipt requested. Notice shall be complete when deposited in the United States mail addressed to the last address given by the faculty member. The faculty member's failure or refusal to receive the notice is immaterial.

H. Mediated Courseware.

Mediated courseware developed by an employee of Lamar-Port Arthur without specific direction or significant support of the College shall not be sold, rented, leased, or otherwise used in a manner that competes with the instructional offerings of the College without the prior written approval of the Vice President for Academic Affairs. Should approval be granted to offer the course, course component, or instructional support materials outside of the institution, the employee shall reimburse the College for any use of its resources. For additional information on mediated courseware see Chapter III, Paragraph 11.3 and Chapter V, Paragraph 4.76 of the System Rules and Regulations and Section X of this Handbook.

I. Notice of Intention to Resign.

Faculty members have the responsibility to provide due notice of intent to interrupt or terminate institutional services within a reasonable time or the time provided by contractual agreement. A faculty member should not resign later than May 15, or 30 days after receiving notification of the terms of the continued employment for the following year, whichever date comes later. A faculty member who plans to resign should give written notice addressed to the President through the Department Chair, Division Dean, and Vice President for Academic Affairs.

J. Partisan Political Activities.

Lamar-Port Arthur recognizes and affirms a faculty member's right to participate in political activities as long as such political activities do not interfere with the discharge of the duties and responsibilities a member of the faculty owes to the institution or to otherwise involve the institution or the Texas State University System in partisan politics. If, in the President's judgment, the interest of the institution or the System may so require, a leave of absence may be granted without pay to a member of the faculty. If a member of the faculty, who has not been granted a leave of absence, wishes to engage in political activity that interferes with the duties and responsibilities that are owed to the institution, the faculty member should voluntarily terminate employment. If the faculty member does not voluntarily terminate his or her employment and the President or Board of Regents finds that the faculty member's political activity interferes with the discharge of the duties and responsibilities that are owed to the System or the institution, the President or the Board shall terminate such faculty member's employment.

K. Professional Development.

An important annual objective for faculty members is to remain current in their teaching fields; it is considered an obligation of all faculty members. To fulfill this obligation, a faculty member may participate in activities such as the following: general professional reading; leaves of absence designed to improve one's general professional competence; travel associated with research or creative efforts, formal course work; and other activities designed to improve one's general or specific professional competence.

L. Publications.

The faculty member is entitled to freedom in research and in the publication of the results in accordance with responsible academic and professional practices.

M. Release From Contract.

After a faculty member has signed a contract for the subsequent year, good faith requires that the faculty member not negotiate for a new position elsewhere for the period the faculty member is obligated to teach under the terms of the signed contract. Requests for release from a written contract will be considered on a case-by-case basis, with primary consideration given to the best interests of Lamar-Port Arthur.

N. Research.

Lamar-Port Arthur recognizes its obligation to maintain a faculty that is professionally creative in respective disciplines. This dimension is important not only to quality instruction in the classroom, but also to the realization of the institution's goal as an overall scientific, technical, and cultural resource within the community. In this spirit, the institution encourages faculty members to recognize their responsibility for professional growth through activities outside the classroom which maintain the scholar's professional interests and the production of creative materials. Faculty members are entitled to freedom in research and in the publication of the results in accordance with responsible academic and professional practices. Faculty members engaging in research should review the policies on copyrights and patents located in Sections X and XI in the Faculty Handbook and Policy Manual.

O. Speaking as a Citizen.

The faculty member is a citizen, a member of a learned profession, and an employee of an educational institution supported by the State of Texas. When the faculty member speaks or writes as a citizen, the faculty member should be free from institutional censorship or discipline; but the faculty member's special position in the community imposes special obligations. As a person of learning and a faculty member of a state funded educational institution, the faculty member should remember that the public may judge his or her profession and Lamar State College- Port Arthur by his or her utterance. Hence, the faculty member should at all times be accurate, exercise appropriate restraint, and should show respect for the opinion of others.

Revised 2-7-2012

SECTION IV: TERMS AND CONDITIONS OF EMPLOYMENT

A. Absences.

Faculty members employed by Lamar-Port Arthur must discharge faithfully their instructional duties and other responsibilities associated with faculty appointment, including the meeting of all scheduled classes.

1. Absences from classes will be authorized only under the following conditions:
 - a. Professional meetings when, in the judgment of the President or his designee, attendance at such a meeting would contribute to improving teaching or scholarship at the College;
 - b. Sickness, injury, pregnancy and/or confinement that prevents the faculty member's performance of duty or when a member of his or her immediate family is actually ill;
 - c. Family emergencies, including attending the funerals of the faculty member's spouse, or the faculty member or spouse's parents, brothers, sisters, grandparents, or children; or for any other absence designated by the President as an emergency;
 - d. Specific assignments of the President of short duration, or special circumstances where the President considers such absences to be for valid reasons.
2. Unauthorized absence of a faculty member is not permitted. Unauthorized absences are a violation of the terms of the faculty member's appointment. Any faculty member absent for a period of two days who fails to obtain authorized leave according to approved personnel policies will be considered to have abandoned his/her position. The instructor will be subject to disciplinary action which may include leave without pay, dismissal, or other personnel action.
3. In the event of a faculty absence which is premeditated, prior authorization through the use of the proper form is required. The request for permission to be absent should be made to the Department Chair/Program Coordinator with final approval from the Division Dean. The faculty member is obligated to notify the Department Chair as early as possible so that the latter may make appropriate arrangements for missed classes.
4. Faculty members should consult Section 4 of the Lamar-Port Arthur Administrative Policies and Procedures Manual, or contact the Human Resources Office, for information regarding sick leave, catastrophic sick leave pool, leave without pay, extended leave without pay, military leave, volunteer firefighter leave, family medical leave, parental leave, foster parental leave, emergency bereavement leave, emergency leave, worker's compensation, return to work policy, and absence for jury duty.
5. The faculty member is responsible for notifying the Department Chair/Program Coordinator of an absence in time to ensure the uninterrupted schedule of classes.

Revised June 2004

B. Acceptance of Money from Students.

Faculty members shall not, without the approval of the President or his designee, collect from students any fees or charges to be expended for institutional purposes or sell to students books, notes, materials, or supplies. Faculty of the rank of lecturer or above, and other instructional personnel as designated by the President, may not accept pay from students for extra instruction or teaching of students who are registered in the institution.

C. Commencement.

Members of the full-time faculty are expected to participate in a minimum of two campus-wide commencement exercises each academic year. Representation from each department should be approximately the same at each of the scheduled exercises. Faculty members participating in these ceremonies shall wear academic regalia appropriate to their highest degree and the institution conferring it.

D. Consensual Sexual Relationships Between Employees.

Lamar-Port Arthur prohibits consenting romantic and sexual relationships between employees where a power differential exists.

1. Any employee who enters into such a relationship must realize that, if a charge of sexual harassment is subsequently lodged, it will be exceedingly difficult to prove immunity on grounds of mutual consent. The administrator or board reviewing a charge of sexual harassment shall be expected, in general, to be unsympathetic to a defense based on consent when the facts establish that an employee power differential existed within the relationship.
2. Employee power differential relationships is defined as a relationship between two employees where by virtue of one employee's status at Lamar-Port Arthur he or she has apparent authority over the other employee's status in the institution.
3. Any employee who thinks that he/she is a victim of sexual harassment should clearly communicate to the offender that the behavior should cease immediately. If the behavior continues, the victim should lodge a complaint against the offender.
4. Section 5 of the Administrative Policies and Procedures Manual contains a complete description of the institution's sexual harassment policies and the procedures for filing a complaint.

E. Consensual Sexual Relationships Between Faculty Members and Students.

Lamar-Port Arthur prohibits a consensual sexual relationship between a faculty member and a student enrolled in a course taught by the faculty member. This applies even when both parties appear to have consented to the relationship. A faculty member who is or has been involved in a consensual sexual relationship with a person should not enter into a student/teacher relationship with that person. "Consensual sexual relationships" may include amorous or romantic relationships. The term is intended conduct between a faculty member and a student which passes beyond what a person of ordinary sensibilities would believe to be a collegial relationship.

The initiation of or acquiescence to a sexual relationship by a faculty member with a student under the personal supervision of the instructor is a serious breach of professional ethics. The professional relationship between faculty and students is central to the institution's educational philosophy. When faculty members interact with students in a student-teacher relationship, they exercise a form of power over the students, whether in the form of criticism, praise, suggestions, corrections, or career guidance. Any action in which power is abused or appears to have been abused can disrupt this professional relationship and undermine the mutual trust and respect upon which this professional relationship is founded.

A consensual sexual relationship between a faculty member and a student, particularly when the instructor is in a position of power, will irreparably undermine this professional relationship. The issue of power and control over the student remains so strong that in a sexual relationship that voluntary consent by a student may be only forced consent which the hidden, subtle pressure stemming from the faculty member's position of power has turned into a "voluntary" act. Such a relationship creates an inevitable conflict of interest when a teacher makes judgments about a student's work. The appearance of impropriety to the Lamar-Port Arthur community, which such relationships produce, casts doubt on the faculty member's judgment and evaluation of the student's performance, the faculty

member's overall professionalism and credibility, and the genuineness of the student's accomplishments where the faculty member is directly supervising and teaching the student.

Lamar-Port Arthur and the Texas State University System have established policies affirming that no employee of the institution or the System may sexually harass another person. Any employee who violates the policies will be subject to disciplinary action. A faculty member who engages in a consensual sexual relationship with a student in a course taught by the faculty member could be liable to charges of committing sexual harassment. Faculty members are responsible for reading and understanding the institutional policy on sexual harassment included in Section 5 of the institution's Administrative Policies and Procedures Manual, Sections IV and IX of this Faculty Handbook and Policy Manual, and the policy on sexual harassment in Chapter VII, Section 8 of the Texas State University System Rules and Regulations. Questions regarding the policies should be directed to the Division Dean or the Vice President for Academic Affairs.

F. Emergencies, Fires, Accidents, and Sudden Illness.

1. In the event of a life-threatening injury or illness, immediate emergency assistance should be sought. Immediately contact Campus Security at extension 6255, or the Campus Security Duty Phone at 720-7369, or the campus Operator (0). You may also use an emergency call box if there is one nearby. If there is no response from College personnel call 9-911.
2. In the event of minor injuries or illness requiring medical attention, the person should be sent or taken to the Security Office on the first floor of the Student Center.
3. In all cases of fire, activate the nearest fire alarm to warn other building occupants. If you suspect there is a fire in the building, and the fire alarm does not sound, immediately contact Campus Security at extension 6255, or the Campus Security Duty Phone at 720-7369, or the campus Operator, or use an emergency call box if there is one nearby.
4. If the fire alarm sounds you should immediately have your students exit the building in an orderly manner. Please refer to the evacuation plan posted in the classroom.
5. In the event of an electrical power failure during the day, you will receive instructions from your department chair or other administrative office about either dismissing class or waiting for power to return.
6. In the event of an electrical power failure during evening classes, and in the absence of any administrative directive, you may dismiss class if power has not been restored after fifteen (15) minutes. Note that there are emergency lights in all buildings to allow for safe egress.
7. In the event of an electrical power failure that leaves someone stranded in an elevator, note that all elevators on campus are equipped with emergency call buttons. The call goes to Campus Security or the Operator. The call automatically rolls over to 911 if it is not answered on campus.
8. In the event of biological, chemical, or bomb threats, the College has procedures in place for notifying faculty of the appropriate action to take (i.e., evacuation or sheltering in place). In these circumstances the College works closely with federal, state, and local law enforcement officials.
9. In the event of severe weather that may potentially threaten the safety of individuals on campus, faculty will be notified of the appropriate action to take.
10. In the event of a crime, or possibility of a criminal act, notify Campus Security by calling extension 6255 or the Campus Security Duty Phone at 720-7369, or the campus Operator.

11. In the event of an accident, fire, or criminal act that occurs during a time the college is officially closed and a security officer is not on duty, call 911. (Remember to dial 9 for an outside line and then 911). You may also use an emergency call box if there is one nearby. Then call the Vice President for Academic Affairs at his home (721-9286) and notify him about the event.
12. Familiarize yourself with the campus eLERT system and encourage your students to do the same. There is a link to eLERT on the LSC-PA website, in the lower right corner. In the event of emergencies affecting the entire campus, eLERT will automatically send a message to all computers on campus, and it will replace the home page for the duration of the emergency.

Revised February 2008

G. Emergency Closings.

Situations occasionally arise that necessitate the suspension of normal campus operations to protect the members of the campus community. In such cases, the following policies and procedures will be observed.

1. Authority to suspend normal operations rests with the President or, in his absence, his designee.
2. Unless a specific announcement of closing is made through media outlets, the faculty, staff and student should assume that normal campus operations will be observed and that they should report to work or class as scheduled. A list of approved media outlets is provided in Section 4 of the Administrative Policies and Procedures Manual.
3. Faculty members are responsible for informing students of the emergency closing policies. Poor student attendance and inclement weather should not be used as an excuse to dismiss class. Students who attend despite adverse conditions are entitled to the scheduled class meeting.
4. Upon the recommendation of the Division Dean, and with prior written approval from the Vice President for Academic Affairs, separate closing policies may be approved for specific programs.

The college calendar will not be lengthened if classes are cancelled due to inclement weather or other circumstances. Final examinations will be administered as scheduled. The method for including the subject matter that normally would have been covered in the missed class meetings will be left to the discretion of each instructor. Strategies may include, but will not be limited to, additional or lengthened class meetings, additional assignments, laboratory or library activities, field trips, and/or fewer or take-home exams in order to free more class time for demonstration, discussion, and lecture.

H. Employee Benefits.

Information regarding employee benefits, including health insurance and retirement can be obtained from the Human Resources Office. Policies and procedures regarding employee benefits are contained in Section 6 of the Administrative Policies and Procedures Manual.

I. Employment Outside of the Institution.

By accepting employment at Lamar-Port Arthur, faculty members are expected to:

1. Accept the full-range of teaching responsibilities assigned;

2. Continue to develop professionally through research, participation in professional societies, desirable professional experience, and/or public service;
3. Assume committee and service assignments at the department, division, and campus levels;
4. Ensure that professional activities, with or without remuneration, performed outside the Lamar-Port Arthur community shall not interfere with the full performance of assigned duties in accordance with the following policies governing outside employment for all faculty members:
 - a. Faculty members may accept appropriate appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions as long as such activities do not conflict with the individual's work at the institution. The consideration to the institution of such activity is the improvement of the individual through contact with the nonacademic world. Faculty members are discouraged from accepting regular employment outside the institution because such does not directly benefit the institution as indicated herein.
 - b. Conflict of interest must be avoided in all instances of outside employment. Conflict of interest is any outside activity imposing upon the employee's responsibility to the institution.
 - c. No member of the faculty engaged in outside remunerative activities shall use in connection therewith the official stationery, supplies, equipment, personnel services, or the resources of the Texas State University System or Lamar-Port Arthur. Nor shall such member of the faculty accept pay from private persons or corporations for tests, essays, chemical analysis, computer programming, bacteriological examinations, or other work of a routine character which involves the use of property owned by the System or the institution.
 - d. No member of the faculty shall accept employment or any position of responsibility if the discharge of such employment or responsibility will be antagonistic to the interests of the State of Texas, the Texas State University System, or any member institution of the System.
 - e. Every faculty member who gives professional opinions must protect the Texas State University System and its component universities against the use of such opinions for advertising purposes. That is, when work is done in a private capacity, the faculty member must make it clear to the employer that such work is unofficial and that, absent the President's prior approval, the name of the System and its component universities are not to be connected with the faculty member's name. Exceptions may be made for the name of the author attached to pamphlets, books, and articles in periodicals, and the identification of an individual in publications of corporations or companies related to service as a member of an advisory council, committee, or board of directors.
 - f. No member of the full-time faculty of Lamar-Port Arthur employed on a twelve-month or nine-month basis shall be employed in any outside work or activity or receive from an outside source a retainer fee or salary during the period of employment by the institution until a description of the nature and extent of the employment has been filed with and approved by the President or his designee.

J. Enrollment in Course Work.

A full-time faculty member may enroll for courses at Lamar-Port Arthur or another institution during the working day, provided prior approval has been granted by the appropriate Department Chair and Division Dean.

Full-time faculty members may enroll as desired for classes which begin after the close of their regular working day without requesting prior approval. Part-time faculty members may take courses as desired so long as they do not interfere with their instructional duties and responsibilities. Full-time faculty (and some part-time faculty) may qualify to take two courses per year (limit one course per long semester or summer term) with all tuition and fees paid by the institution. This policy is described in Section 6 of the Administrative Policies and Procedures Manual.

K. Ethics Policy.

The Board of Regents of the Texas State University System has developed a comprehensive ethics policy for all System employees. Section 5 of the institution's Administrative Policies and Procedures Manual provides guidance on the following ethical issues:

1. Travel expenses and allowances
2. Conflicts of interest
3. Code of ethics and ethics training
4. Standards of conduct for state employees
5. Benefits, gifts, and honoraria
6. Political activities
7. Dual office holding

L. Evaluation of Faculty.

Full-time faculty members are independently evaluated annually by their Department Chairs and Deans relating to various professional duties and activities including classroom instruction, scholarly research and publication, participation in department and campus-wide affairs, professional development and service, and community service. The Annual Faculty Report may be used for self-evaluation, and by the Department Chair and Dean to support recommendations concerning promotion, tenure, and salary administration. Faculty members receive a copy of this evaluation report after the Department Chair and Dean have completed their reviews and have the right to request a conference concerning evaluations and to appeal such evaluations.

During each long semester, each faculty member (full-time and part-time) will provide students with an opportunity to evaluate his or her performance. To insure that final grades are not biased by comments made on evaluations, another faculty or staff member will monitor the evaluation process. The instructor being evaluated shall not be present in the classroom when students are completing the evaluation without the prior approval of his/her Department Chair. Completed evaluations should be returned to the Vice President for Academic Affairs for tallying. The Vice President will release the evaluations to the Deans for distribution to faculty after final grades are posted.

The student evaluations of faculty are to be used as a means for improving teaching and may also be used to document teaching effectiveness in applications for tenure and promotion. The results of student evaluations may also be submitted as part of the annual faculty evaluation process.

M. Facilities Use by Faculty Members.

All Lamar-Port Arthur facilities are open to faculty groups when they are conducting or sponsoring college-related activities. State property is not to be used for partisan political activity or for other activities not clearly related to the functions of the institution.

The Vice President for Student Services and the Director of the Physical Plant are responsible for the safety and welfare of campus students, staff, and faculty by providing proper security for all buildings. Classrooms and most other space is scheduled through the Office of the Vice President for Student Services (ext. 6156) for most academic and non-academic functions. For reservations or use of space in the Gates Library, contact the Dean of Library Services (ext. 6216). The President's Office (ext. 7101) coordinates the scheduling of the A. J. M. Vuylsteke Home. The Office of the Vice President for Academic Affairs (ext. 6210) is responsible for the use and scheduling of the theater facility and for faculty office assignments.

N. Faculty Development Leave of Absence.

The Board of Regents has authorized the institution to implement a Faculty Development Leave Program pursuant to the provisions of the *Texas Education Code, Chapter 51, Subchapter C*.

1. A faculty development leave of absence may be granted for study, research, writing, field observations, or other suitable purpose, to a faculty member if the faculty member is eligible by reason of service, that the purpose for the faculty development leave is one for which faculty development leave may be granted, and that granting leave to the faculty member will not place on faculty development leave a greater number of faculty members than is authorized.
2. The term "faculty member" means a person who is employed on a full-time basis as a member of the faculty or staff and whose duties include teaching, research, administration, including professional librarians, or the performance of professional services. The term does not include a person employed in a position which is in the institution's classified personnel system, or employed in a similar type of position.
3. Applications for faculty development leaves will be submitted for evaluation to a committee elected by those persons eligible to apply for leave. This committee then makes recommendations to the President, who shall make the final determination as to which applications for paid faculty development leave should be granted.
4. Applications for faculty development leave will ordinarily be submitted to the committee in October and forwarded to the President in November. Approved leaves will ordinarily begin in the following academic year.
5. A faculty member is eligible by reason of service to be considered for a faculty development leave after serving as a member of the faculty of the same institution of higher education for at least two consecutive academic years. The service must be full-time academic duty but need not include teaching.
6. Duration and Compensation
 - a. Faculty development leave may be granted to a faculty member for either one academic year at one-half of regular salary or for one-half of an academic year at full regular salary. For the purposes of this policy, an academic year means a fall semester followed immediately by a spring semester. One-half of an academic year means either a fall or spring semester.
 - b. A faculty member on faculty development leave may accept a grant for study, research, or travel from any institution of higher education, from a charitable, religious, or educational corporation or foundation, from any business enterprise, or from any governmental agency.
 - c. A faculty member on faculty development leave may not accept employment from any other person, corporation, or government, unless the governing board determines that it would be in the public interest to do so and expressly approves the appointment.

7. By statute, no more than six percent of the faculty members may be on faculty development leave at any one time. The actual number that can be supported in a given year will depend upon available institutional resources.
8. Rights Retained.
 - a. A faculty member on faculty development leave shall continue to be a member of the Teacher Retirement System of Texas or of the Optional Retirement Program, just as any other member of the faculty on full-time duty.
 - b. The institution shall cause to be deducted from the compensation paid to a faculty member on faculty development leave the deposit and membership dues required to be paid by the employee to the Teacher Retirement System of Texas or to the Optional Retirement Program, or both, the contribution for Old Age and Survivors Insurance, and any other amounts required or authorized to be deducted from the compensation paid any faculty member.
 - c. A member of the faculty on faculty development leave is a faculty member for purposes of participating in the programs and of receiving the benefits made available by or through the institution or the state to faculty members.

O. Library Services.

Faculty members are encouraged to use Gates Memorial Library facilities and services. Collections are continuously developed to provide curriculum support in both academic and technical areas. Included are web-based databases, CD-ROMs, and microforms. Peripheral collections include telephone books, best sellers, children's books, and career materials. Library instructional orientations are available by reservation to all instructors and all classes. Library Research Guides are used to facilitate this process in all subject areas. Other services include Internet, telephone, and in-person reference assistance, Tex-share cards, and inter-library loans.

P. Mail.

Faculty mailboxes are located in the Monroe Building foyer and should be checked at least once daily.

Q. Office Hours.

A good relationship between instructor and student requires that faculty members provide time for conferences. Full-time faculty members are obligated to be available in their offices or laboratories (other than scheduled lab time) at least ten hours per week, at least one hour per day for student consultations and class/lab preparation.

1. Courses and laboratories taught as overloads do not take the place of office hours.
2. Conference periods and office hours should be scheduled at times that would be the most advantageous to students.
3. Faculty members are not required to make up office hours missed because of committee meetings or most other forms of official college business.
4. Office hours are to be observed by all faculty during the summer term. The number of office hours per week should be equivalent to the percentage of a regular full teaching load that the faculty member is teaching in a summer session. For example, six semester hours in a summer session is the equivalent of forty per cent (40%) of the fifteen semester hour load that is required of faculty in a long semester. Therefore, a summer faculty member with this load would be expected to maintain forty per cent (40%) of the weekly office hours required in a long semester, which equates to four office hours per week.

5. Questions about missed office hours should be directed to Department Chairs. Observance of office hours is subject to review by Department Chairs. Because of the nature of certain programs, Deans may require faculty to maintain more than ten office hours per week. Office hours should be posted outside of faculty offices on an official form (found on the web site). A copy of the office schedule forwarded to the Department Chair and subsequently submitted to the Division Dean for final approval. The Dean will make three copies of the form for the following: Department Chair, Vice President for Academic Affairs, and switchboard. The original form will be returned to the faculty member to be posted on the office door.

Revised August 2005

R. Overloads.

1. Compensation for courses taught by full-time faculty members that are in addition to the requirements of the faculty contract is based on a schedule available in the Human Resources Office. Compensation for courses taught in the winter mini-session and the spring mini-session will be at the regular fall and spring semester schedule.
2. Compensation for a course taught on a “to be arranged” basis shall be calculated at 10% of the salary the instructor would ordinarily receive for teaching the course (overload, part-time, or summer), per student enrolled. An enrollment of 10 or more students in the course shall result in the instructor’s receiving one hundred per cent (100%) of the normal salary for the course. Courses identified as “to be arranged” shall not be counted as part of an instructor’s regular course load without the written approval of the Vice President for Academic Affairs.
3. The final decision to assign additional courses to faculty members rests with the Vice President for Academic Affairs, with recommendations solicited from the Division Deans and Department Chairs. Decisions regarding the assignment of overload courses are made in the best interests of the institution. An overload assignment is not considered an inherent right associated with a faculty contract. Overloads are not assigned on the basis of seniority or tenured status.
4. Overloads shall be limited to 40% per semester unless it is clearly in the best interest of the college to decide otherwise. The decision to exceed 40% rests with the Vice President for Academic Affairs.

Revised July 2012

S. Parking.

Parking is provided at no charge to the employees of Lamar-Port Arthur. Automobiles parked on the campus must be registered and display an appropriate decal. The decal and detailed parking information may be obtained from the Vice President for Student Services.

T. Part-time Faculty.

A part-time faculty member is one whose teaching assignment and appointment with the institution is less than full-time. Unlike full-time faculty, part-time instructors are not issued employment contracts. The following principles and procedures apply to part-time faculty employment at Lamar-Port Arthur:

1. Lamar State College-Port Arthur acknowledges the contribution which part-time faculty members make to its academic and curricular goals. Part-time faculty members frequently provide unique expertise and experience that enhances the educational effectiveness of an institution. Their employment also allows administrators the flexibility to respond to unforeseen enrollment fluctuations.

2. The qualifications of part-time faculty members shall be the same as those of full-time faculty and shall meet the criteria established for faculty by the Southern Association of Colleges and Schools and the Texas Higher Education Coordinating Board.
3. Part-time faculty shall file an application for employment and complete other appropriate forms in the Human Resources Office.
4. The Chair of each instructional department shall supervise and evaluate the performance of part-time faculty members assigned to the department.
5. Instructional units within the institution employing an unusually large number of part-time instructors are encouraged to place in writing specific rules, regulations, and expectations which apply to part-time faculty in relation to departmental operations, curricular concerns, and classroom instruction.
6. Part-time faculty members shall be accessible to their students before and after each class period and shall make themselves available by appointment.
7. Part-time faculty members should not expect employment beyond the current appointment. Therefore, at the end of each semester or summer session part-time faculty members should comply with the termination procedures outlined in Section IV-Y in this Handbook.
8. Part-time faculty members are subject to being removed or dismissed from their teaching assignment(s) without receiving prior notification. Compensation that a part-time instructor is scheduled to receive for a teaching assignment ends on the date that the instructor is removed from that assignment.
9. Compensation for course taught by part-time faculty is based on a schedule published in the Administrative Policies and Procedures Manual.
10. Part-time faculty members possess the same rights regarding academic freedom, speaking as a citizen, and political participation—on their own time—as full-time faculty. Part-time faculty should become thoroughly familiar with the appropriate expression of those rights as discussed in this Handbook and the Texas State University System Rules and Regulations.
11. Part-time instructors are held to the same ethical and competence standards as full-time faculty.

U. Racial Harassment.

Lamar-Port Arthur provides equal educational opportunities for all students and equal employment opportunities for all applicants and employees. The institution fosters an environment free of racial harassment, intimidation, and humiliation. Racial harassment, as defined herein, is expressly forbidden.

1. “Racial harassment” is defined as extreme or outrageous acts or communications that are intended to harass, intimidate, or humiliate students, faculty, staff, or visitors on account of race, color, or national origin and that reasonably cause them severe emotional distress. It is a violation of the policies of Lamar - Port Arthur and the Texas State University System for any student, faculty member, or staff employee to engage in racial harassment of any person on the campus or in connection with an institution-sponsored event.
2. Faculty members are responsible for reading and understanding the policies prohibiting racial harassment included in the institution’s Administrative Policies and Procedures Manual and Chapter VII of the System Rules and Regulations. Questions regarding the policies should be addressed to the faculty member’s Division Dean or the Vice President for Academic Affairs.

V. Sexual Harassment.

Lamar-Port Arthur is committed to providing a work and study environment that fosters intellectual and academic excellence and the emotional well-being of its students and employees. The institution shall strive to provide and will accept nothing less than an educational and working environment that is free of intimidation and harassment. Unprofessional treatment of students and fellow employees in any form is unacceptable in the campus community.

Lamar-Port Arthur and the Texas State University System have adopted policies affirming that no employee of the institution or the System may sexually harass another person. An employee of the institution or the System will be subject to disciplinary action for a violation of these policies. "Sexual harassment" is defined as unwelcome sexual advances, requests for favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic career;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual;
3. Such conduct unreasonably interferes with an individual's performance or creates an intimidating, hostile, or offensive academic environment.

Faculty members are responsible for reading and understanding the institutional policy on sexual harassment included in the college's Administrative Policies and Procedures Manual, the policy on sexual harassment in Chapter VII of the System Rules and Regulations, and statements on consensual sexual relationships in subsections D. and E. of this Section. Questions about the policies should be directed to the Division Dean or the Vice President for Academic Affairs.

W. Summer Employment.

Notices concerning summer employment are issued separately from academic year (fall and spring) contracts. The current policy on the employment of faculty for summer is listed below. This policy is reviewed each year and subject to revision, which will supersede the policy stated in the Faculty Handbook and Policy Manual. Changes to the policy will be made known to the faculty through the Department Chairs and Program Coordinators.

1. Faculty members will be employed on the basis of demonstrated need in each department. Decisions regarding summer employment will not be based on seniority or tenured status.
2. Instructional needs and/or budgetary constraints may make it impossible to offer all faculty members in a department who so desire six weeks of summer employment. Therefore, a system of rotation shall be implemented so that, as a general rule and if institutional and departmental needs permit, no one shall teach two summer terms until everyone in the department desiring employment shall have taught one six-week summer term or in the May mini-session.
3. Department chairs shall calculate the amount of faculty salary money available for summer school as soon as possible after spring semester registration. They shall work with their faculty members and Deans to craft a schedule of summer courses that meets student needs while remaining within the institutional budget.

X. Supplies and Duplicating Services.

1. Supplies may be obtained for the department/program by the Department Chair/Program Coordinator. Instructors should obtain needed classroom and office supplies from the offices of their Department Chairs/Program Coordinators.

2. Duplicating services are available to faculty in Ruby Fuller 100. Quizzes, examinations, and other classroom materials can be duplicated in some cases by departmental offices or by the Printing Center when properly presented. Materials to be duplicated in the Printing Center should be presented at least 24 hours before needed. Materials, especially examinations, should be claimed soon after completion.

Y. Termination Procedure.

In the event of a resignation in the course of a semester, the instructor must give adequate notice to the Department Chair to assure the uninterrupted schedule and conduct of classes. In all cases of termination of employment, voluntary or otherwise, final salary checks will be released to the faculty member at the next regular date of payment, after written clearance has been given by the Vice President for Academic Affairs or his designee certifying that:

1. All necessary records have been completed and transferred to the Department Chair.
2. All building and room keys assigned have been returned to the immediate supervisor or to the appropriate staff member.
3. All parking permits and library materials and cards have been returned to the proper officials.
4. Office and laboratory facilities have been vacated in proper order.
5. The forwarding address has been filed with the Human Resources Office and the proper forms have been completed for retirement and tax reporting.

This policy applies to part-time instructors. Faculty members should refer to Section III-K of this Handbook for additional information on this topic.

Z. Textbooks.

Individual academic departments have wide discretion in the choice of materials to be used in the courses offered by the department with the approval of the Department Chair.

1. Although the authorship of books, outlines, manuals, and similar materials by members of the faculty is encouraged, the prescribed use of these by students is a responsibility that goes beyond that of an individual author. Where practicable and equitable, the charge for outlines, syllabi, and similar materials prescribed for student use should be borne by the instructional department. Whenever a charge is authorized for such duplicated materials, the prices should be as low as possible, consistent with the payment of a fair and reasonable royalty to the author or authors.
2. Textbooks, notebooks, manuals, or other materials for the use of students of Lamar-Port Arthur, written or prepared by a member of the faculty of the institution, shall not be prescribed for the use of or sold to such students until such sales have been approved, with reasons stated, by the Department Chair and subsequently approved by the Division Dean and the VPPA. All such requests shall indicate the proposed prices and profits, and their authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.

AA. Unclaimed Personal Property.

Abandoned and unclaimed personal property discovered on the campus shall be stored for safekeeping and standardized handling. Property shall be considered abandoned if it appears from the circumstances under which the institution comes into possession of the property that the owner has thrown it away or has voluntarily left or lost it without any intent or expectation to regain it. Abandoned and unclaimed personal property acquired by the campus

security department shall be held for a minimum of one hundred and twenty (120) days from the time the institution acquires the property. If the property is reclaimed during that time, the institution may charge the owner a reasonable storage fee. After one hundred and twenty (120) days the item may be sold as part of the normal institution surplus property sale.

AB. Wage and Salary Administration.

Lamar-Port Arthur has adopted a compensation plan that is applied to all full-time faculty members at the time of initial employment. The plan does not take prior teaching experience into consideration when establishing the beginning salary but instead uses levels of education according to the following schedule:

Certificate	\$34,500
Associate Degree:	\$34,500
Bachelor's Degree:	\$34,500
Master's Degree:	\$36,500
ABD:	\$39,500*
Doctorate or Approved Terminal Degree:	\$42,500

Following initial employment, Lamar-Port Arthur does not utilize a faculty salary schedule that includes fixed increases or that places limitations on the earnings of faculty members who reach certain steps. In accordance with state law, salary increases for faculty are based on merit except in cases when an appropriation act of the Legislature is made for the purpose of across-the-board increases (Section 51.0065 Texas Education Code). Salaries may be adjusted when faculty members earn the master's and doctoral degrees or reach ABD status. When salary increases are granted on the basis of merit the following factors shall be taken into consideration:

1. Performance on the Annual Faculty Report (Form F2.08)
2. Results of the student evaluation of instruction
3. Length of full-time service at the college.

Faculty members should refer to Section 3 of the institution's *Administrative Policies and Procedures Manual* for additional information on compensation, including initial placement on the payroll; part-time and overload salaries; and substitute instructor compensation and procedures.

The Vice President for Academic Affairs, Vice President for Finance, and Director of Human Resources shall review compensation criteria and application to ensure compliance with federal and state requirements.

*ABD status is reached when the faculty member has completed all of the coursework required for a doctorate prior to the fall semester with the exception of dissertation courses. Documentation is required.

Revised July 2012

AC. Work Load and Responsibilities.

The greater responsibilities of a full-time member of the faculty shall include teaching in the classroom, laboratory, or clinical. Faculty are also asked to perform curricular tasks auxiliary to teaching and research, e.g. serving on faculty committees, attending to administrative and disciplinary tasks, and promoting diligence and honest work in the student body. Finally, faculty are expected to participate in campus and community service activities. The evaluation of faculty for promotions, salary increases, reappointments, and tenure shall include but not be limited to the duties described above. These duties are considered part of the normal workload of a member of the faculty. A regular/permanent member of the faculty is a faculty member who receives a contract issued by the Office of the President. Each full-time contract faculty member shall teach a standard fifteen load credit schedule of organized courses each fall and spring semesters. Where full-time faculty members are paid from multiple sources of funds, the faculty member's workload shall be proportional to the source of funds. These exceptions apply:

1. In instructional departments when classes commonly meet more hours per week than the semester load credits granted, i.e., laboratory courses (excluding cosmetology courses), 1.75 contact hours of laboratory instruction normally should be equivalent to one load unit of teaching credit.
2. A physical education activity course shall have a value of 1.875 load credits.
3. A faculty member who teaches a fully online course which that faculty member has never previously taught online, shall be paid \$500 (per course). A faculty member who has never previously taught any fully online course shall be paid \$707 (one-time fee) the first time the faculty member teaches a fully online course. However, the faculty member must be certified to teach using the current learning management system software (e.g. Blackboard). It is possible to receive both stipends the first time a faculty member teaches online. Hybrid or web enhanced face-to-face courses do not qualify for the online teaching stipends.
4. An applied music course shall have a value of .667 load credits.
5. One hour of lecture per week equates to one load credit.
6. Additional exceptions would include but not be limited to the following:
 - a. Faculty who teach in the Upward Mobility Nursing Program shall teach a standard work load of thirty (30) semester credit hours of instruction each academic year beginning each fall and continuing through the following summer.
 - b. A reduction in teaching load may be granted for a faculty member chairing a department or supervising a comparable administrative unit; directing or coordinating a special program, activity, or multi-section course; assuming significant temporary administrative responsibilities relating to instruction; or who taught a load in excess of the standard requirement during the previous semester without additional pay.
 - c. A reduced teaching load may be granted temporarily if classes do not materialize, and when additional classes cannot be assigned to the faculty member. Under such circumstances, the faculty member may choose between the assignment or other responsibilities, teaching an overload the following semester for no additional compensation, or an adjustment in salary which reflects the teaching load.
 - d. Surgical Technology, Cosmetology, and Vocational Nursing Program faculty.
 - e. A 20% workload is assigned to an instructor who supervises internship students. Compensation for the assignment is not based on the total number of sections.

Revised October 2013

AD. Written Materials (Approval of Advertisements and Brochures).

In most cases advertising materials should be developed by the Public Information Office. There are several reasons for this: ensuring that the college's published materials present an appropriate image of the institution; including all information required by the state or federal governments or the Texas State University System; guaranteeing accuracy; and eliminating duplication of effort and unnecessary expense. However, when circumstances dictate that departments must develop their own newspaper ads or articles, brochures, posters, or electronic media, the originating department should notify the Director of Public Information that the work is anticipated or in progress. The approval of the Public Information Office is required prior to publication or release.

Revised March 2003

AE. Other Policies Concerning Terms and Conditions of Employment.

Faculty members should refer to Section 5 of Lamar-Port Arthur's Administrative Policies and Procedures Manual and to the Texas State University System Rules and Regulations for information about the following topics:

1. Ethics policy
2. Use of state property
3. Social events with alcohol
4. Drug and alcohol abuse policy
5. Smoke-free workplace policy
6. AIDS policy
7. Computer use policy
8. Whistle blower policy
9. Public Information Act
10. Handgun policy
11. Grievance procedures

AF. Knowledge of These Regulations.

Each faculty member shall become acquainted with the Texas State University System Rules and Regulations and the Lamar-Port Arthur Faculty Handbook and Policy Manual, Administrative Policies and Procedures Manual, catalog, announcement of courses, other official publications, and printed or other material prepared for the use of the faculty. The Faculty Handbook and Policy Manual is available on the institution's Internet home page.

Section IV Last Revised October 2013

SECTION V: ACADEMIC TENURE

A. Introduction to Tenure Policy.

The tenure policy adopted by the Board of Regents of the Texas State University System and Lamar State College-Port Arthur is delineated in this section.

B. Definition of Tenure.

Tenure denotes an entitlement to continued employment as a member of the faculty at Lamar-Port Arthur in accordance with the Faculty Handbook and Policy Manual and the Texas State University System Rules and Regulations. Only faculty members with the title of Professor, Associate Professor, Assistant Professor, Instructor, Instructor I, Instructor II, Instructor III, and Instructor IV may be granted tenure. In exceptional cases, tenure may be granted at the time of appointment to any of such academic ranks by the Board of Regents or may be withheld pending satisfactory completion of a probationary period of faculty service.

C. Tenure Track Faculty.

In accordance with the System Rules and Regulations, only full-time service in the instructional ranks of Professor, Associate Professor, Assistant Professor, Instructor, Instructor I, Instructor II, Instructor III, or Instructor IV shall be counted toward fulfillment of a required probationary period. All contract faculty members at the rank of Instructor or above are eligible to apply for tenure after completing the appropriate years of probationary service. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period.

D. Prior Service Credit.

At the discretion of the institution, and in accordance with the System Rules and Regulations, up to three years of prior service at other academic institutions may be counted toward fulfillment of the required probationary period.

E. Maximum Probationary Service.

The maximum period of probationary faculty service in tenure track status in any instructional rank or combination of ranks shall not exceed six years of full-time academic service. Not later than August 31 of the last academic year of the maximum probationary period in effect, a tenure track faculty member shall be given written notice that the subsequent academic year will be the terminal year of employment or that, beginning with the subsequent academic year, tenure will be granted. In the event that the employment of a tenure track faculty member is to be terminated prior to the end of the maximum probationary period, notice shall be given in accordance with the termination and due process procedures described in the Texas State University System Rules and Regulations and the Faculty Handbook and Policy Manual. Faculty members who have not been granted tenure by the Board of Regents shall not be entitled to tenure by virtue of being employed past the probationary period, i.e., such faculty members do not have de facto tenure.

Unless specified otherwise in the initial employment contract, faculty members shall apply for tenure in the final year of probationary service.

F. Calculating Service.

For purposes of calculating the period of probationary service, an "academic year" shall be the approximate nine-month period from September through May designated in the common calendar established by the Texas Higher Education Coordinating Board. One year of probationary service is accrued by at least nine months of full-time academic service during any academic year, regardless of whether contracted on an annual basis or for a consecutive fall and spring semester. A faculty member shall be considered to be on full-time academic service if in full

compliance with Board standards pertaining to minimum faculty workloads. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the beginning of the following academic year shall not be counted as academic service toward fulfillment of the maximum probationary period.

G. Non-tenured Faculty.

No non-tenured member of the faculty should expect continued employment beyond the period of current appointment as approved by the Board of Regents. Any commitment to employ a non-tenured member of the faculty beyond the period of current appointment shall have no force and effect until approved by the Board of Regents. Non-tenured faculty members serve at the pleasure of the President and the Board of Regents, subject to the provisions of proper notice as required by the Texas State University System Rules and Regulations and the Faculty Handbook and Policy Manual.

H. Non-reappointment and Denial of Tenure.

A non-tenured faculty member who is notified of non-reappointment, or is notified that the following academic year will be the terminal year of appointment, in accordance with procedures identified in the Texas State University System Rules and Regulations and the Faculty Handbook and Policy Manual, shall not be entitled to a statement of the reasons upon which the decision for such action is based. No hearing to review such a decision shall be held unless the affected faculty member submits in writing to the President factual allegations that the decision to terminate constitutes a violation of a right guaranteed by the laws or Constitution of the State of Texas or the United States of America and requests an administrative hearing to review these allegations. Such allegations shall be heard under the same procedures as in the case of dismissal for cause, with the following exceptions:

1. The faculty member shall bear the burden of proving his or her allegations.
2. The administration of the institution need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents a prima facie case in support of such allegations, in which case, the hearing panel or other decision-making body shall determine whether the administration has stated a non-discriminatory reason for its decision.

I. Performance Review of Tenured Faculty.

Lamar-Port Arthur has developed post-tenure policies and procedures to determine whether a tenured faculty member is consistently at an acceptable professional level as well as a mechanism whereby a faculty member is informed of any deficiencies and provided opportunity to improve his or her performance. The policy and supporting procedures are consistent with the tenure policies of the Texas State University System, Lamar-Port Arthur, and Senate Bill 149 (75th Legislature, 1997) and shall provide faculty members fundamental due process and a right of appeal in accordance with institutional and Board of Regents policies. The institutionally specific policy is described in the section "Performance Review of Tenured Faculty," located in Appendix C.

J. Prohibition Against De Facto Tenure.

Reappointment or the award of tenure shall be accomplished only upon the President's written recommendation and the Board's approval. If the faculty member does not receive notice as prescribed in the Faculty Handbook and Policy Manual or the Texas State University System Rules and Regulations, it shall be his or her duty to inquire as to the decision of the President, who shall give the required notice to the faculty member. Failure of the institution to comply with this policy shall not entitle a faculty member to de facto tenure, and the Texas State University System Rules and Regulations expressly prohibit the awarding of de facto tenure.

K. Requirements for Granting Tenure.

1. A master's degree from a regionally accredited institution in the discipline taught or a related discipline, or the level of training that is adjudged necessary in a special field or discipline is usually considered a requirement for granting tenure. *Faculty members must meet the minimum criteria for professional preparation established by the Southern Association of Colleges and Schools in order to be eligible for consideration for tenure.*
2. Effectiveness as a teacher is an essential criterion.
3. Research, scholarship (evidenced by publication, oral presentations to learned societies, creative production, holding office in professional organizations, etc.), other types of professional growth and development, and organizational and committee service should be considered.
4. Student relationships, including advising, counseling, and supervision, can be considered.

L. Probationary Period.

1. Faculty members who, at the time of employment have not had prior tenured service at an accredited college or university, shall, at the determination of the President, serve a probationary period **not less than three (3) nor more than six (6) years.**
2. Tenure may be postponed beyond the originally assigned period of probation upon written notice, subject to the Maximum Probationary Period as defined in number 3 below.
3. Beginning with the appointment to the rank of full-time instructor or a higher rank, the probationary period for a faculty member shall not exceed six (6) years, including within this period appropriate full-time service in all institutions of higher education.
4. Only continuous full-time service may be used to satisfy the probationary period requirement. Part-time service or time on leave without pay is not creditable service. However, full-time service prior to leave and after leave and full-time service prior to part-time service and after part-time service are creditable service. Creditable service shall be defined as both teaching and professional research or other scholarly or creative activities in a related field.
5. Interim reviews shall be conducted in conjunction with the faculty evaluation procedure a minimum of two times -- during the second and fourth years of the probationary period -- for faculty members with academic rank. The Department Chair will conduct the interim review and may request peer participation. The results of the interim review will be reviewed in conference by the Department Chair and faculty member. The Department Chair will discuss any weak areas and recommend a professional growth plan.
6. One semester of paid leave granted through the faculty development program shall count as full-time service for tenure probation purposes. However, two semesters of paid leave under this program within the same academic year shall invalidate the entire year for the purpose of counting it toward satisfying the institution's probationary period for tenure.

M. Appointment to Administrative Office.

Appointment to an administrative office, or loss of same, shall not deprive the appointee of tenure nor credit toward earning tenure in the highest instructional rank held prior to or during his or her appointment in such administrative office.

N. Procedures for Granting Tenure.

1. The Department Chair, after evaluating the application materials of the candidate, shall forward a written recommendation to the Dean of the division in which the candidate holds rank. Reasons to support the recommendation, an explanation of the data used to support the decision, and any other appropriate comment should be included in the recommendation to the Dean.
2. The Dean shall review the recommendation and approve or disapprove it. The Dean shall forward his recommendation to both the Vice President for Academic Affairs and to the Campus Tenure Committee for review.
3. The Vice President for Academic Affairs, after consultation with the Campus Faculty Tenure Committee, shall forward his or her own recommendation and that of the Campus Faculty Tenure Committee to the President.
4. The President shall forward a recommendation to the Board of Regents in advance of the meeting of the Board when recommendations for tenure are considered.
5. The procedures described herein shall be conducted on a schedule which will permit Lamar State College-Port Arthur to notify a non-tenured faculty member no later than August 31 of the year of consideration that he or she will be awarded tenure at the end of the probationary period, or that the decision on awarding tenure will be postponed if applicable, or that employment will not be continued beyond the end of the next academic year.

O. Campus Tenure Committee.

1. The membership of the Campus Faculty Tenure Committee should consist of six members and should be as representative as possible of each department/program in the Technical and Academic Divisions. There should be three members from each division. The committee members representing the Academic Division will be drawn from the Math and Science, Developmental Education, Health, Fitness and Sport, and Liberal Arts Departments. The committee members from the Technical Division will be members of the Allied Health, Business and Technology and Commercial Music Departments.
2. Any tenured faculty member other than Deans or equivalent will be eligible for membership on this committee. When practical, this committee should exclude Department Chairs and Program Coordinators. It may be necessary, at times, to have a Department Chair or Program Coordinator serve on the committee when there are no other eligible tenured faculty to give adequate representation in a division, department, or program.
3. Committee members shall be elected to serve for three (3) years. All full-time contract faculty, excluding deans, shall elect members from a list of tenured faculty divided into representative categories. They may not be re-elected until an intervening three-year period has elapsed unless such a prohibition would severely limit the representation of various departments and programs. If possible, terms of membership should be staggered so that part of the committee retires and is replaced each year and the entire committee rotates its membership each three years. The Vice President for Academic Affairs will be responsible for conducting the election.
4. Vacancies will be filled by an election of full-time contract faculty from a slate of tenured faculty. Newly elected members will serve three consecutive years unless elected to fulfill a term that has not expired.
5. Committee membership will begin at the time it is elected each year and last until a new election is held in the following year. The Campus Faculty Tenure Committee will elect its chairperson at a yearly meeting to be held immediately after elections, and that chairperson will hold office until the following annual meeting.

6. Division Deans, Department Chairs, or Program Coordinators who are elected to this committee will not be able to take part in any deliberations involving faculty on whom they have made a recommendation as an administrative officer.

Section V Last Revised Sept 2012

SECTION VI: NON-REAPPOINTMENT OF NON-TENURED FACULTY AT THE END OF A CONTRACT

A. Status of Non-tenured Faculty.

No non-tenured member of the faculty should expect continued employment beyond the period of current appointment as approved by the Board. Any commitment to employ a non-tenured member of the faculty beyond the period of current appointment shall have no force and effect until approved by the board. Non-tenured members of the faculty serve at the pleasure of the President and the Board of Regents.

B. Notice of Non-reappointment.

Written notice of a decision not to reappoint will be given to a tenure-track faculty member in accord with the following standards:

1. Not later than March 1 of the first academic year of probationary service.
2. Not later than December 15 of the second year of probationary service.
3. After two or more academic years, written notice shall be given not later than August 31 that the subsequent academic year will be the terminal year of appointment.

C. Cause for Non-reappointment.

A non-tenured faculty member who is notified of non-reappointment in accordance with the Texas State University System Rules and Regulations and the Faculty Handbook and Policy Manual or that the subsequent academic year will be the terminal year of appointment, shall not be entitled to a statement of reasons upon which the decision for such action is based.

D. Notification.

Reappointment shall be accomplished only upon the President's written recommendation and the Board's approval. Notice of a decision not to reappoint shall be provided to the affected faculty member. If the faculty member does not receive notice it shall be his or her duty to inquire as to the decision of the President, who shall give the required notice to the faculty member. Failure of the institution to comply with this policy shall not entitle a faculty member to reappointment or *de facto* tenure. Written notices required by this policy shall be sent by certified mail, return receipt requested. Notice shall be complete when deposited in the United States mail, addressed to the last address given by the faculty member. The faculty member's failure or refusal to receive the notice is immaterial.

Last Revised 12-14-2001

SECTION VII: TERMINATION AND DUE PROCESS PROCEDURES

A. Grounds.

Termination by Lamar State College-Port Arthur of the employment of a tenured faculty member and of all other faculty members before the expiration of the stated period of their appointment, except by resignation or retirement, will be only for good cause shown. Good cause includes but is not limited to the following:

1. Failure to work efficiently or effectively.
2. Insubordination.
3. Serious professional or personal misconduct, examples of which include but are not limited to:
 - a. Commission of a misdemeanor involving moral turpitude, or a felony;
 - b. Failure to secure and maintain permits required in the discharge of teaching, research, or other professional duties, including failure to maintain appropriate documentation;
 - c. Willful destruction of College property or violent disruption of the campus operations;
 - d. Violation of the System's ethics policy (see System Rules and Regulations, Chapter VIII) including, but not limited to, acceptance or solicitation of gifts that might tend to influence the discharge of one's professional responsibilities;
 - e. Stealing and publishing as one's own the intellectual property of another;
 - f. Misuse or misappropriation of State property, resources, funds, including funds held by a faculty member as part of official duties;
 - g. Racial harassment as defined by Section 7 of Chapter VII of the Texas State University System Rules and Regulations. This policy is also included in Section 5 of the institution's Administrative Policies and Procedures Manual.
 - h. Sexual harassment or sexual misconduct as defined by the Texas State University System Rules and Regulations. This policy is also included Section 5 of the institution's Administrative Policies and Procedures Manual.
4. Professional incompetence and/or neglect of professional duties.
5. Mental or physical disablement of a continuing nature adversely affecting to a material and substantial degree the performance of duties or the meeting of responsibilities to the institution, or to students and associates.
6. Illegal use of drugs, narcotics, or controlled substances. A faculty member who, by a preponderance of the evidence, under the polices of the Faculty Handbook and Policy Manual and the Texas State University System Rules and Regulations, is found to have illegally possessed, used, sold, or distributed any illegal drug, narcotic, or controlled substance, whether the infraction is found to have occurred on or off campus, shall be subject to termination, suspension, or other discipline determined by the President. That an employee is charged in a criminal case, or is found "guilty" therein, shall not be construed as prohibiting administrative enforcement of this policy. If, in the judgment of the President, the best interests of the students, institution, or Texas State University System dictate, the employee may be immediately removed from contact with students and other employees, pending resolution of disciplinary proceedings.

7. Intentionally or knowingly violating a state, federal, or local law, particularly Texas Penal Code Ann. Sec. 42.01 and 42.05 (Disorderly Conduct Disrupting Meeting or Procession) and Texas Education Code Ann. Sec.4.30 and 4.31 (Disruptive Activities and Exhibition of Firearms). Any employee who violates any provision of these statutes is subject to dismissal as an employee not withstanding any action by civil authorities on account of the violation.
8. Intentionally or knowingly violating a Board or college regulation, rule, or order. An employee is presumed to have knowledge of all such Board or college regulations, rules, or orders published in the Faculty Handbook and Policy Manual or Texas State University System Rules Regulations.
9. Violating minimum standards of individual conduct required by the penal statutes of Texas or the United States. An employee who violates the minimum standard of conduct required by a penal statute of Texas or the United States is subject to dismissal as an employee regardless of whether action is taken against the employee by civil authorities on account of such violation.

B. Suspension.

The President may, for good cause, suspend an accused faculty member pending immediate investigation or speedy hearing as hereinafter provided when the continuing presence of the faculty member poses a danger to persons or property, or an ongoing threat of disrupting the academic process. An employee who is suspended or discharged from a particular duty or job at the college may be suspended or discharged from all other or jobs in the institution for the same or other good cause.

C. Summary Dismissal.

In cases of good cause where the facts are admitted by the faculty member, summary dismissal may follow.

D. Hearing Tribunal.

In all cases where the facts are in dispute, the accused faculty member shall be informed in writing of the charges which, on reasonable notice, will be heard by a special hearing tribunal whose membership, including its chair, shall be appointed by the President. If possible the tribunal membership shall be composed from members of the faculty whose instructional rank is equal to, or higher than, that of the accused faculty member. At such a hearing:

1. The hearing tribunal shall not include any accuser of the faculty member. The faculty member may challenge the alleged lack of fairness or objectivity of any tribunal member, provided such challenge is made prior to the submission of any evidence to the tribunal. The faculty member shall have no right to disqualify such member from serving on the tribunal. Each such challenged member shall determine whether he or she can serve with fairness and objectivity in the matter. If the challenged member elects not to serve, the President shall appoint a substitute.
2. The faculty member shall have a right to attend the hearing; confront and cross-examine adverse witnesses; present relevant evidence on his or her own behalf; testify or choose not to testify; and, be assisted and represented by counsel. The hearing shall be closed unless the faculty member requests that it be open to the public. Notwithstanding a faculty member's request, the tribunal may close all or a portion of a hearing to deliberate or if it appears likely that privacy interests of others are relevant and could be affected by an open hearing.
3. Lamar-Port Arthur, through a representative and/or through counsel, shall have the right to attend proceedings; present witnesses and evidence against the faculty member; and cross-examine the faculty member (if the faculty member testifies) or his or her witnesses.

4. The hearing tribunal, by a majority of the total membership, shall make written findings on the material facts and a recommendation of the continuance or termination of the faculty member's tenure as well as any supplementary suggestions, and the record of the hearing shall be delivered to the President and a copy thereof sent to the faculty member. Any minority findings, recommendations, or suggestions shall be distributed in the same manner.
5. A stenographic or electronic record of the proceedings will be taken and filed with the President, and such record shall be made accessible to the faculty member.

E. Review by President.

The President shall review the record, plus any additional written briefs the parties wish to submit, and render a decision, stating his or her reasons therefore in writing and communicating the same to the faculty member. The President may recommit the matter to the same tribunal to hear additional evidence and/or to reconsider its findings, recommendations, and suggestions, if any. The original findings, recommendations, and suggestions of the hearing tribunal, a transcript of the hearing, any briefs submitted, and the decision, recommendations, findings, and suggestions of the President shall be delivered to the Board of Regents.

F. Appeal to the Board of Regents.

Upon written request by the faculty member, received in the Board's Austin office within thirty (30) calendar days of the faculty member's receipt of the President's decision, the Board shall review the record before it. Such request should specifically address any defects in procedure or substance that require reversal of the President's decision. The President may submit a written response to the Board that addresses faculty member's request for a reversal. By a majority of the total membership, the board may approve, reject, or amend any decision, findings, recommendations, and suggestions before it, or recommit the matter to the President for reconsideration or the hearing of additional evidence. The Board shall notify the faculty member in writing of the reasons for its decision.

G. Board Prerogative of Removal.

The Board may remove any member of the faculty when, in its judgment, the interest of the institution or the System requires the removal, subject to the Texas State University System Rules and Regulations and the Faculty Handbook and Policy Manual.

Revised 12-4-2014

SECTION VIII: TERMINATION OF FACULTY EMPLOYMENT UNDER SPECIAL CIRCUMSTANCES

A. Determination of Special Circumstances.

If, in the judgment and discretion of the Board, reductions in legislative appropriations for faculty salaries; governmentally-mandated reductions in faculty positions; significant loss of enrollment; consolidation of departments or other reorganization; dropping of courses, programs, or activities for educational or financial reasons; or financial exigency make such action advisable, the employment of a tenured faculty member or of any other faculty member before the expiration of the stated period of his or her employment, may be terminated in accordance with the provisions of this section.

B. Notification of the Faculty Member.

A faculty member whose employment will be recommended for termination under special circumstances shall be given:

1. A statement of the basis for the decision to terminate the faculty member's employment, together with a description of how the recommendation to terminate was made;
2. Access to the information and data upon which the recommendation was based; and
3. An opportunity to respond consistent with the requirements of due process.

C. Procedures for Identifying Faculty Members Whose Employment will be Recommended for Termination Under Special Circumstances.

In cases involving the termination of faculty employment under the provisions of this section, the guidelines to be used to identify faculty members in a designated program whose employment will be recommended for termination shall include the following:

1. Whenever possible, faculty reduction will be accomplished through attrition.
2. Within a designated program, termination of the employment of a tenured faculty member may not be recommended in favor of retaining a non-tenured faculty member unless:
 - a. The removal of a non-tenured faculty member would eliminate an essential part of the program or render a program dysfunctional; or
 - b. The removal of a non-tenured faculty member who is deemed to be of equal or greater merit than a tenured faculty member would jeopardize the advances achieved by the college under its diversity program.
3. After faculty members, tenured and non-tenured, who are essential to a department's or program's effective continuance have been identified, the remaining faculty within the unit who can be retained, if any, should have priority in retention of on the basis of the following criteria, stated in general order of importance:
 - a. Length of demonstrated professional excellence. Extended service of high caliber is an important measure of the basic character and motivation of the faculty member and an indication as well of his or her loyalty to the profession and institution, intellectual stamina, and general stability.
 - b. The annual evaluations of faculty members by colleagues and administrators can be used on a comparative basis. Comparative evaluations should be applied only when clearly differentiated in result. If nearly equal, other criteria should take preference.

- c. In cases of essential equality or near equality of factors, rank may be applied.

D. Appointment in a Related Area.

A faculty member recommended for termination under the provisions of this section should be given the opportunity for appointment in a related area provided the faculty member is qualified professionally to teach in such area or is willing to undergo the appropriate professional training that will qualify him or her to do so, and a position is available.

E. Consideration for Rehiring.

A faculty member whose position has been terminated will be given first consideration for rehiring, should the position be re-established within three years.

Last Revised 7-5-99

SECTION IX: FACULTY-STUDENT RELATIONS

A. Academic Honesty.

Instructors should take the necessary precautions, including careful administering and monitoring of examinations, to prevent acts of scholastic dishonesty. The instructor has the responsibility for making an initial determination of scholastic dishonesty. All students and faculty share the responsibility for ethical conduct by reporting any untoward incidents in or out of the classroom. All offenses must be reported to the Department Chair. The report should include pertinent facts and should assure that the student has been afforded procedures of due process which include being advised of the charge, the opportunity to state his/her case informally, being advised of the penalty, and being advised of the right to appeal the charge.

Academic departments may, with the approval of the Division Dean and the Vice President for Academic Affairs, adopt specific enforcement procedures concerning scholastic dishonesty. In the absence of a departmental policy instructors shall adopt individual enforcement policies, include them in course syllabi, and discuss them in class with the students. Individual policies that include penalties other than those described in parts 10. a., b., and c. of this section must be approved by the Department Chair and are subject to review and approval by the Dean and Vice President for Academic Affairs. All enforcement procedures must include assurances of due process, comply with policies and enforcement procedures included in this section of the Faculty Handbook and Policy Manual, and prescribe penalties consistent with the severity of the offense. When applicable and possible the policies should differentiate between intentional and accidental acts of plagiarism.

The college expects all students to engage in all academic pursuits in a manner that is above reproach. Students are expected to maintain complete honesty and integrity in the academic experiences both in and out of the classroom. Any student found guilty of dishonesty in any phase of academic work will be subject to disciplinary action.

1. Lamar-Port Arthur and its official representatives, acting in accordance with part 10 below, may initiate disciplinary proceedings against a student accused of any form of academic dishonesty including, but not limited to, cheating on an examination or other academic work which is to be submitted, plagiarism, collusion, and the abuse of resource materials. Definitions and penalties for academic dishonesty infractions shall be the same regardless of whether the offense occurs on the campus or in an on-line course.
2. "Cheating" includes but is not limited to:
 - a. Copying from another student's test paper, laboratory report, other report, computer files, data listings, and/or programs.
 - b. Using, during a test, materials not authorized by the person administering the test.
 - c. Collaborating, without authorization, with another person during an examination or in preparing academic work.
 - d. Knowing, and without authorization, using, buying, selling, stealing, soliciting, copying, transporting, or possessing, in whole or in part, the contents of an un-administered test.
 - e. Substituting for another student; permitting any other person, or otherwise assisting any other person, to substitute for oneself or for another student in the taking of an examination or the preparation of academic work to be submitted for academic credit.
 - f. Bribing another person to obtain an unadministered test or information about an unadministered test.

- g. Purchasing, or otherwise acquiring and submitting as one's own work, any research paper or other writing assignment prepared by an individual or firm. The section does not apply to the typing of the rough and/or final versions of an assignment by a professional typist.
 - h. The unauthorized use of electronic devices during an examination as described in APPENDIX N of the Faculty Handbook and Policy Manual.
 - i. Engaging in any other activity intended unfairly or falsely to receive credit for academic work which is not reflective or representative of the student's own efforts.
3. "Plagiarism" means the appropriation of another person's work or idea and the unacknowledged incorporation of that work or idea into one's own work offered for credit.
 4. "Collusion" means the unauthorized collaboration with another person preparing work for credit.
 5. "Abuse of resource materials" means the mutilation, destruction, concealment, theft, or alteration of materials provided to assist students in the mastery of course materials.
 6. "Academic work" means the preparation of an essay, problem, assignment, or other project that the student submits as a course requirement or for a grade.
 7. The procedures for administering an academic penalty for dishonesty differ from ordinary student discipline cases. Texas State University System and college policies permit academic dishonesty cases to be first considered and reviewed by the faculty member. If, after reviewing the case, the faculty member determines that the student is guilty of the charge, the faculty member may assess an academic penalty prescribed by the college. The faculty member must notify the student of the student's right to appeal the decision to the Department Chair, Dean, and eventually the Vice President for Academic Affairs (whose opinion shall be final) before imposition of the penalty.
 8. At each stage of the appellate process the student shall be entitled to written notice of the offense and/or the administrative decision, an opportunity to respond, and an impartial disposition as to the merits of the case. The procedures for considering and disposing of a student's appeal of an academic dishonesty decision are *not* the same as the procedures for resolving student grievances in matters relating to academic performance as described in Appendix G of the Faculty Handbook and Policy Manual, i.e. the Student-Faculty Relations Committee is not involved.
 9. After the process for assigning an academic penalty has been completed, and in particularly severe cases of academic dishonesty including but not limited to flagrant repeated violations, the Vice President for Academic Affairs may refer the matter to the Vice President for Student Services for any additional discipline that may be appropriate. The process for considering disciplinary action shall not delay the consideration or implementation of an academic penalty.
 10. Academic penalties for academic dishonesty are listed below. Unless a department-wide policy has been adopted that directs otherwise, the faculty member is free to select and apply any of the first three penalties without first consulting the Department Chair. However, the Chair must be notified following the administration of any sanction.
 - a. Requiring a student to retake all or part of an examination or resubmit all or part of an academic work;
 - b. Assigning no credit, less than full credit, or a grade of "zero" to the part of the examination or academic work in question;
 - c. Assigning a grade of "zero" to the entire examination or academic work in question;

- d. Assigning a grade of "F" for the course. In the case of a student's first offense the decision to fail the student for cheating should be one shared between the instructor and the Department Chair prior to notifying the student. In the case of a student with repeated violations the faculty member may make this decision without consulting with the Department Chair, but must immediately notify the Department Chair of the action taken and the circumstances that prompted it.

Paragraph A. Revised August 1, 2006

B. Accommodations and Services for Students with Special Needs.

A rapidly growing minority in American higher education is students with disabilities. Faculty members at Lamar-Port Arthur are often asked to provide an academic accommodation for a student with a disability.

The legal imperative to accommodate qualified students with disabilities is found in Section 504 of the 1973 Rehabilitation Act and the 1990 Americans with Disabilities Act (ADA). The ADA prohibits discrimination against persons participating in educational programs and services. This law provides persons with disabilities the same educational opportunities that others enjoy. As an institution of higher education committed to equal access by all citizens, Lamar State College-Port Arthur believes in the necessity of providing accommodations to qualified students.

In order to meet the needs of its students with disabilities, the institution provides both physical and programmatic access. Architectural barriers have been removed and auxiliary aids and services are provided. Appropriate academic accommodations must also be made in the instructional process to ensure full educational opportunity. Educational accommodations enable a student to compete with non-disabled peers, but they are not intended to place a disabled student at an advantage. "Equal footing" is the aim when accommodations are provided. Furthermore, accommodations are not intended to lower academic standards or impede a faculty member's academic freedom.

Students are encouraged by their counselors to meet with their instructors prior to the semester or during the first week of classes to discuss their disability. When a student does this, faculty are encouraged to ask questions, including questions relative to how an accommodation relates to a student's disability. Most students are comfortable with speaking openly about their situation. However, these discussions are private and a student's right to confidentiality must be maintained.

Faculty members are requested to include a statement in each syllabus inviting students with special needs to make an appointment with the Special Populations Coordinator and with the faculty member to discuss their special situations.

The process for responding to a student with a disability who requests an accommodation includes the following steps:

1. A student provides the documentation and adequate information about the disability from a licensed professional to the Office of Special Populations/Disabled Student Services.
2. At the beginning of each semester the Special Populations Coordinator meets individually with each disabled student in order to determine the appropriate accommodations that will be recommended to faculty.
3. A letter is prepared by the Special Populations Coordinator for the student. A copy of the letter is submitted by the student to each of his/her instructors. Upon reading the letter, a faculty member may make suggestions, recommendations, or deny certain accommodations. If changes are necessary to the accommodations letter, the specific faculty member, Special Populations Coordinator, and student will meet to develop an accommodation that is acceptable to both parties. If changes are made, a new accommodation letter is generated.

4. The faculty member and the college are not required to grant a request for special accommodations if the student does not provide a letter from the Special Populations Coordinator. However, in this situation the student should be referred to the Office of Special Populations/Disabled Students Services for information and assistance.

C. Adds, Drops, and Withdrawals.

Students registering for courses after classes begin will be added to the roster and should then appear on subsequent class rolls and the official twelfth class day roster. Addition of courses to a student's schedule after the official last day to register must be approved by the chair of the department offering the course and by the instructor.

A student may drop a course or withdraw from the college without penalty during early weeks of the semester. The last date for dropping or withdrawing without penalty is published in the official Catalog. For drops or withdrawals after this penalty-free period, grades are recorded as Q, W, or F indicating that the student was passing or failing at the time of the drop or withdrawal. A grade of Q or W may not be assigned unless an official drop or withdrawal has been processed through the Office of the Registrar. When absences, other than approved absences, interfere seriously with the student's performance, the instructor may recommend to the Department Chair that the student be dropped from the course. Action to drop the student requires the approval of the Department Chair. If this action is taken after the first six weeks of the semester, a grade of "F" may be recorded for the course.

The final date to drop a course or withdraw from the college is published in the official Catalog.

D. Admission to Class.

Students must attend classes and sections as listed on the official rolls. Students whose names do not appear on the rolls cannot attend classes or laboratories. Names of students auditing courses will appear on the official rolls. The instructor is responsible for correcting class rolls.

Because it is the duty of the instructor in charge to see that order is preserved, the instructor is authorized to exclude any student from the classroom for causes deemed sufficient. Such action must be reported in writing to the Department Chair and the Vice President for Student Services. The report should include pertinent facts and should indicate that the student has:

1. Been advised of the reason(s) for exclusion from class;
2. Afforded an opportunity to state the student's case informally;
3. Advised of the right to appeal the action within five (5) days to the Campus Discipline Committee. The Vice President for Student Services will initiate procedures in accord with policies set forth in the Student Handbook to determine the necessity for, and extent of, disciplinary action.

E. Attendance.

Regular and punctual class attendance is important to the attainment of the educational objectives of the college. The instructor should formulate an attendance policy consistent with departmental policies, but suited to the needs of the particular course. The instructor's policy is to be explained in detail to the class at the beginning of the semester, and is to be enforced in a consistent and uniform manner. In the application of this policy to individual cases, the instructor is encouraged to consult with the Department Chair. However, determination of whether an absence is excused or approved is the responsibility of the instructor, except in the case of an approved absence for a college-sponsored activity or religious holy day. When absences, other than approved absences, interfere seriously with the student's performance, the instructor may recommend to the Department Chair that the student be dropped from the course.

A list of absences, approved because of college-sponsored academic activity, is maintained in the office of the approving Dean. A list of absences approved by the Vice President for Academic Affairs because of college-sponsored extra-curricular activities is maintained in the Office of Student Services. Absences also may be approved by the instructor. Approved absences call for the privilege to make up examinations and written assignments without penalty. This privilege does not necessarily extend to unapproved absences. Students may request the Office of Student Services to notify faculty members prior to or during an EXTENDED absence due to personal or family illness, accident, hospitalization, etc. This notification does not constitute an excused absence from class; however, it does advise the instructor as to the reason the student is absent and of the expected date of return to class.

Students with absences approved for college-sponsored activities should present a properly completed Excused Absence Form to their instructors. Such forms, signed by the approving administrator, should be presented to the instructor prior to the absence, if possible (if this is not possible the form should be presented immediately upon returning to class).

F. Examinations.

Effective classroom teaching necessitates the use of examinations both for the purpose of instruction and for evaluation of student achievement. The teacher as a diagnostician should utilize the type of measurements pertinent to the evaluation sought. Each instructor will determine and announce by the end of the second week of classes in a long semester, and the second class meeting of a summer term or mini-session, the examination policy and approximate schedule which has been reviewed and approved by the Department Chair. Examinations, other than make-up exams or final exams, are usually scheduled only during regular class or laboratory periods; exceptions should be approved by the Department Chair. No tests or exams including make-up exams may be given on the last class meeting prior to final exams for each course offered during the fall or spring semester.

Final examinations shall be administered, and shall be given in accordance with the official final examination schedule. Exceptions shall be made only with the written approval of the Division Dean.

G. Grades.

1. Examinations and written assignments
 - a. Students should be informed of their grades on examinations and written assignments in a reasonable time. Exam papers, essays, and other assignments should be returned to students within a reasonable time. Only under rare circumstances, and only with prior approval of the Department Chair, should written work be withheld from students until the end of the semester.
 - b. Grades earned on an exam or any other assignment are not publicly posted or displayed, even if the instructor uses code names or randomly assigned numbers.
2. Changing grades
 - a. In most circumstances grades remain as recorded and can be changed only by the instructor. In the event the instructor is no longer employed, the Department Chair and Dean have the authority to change grades, with a written explanation for the change placed in the college's official files.
 - b. Grades may be changed by the Department Chair and the Division Dean when the Student-Faculty Relations Committee (see Appendix G), as a result of the appellate process, determines that a faculty member has failed to implement a previously announced grade policy.

3. All grades and grading methods are subject to review by the appropriate Division Dean and Department Chair when a student requests a review of a specific grade. The Dean and Department Chair must approve any change in grade requested by an instructor after final semester grades are recorded.
4. Each faculty member is responsible for submitting proper grade reports on all students who are officially certified as enrolled in class on the official census date. These grades must be reported in accordance with the schedule published in the official catalog.
5. The institution utilizes a four-point grading system. A "C" average or 2.0 GPA or above is considered to be satisfactory and satisfies graduation requirements for all degrees and certificates. A student with a grade point deficiency of 25 or more grade points at the end of the fall spring, or summer semester is suspended. Suspended students must obtain written permission from the Dean of their division prior to attending fall or spring semester. Summer terms are open to suspended students
6. Assigning the grade of incomplete (I) requires prior approval of the Department Chair. An I is assigned only when the deadline for dropping the course has passed, the student is passing the course, and course requirements, including the final examination, cannot be completed because of unavoidable circumstances. If incomplete work is not finished by the end of the next long semester, the I will be changed to F on the permanent record. Requests for one-semester extensions will be honored by the Records Office if approved by the instructor and Department Chair prior to the expiration of the normal deadline.
7. A student desiring to register for a course to receive a grade of "NG" must have the written approval of the Department Chair prior to the deadline for dropping or withdrawing from a course without penalty.
8. Grade records for any course should be maintained by the instructor for the remainder of the academic year and a period of 12 additional months. In the event the instructor is no longer employed by the college, the Department Chair shall maintain the records.

Amended August 2004

H. Holy Days and Student Absences.

Lamar State College-Port Arthur has developed the following policy on student absences for the purpose of observing religious holy days.

1. Under the provisions of Texas Education Code 51.911 all institutions of higher education shall excuse a student absent from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. A student whose absence is excused under this policy may not be penalized for that absence and shall be allowed to take an examination or complete an assignment within a reasonable time after the absence. Policies and procedures for absences due to religious holy days shall be consistent with (or no more arduous than) the instructor's policies and procedures relating to other excused absences.
2. Texas Education Code, section 51.911, defines a religious holy day as a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Tax Code. A student who plans to be absent under the provisions of this policy must notify the instructor in advance of the absence. If a student and instructor disagree about the nature of the absence being for the observation of a religious holy day defined herein, or if there is similar disagreement about whether the student has been given a reasonable time to complete any missed assignments or examinations, either the student or the instructor may request a ruling from the

President or his designee. The student and instructor shall abide by the decision of the President or his designee.

Amended August 2004

I. Meeting of Classes.

Faculty members are responsible for meeting the classes assigned to them. Each instructor is expected to meet class punctually and to exercise care in maintaining the class schedule as announced in the college's schedule of classes. Except in the event of circumstances that require all of the college's classes to be canceled, or the cancellation of all of the classes scheduled in a particular building, the responsibility to notify students in advance of a change in meeting time or cancellation rests wholly with the instructor. Planned dismissal of multiple classes must be authorized by the Vice President for Academic Affairs. Advance approval is especially important when a large number of classes (students) is involved. In emergency situations, such as power failure, sudden illness, and unsafe conditions, the Deans may authorize dismissal of classes under their supervision.

The semester calendar will not be lengthened if the institution cancels class meetings due to inclement weather or other circumstances. Final examinations will be administered as scheduled. The method for covering the subject matter ordinarily covered during the missed classes will be left to the discretion of the instructor.

J. Off-Campus Speakers.

Instructors inviting speakers to address lecture and/or laboratory sections must have the prior approval of the Department Chair. The request for approval must be received and acted upon prior to the appearance. The policy for off-campus speakers invited by student groups is cited in the Student Handbook.

K. Office Hours.

A good relationship between teacher and student requires that instructors provide time for conferences. Scheduled office hours are to be made known both to the student and to the administration. Faculty members are obligated to be in their offices or laboratories (other than scheduled lab classes) at least ten hours per week, at least one hour per day, for student consultations and class/lab preparation. Courses and labs taught as overloads do not take the place of office hours. Office hours and conference periods should be scheduled at times that will be most advantageous to students. Faculty members are not required to make up hours missed because of committee meetings or most other forms of college business. Part-time faculty should be available to students before and after class for consultations and conferences. Questions regarding missed office hours should be directed to Department Chairs. Observance of office hours is subject to review by Department Chairs. Faculty members shall post their office hours outside of faculty offices at the beginning of each term, with copies forwarded to the Department Chair, Division Dean, and Vice President for Academic Affairs, and published in any other manner required by the President.

Revised 2005

L. Racial Harassment.

Lamar-Port Arthur provides equal educational opportunities for all students and equal employment opportunities for all applicants and employees. The college fosters an environment free of racial harassment, intimidation, and humiliation. Racial harassment, as defined herein, is expressly forbidden.

1. "Racial harassment" is defined as extreme or outrageous acts or communications that are intended to harass, intimidate, or humiliate students, faculty, staff or visitors on account of race, color, or national origin and that reasonably cause them severe emotional distress. It is a violation of the policies of Lamar-Port Arthur and the Texas State University System for any student, faculty member, or staff employee to engage in racial harassment of any person on the campus or in connection with a college-sponsored event.

2. Faculty members are responsible for reading and understanding the policies prohibiting racial harassment included in the college's Administrative Policies and Procedures Manual and Chapter VII of the System Rules and Regulations. Questions regarding the policies should be directed to the faculty member's Division Dean or the Vice President for Academic Affairs.

M. Sexual Harassment.

Lamar-Port Arthur and the Texas State University System have adopted policies affirming that no employee, student, or contractor of the college or the System may sexually harass another person. Any employee, student, or contractor of the college or the System will be subject to disciplinary action for a violation of this policy.

1. "Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic career;
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual;
 - c. Such conduct unreasonably interferes with an individual's performance or creates an intimidating, hostile, or offensive employment or academic environment.
2. Faculty are responsible for reading and understanding the policies on sexual harassment included in the college's Administrative Policies and Procedures Manual and the System Rules and Regulations. Questions regarding the policies should be directed to the Division Dean or the Vice President for Academic Affairs.

N. Sponsorship of Student Organizations.

Each recognized student organization is required to have at least one sponsor who is a member of the **FULL-TIME FACULTY**. Faculty members are urged to participate in organizations which contribute to the growth and development of students.

O. Student Grievances, Complaints, and Suggestions.

The college has established procedures for the resolution of student grievances in regard to academic issues in a prompt and equitable manner. Details of the college's procedure for students in reference to alleged academic grievances are described in the Student Handbook and Appendix G to this Handbook.

Occasionally a student will wish to voice a complaint or make a suggestion about a class, department, or policy that falls outside the ordinary grievance procedures. Examples include, but are not restricted to, catalog issues, class scheduling, departmental policies, and textbook selection. These remarks are often initially addressed to faculty members. When hearing these concerns faculty should, if possible, provide a careful explanation. If the faculty member cannot offer sufficient clarification, or does not feel comfortable doing so, the student should be directed to articulate the concern to the Program Coordinator (if applicable) or Department Chair. If satisfaction cannot be obtained at the department level the student should be told to forward the concern or suggestion in person or in writing to the appropriate instructional dean and if necessary to the Vice President for Academic Affairs.

Paragraph O. Revised September 2007

P. Student Records.

Student permanent records are originally created by and are in the custody of the Office of Records and Registrar. Practices and policies regarding access to and the release of these records are in conformity with the Family Education Rights and Privacy Act of 1974. Under the provisions of the Act, access to student educational records (or personally identifiable information contained therein) may be given to faculty members if they have a "legitimate education interest." Such information must be used only for the purpose requested. Care must be taken that no personally identifiable information other than "directory information" is released without the written authorization of the student. A social security number is interpreted as "personally identifiable" and may not be used to post grades, etc., without the student's written consent. The Act, generally referred to as the Buckley Amendment, defines directory information as that information the institution has declared it will release routinely and has so officially advised students. Any student may advise the institution not to release any or all of the information designated.

Q. Syllabi and Course Information.

Each instructor should prepare a syllabus or course outline for each course taught. The learning objectives and anticipated outcomes in the syllabus should be adopted by all who teach sections of the same course and may be prepared through committee action in the department. Individual instructors may use different and creative strategies for achieving the objectives and outcomes. The Department Chair will maintain a file of syllabi on all courses currently taught in the department. Instructors shall distribute to their students, in writing or on the LUPA Internet home page, the following information about the courses to their students: attendance requirements, goals and requirements, grading procedures, nature of the course content, office hours, and the method to be used in determining the semester grade. This information will be kept on file by the Department Chair.

R. Textbooks.

Each department of the college determines procedures for the adoption of textbooks for classes in that department in accordance with institutional policy. See Section IV of this [Faculty Handbook and Policy Manual](#) for complete information regarding textbook selection.

Last Revised December 2013

SECTION X: COPYRIGHT POLICY

A. Purpose and Scope.

The purpose of the Lamar State College-Port Arthur copyright policy is to outline the respective rights of the institution and the members of its faculty, staff, and student body have in copyrightable materials created by them while affiliated with it.

B. General Policy Statement.

Copyright is the ownership and control of the intellectual property in original works of authorship that is subject to copyright law. It is the policy of Lamar-Port Arthur that all rights in copyright shall remain with the creator of the work except as otherwise provided in Section X.C of this [Faculty Handbook and Policy Manual](#).

C. Ownership of Copyright.

Lamar-Port Arthur has developed the following policy regarding the ownership of copyrighted materials.

1. The Texas State University System and Lamar-Port Arthur claim no ownership of fiction, popular nonfiction, poetry, music compositions or other works of artistic imagination that are not institutional works. For other materials that are totally faculty generated with no college equipment or aid other than that routinely used by faculty in duties associated with teaching, the faculty member holds the copyright and complete intellectual property rights.
2. If the work is contracted in writing by the college of the employee on a work for hire basis, the college then owns the copyright and all benefits of the materials.
3. Copyright of materials (including software) that are developed with the significant use of funds, space, equipment, or facilities administered by the college, including but not limited to classroom and laboratory materials, but without any obligation by the college to others in connection with the support, shall be held by the college.
4. For the purpose of this policy, the provision of office or library space alone shall not be construed as constituting a significant use of funds, substantial resources, space, equipment, or facilities, except in those situations where the office or library facilities were provided specifically to support the development of the materials in question. Substantial resources shall include, but shall not be limited to, the purchase of new technology software or equipment not normally needed for the employee's duties, and/or a substantial monetary award explicitly for the creation of the work.
5. Copyright ownership of all materials (including software) developed in the course of or pursuant to a sponsored research or support agreement (i.e., an agreement which provides funds, space, equipment, or facilities for research purposes), shall be determined in accordance with the terms of such agreement, or, in the absence of such terms, the copyright shall be held by the college. The agreement may grant an employee a non-exclusive educational license allowing the employee to share royalties from third parties using the materials.

D. Ownership of Copyright of Mediated Courseware.

1. Mediated courseware includes, but is not necessarily limited to, instructional materials delivered over the Internet, synchronous or asynchronous video or audio courses, components of courses, or instructional support materials.

2. Copyright of mediated courseware developed without specific direction of significant support of Lamar-Port Arthur shall remain with the employee. No royalty, rent, or other consideration shall be paid to the employee or former employee when that mediated courseware or a modification thereof is used for instruction by the college. The employee or former employee shall take no action that limits the college's right to use the instructional materials and shall provide written notice on the courseware itself of the institution's right of use. See Chapter V, Paragraph 4.76 of the System Rules and Regulations and Section III of this Handbook for policies on noncompetitive use of employee-owned, mediated courseware.
3. Copyright of mediated courseware developed at the specific direction or with the substantial resources of the college shall be jointly held by the college and the employee, unless otherwise specified at the time commissioning of the work, and shall not be used without written consent of the college. The college shall have the right to modify the courseware and decide who will utilize it in instruction. Royalties or revenues generated from the licensing of such mediated courseware may be jointly shared with the employee as noted in Section III, Paragraph 11 of the System Rules and Regulations.
4. For the purposes of this policy, the provision of an office or library facilities alone shall not be construed as constituting substantial resources, space, equipment, or facilities, unless they were provided specifically to support the development of the material in question.

E. Distribution of Copyright Royalties.

1. Creators of copyrightable material not owned by Lamar State College-Port Arthur, or to which the college has relinquished any ownership claim, own the copyrights in their works and are free to publish them, register the copyright, and receive any revenues which may result therefrom.
2. Royalty income received by Lamar-Port Arthur through the sale, licensing, leasing, or use of copyrightable material in which the college has a property interest will normally be shared with the author and the institution.
 - a. The net royalties or other net income received by the college will, in most cases, be distributed under a formula of 50 percent to the author and 50 percent to the institution.
 - b. Any distribution which grants the author more than 50 percent of net royalties requires the approval of the Board of Regents.
 - c. In the event of multiple authors, the proper distribution of the 50 percent author's share shall be determined by the President, as appropriate.
 - d. Disposition of the 50 percent dedicated to the institution is within the President's discretion.
3. In the event that an author contributes a personal work to the college, a written agreement accepting such contribution shall be executed. The terms of the agreement shall include a statement governing the division of royalties between the institution and the author.
4. In cases of external funding, the terms of the funding agreement shall govern the division of any royalties that may result in commercialization of materials resulting therefrom. In the event that the funding agreement vests royalty rights in Lamar-Port Arthur, the author shall be entitled to the same proportionate share he or she would have received if the work had not been extramurally funded. Such a royalty payment to the author, however, may not violate the terms of the funding agreement. Such share shall be a proportion of whatever share is owned by the college under the terms of the funding agreement and this policy.

F. Revision of Materials.

Materials owned by the college under the terms of this policy shall not be altered or revised without providing the author a reasonable opportunity to assume the responsibility for the revision. If the author declines the opportunity to revise such material, the President will make the assignment of responsibility for the revision.

G. Withdrawal of Materials.

Materials owned by the college shall be withdrawn from use when it, in consultation with the author, deems such use to be obsolete or inappropriate.

H. Student Work

A student shall retain all rights to work created as part of a class or using college technology resources.

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SECTION XI: PATENT POLICY

A. Purpose.

Lamar State College-Port Arthur is dedicated to instruction, research, and public service. It is the policy of the college that an atmosphere be maintained that will allow its faculty to carry out its scholarly work openly and freely, and publish results gained therefrom. The institution recognizes that patentable inventions and discoveries may arise on occasion in the course of scholarly work conducted by its employees and students. The purpose of this policy is to insure that such discoveries and inventions are used and controlled in a fashion that maximizes their benefit to the public, the inventor, and the institution.

B. Applicability.

This policy shall apply to all persons employed by the college and to anyone using facilities it owns or supervises in connection with the development of a patentable product.

C. Condition of Employment and Enrollment.

The patent policy, as occasionally amended, shall be deemed part of the conditions of employment of all college employees, including student employees, and of the conditions of enrollment and attendance by all students in the institution.

D. Ownership.

Except as otherwise described in this policy, every invention or discovery or part thereof that results from research or other activities carried out at Lamar-Port Arthur, or that is developed with the aid of its facilities, staff, or funds, shall be the property of the college.

E. Inventions Made on Own Time.

Inventions or discoveries made by college employees or student in their personal time and not involving the use of college facilities are the property of the inventor except in case of conflict with any other applicable agreement.

1. For the purposes of this policy, an individual's "personal time" shall mean time other than that devoted to normal or assigned functions in teaching, extension, campus service, or direction or conduct of research on college premises or utilizing "college facilities."
2. The term "college facilities" shall mean any facility, including equipment and material, available to the inventor as a direct result of the inventor's affiliation with the institution, and which would not have been available to a non-college individual on the same basis.
3. Persons who claim that inventions or discoveries are made on personal time and without the use of college facilities have the responsibility to disclose all such inventions to the college in accordance with the disclosure procedures applicable to inventions made on college time or with the use of college facilities. It shall be the responsibility of the inventor to demonstrate the basis of the inventor's claim that only personal time and no college facilities were utilized.
4. If the inventor so desires, inventions or discoveries made on personal time and without the use of college facilities may be assigned to the institution. Under this arrangement, the procedures will be the same as for inventions or discoveries made by Lamar-Port Arthur personnel on college time or with the use of college facilities and materials.

F. Patents Arising from Government Sponsored Research.

Patents on inventions or discoveries arising from research financed by federal, state, or local government may be controlled by the terms of the grants and contracts specified by the government agency sponsoring the research, or by applicable law. In some cases, the sponsoring government agency may claim rights to patents resulting from the sponsored research.

G. Patents Arising from Research Sponsored by Non-Government Entities.

Lamar-Port Arthur is obligated to insure that its facilities and the results of the work of its employees are applied in a manner which best serves the interests of the public. The college reserves the right to ownership of patents on inventions or discoveries arising out of research supported in whole or in part by grants or contracts with non-governmental firms.

H. College Patent Committee.

The President shall appoint a College Patent Committee, consisting of no less than three members, one of whom shall be designated by the President to serve as chair of the committee. Such committee shall perform the duties delineated in this policy and other such duties as may be assigned by the President or his designee.

I. Duty to Disclose Discoveries and Inventions.

All individuals covered by this policy have a duty to disclose in writing their inventions and discoveries promptly to the College Patent Committee.

1. The duty to disclose arises as soon as the individual has reason to believe, based on his or her own knowledge or upon information supplied by others, that the invention or discovery may be patentable.
2. Certainty about patentability is not required before a disclosure should be made.
3. Individuals shall execute such declarations, assignments, or other documents as may be necessary in the course of invention evaluation, patent prosecution, or protection of patent rights, to insure that title in such inventions shall be held by Lamar-Port Arthur, where this policy indicates the college shall hold title, or by such other parties as may be appropriate under the circumstances.

J. Review by Patent Committee.

The College Patent Committee, after receiving disclosure about an invention, shall forward a recommendation to the President concerning such discovery. Such recommendation shall include: (1) the committee's opinion whether the college has an ownership in the invention in question, or whether such invention was one developed on personal time and without use of college facilities, and (2) whether and how the institution should assert and exploit its ownership interest in any invention or discovery.

K. Waiver of College Interests.

The president has the authority to determine that the college desires no claim on the invention or discovery, and may advise the inventor that the college asserts no ownership interest in the invention or discovery.

L. Royalties.

In consideration of the disclosure and assignment of invention rights, the inventor, or the inventor's heirs, successors, and assigns, may receive up to 50 percent of the net royalties or other net income arising from an invention or discovery after a deduction for administrative and patent management costs. Administrative and patent management costs include, but are not limited to, the costs associated with the licensing, patenting, and protection of patent rights. The remaining percentage of net royalties shall accrue to Lamar State college-Port Arthur.

M. Avoidance of Conflicts.

Any employee covered by the policies of this section shall report in writing to the President, or his designee, the name of any business entity as referred to therein in which the person has an interest or for which the person serves as director, officer, or employee and shall be any change in the interest or position held by such person in such business entity. These reports will be filed with the Board of Regents, and upon Board approval the report shall be submitted to the governor and Legislature as required by Section 51.912 of the Texas Education Code.

N. Equity Interests.

1. In accordance with Section 51.92, Texas education code, and subject to review and approval by the President, employees of the college who conceive, create, discover, invent, or develop inventions or discoveries may hold an equity interest in a business entity that has an agreement with the college relating to the research, development, licensing, or exploration of those discoveries or inventions.
2. Lamar-Port Arthur may negotiate, but shall not be obligated to negotiate, an equity interest on behalf of any employee as a part of an agreement between the institution and a business entity relating to inventions and discoveries conceived, created, discovered, invented, or developed by the employee and owned by the college.
3. Dividend income and income from the sale or disposition of equity interests held by the college pursuant to agreements relating to inventions and discoveries shall belong to the college and shall be distributed in accordance with the provisions of this policy. Dividend income and income from the sale or disposition of an equity interest held by a college employee pursuant to an agreement between the college and a business entity relating to rights in inventions and discoveries conceived, created, discovered, invented, or developed by such employee shall belong to the employee.

O. Business/Management Participation.

An employee of Lamar-Port Arthur who conceives, creates, discovers, invents, or develops an invention or discovery shall not serve as a member of the board of directors or other governing board, or as an officer or employee (other than as a consultant in accordance with college regulations) of a business entity that has an agreement with the college relating to the research, development, licensing, or exploitation of that invention or discovery without prior review and approval by the President. When requested and authorized by the Board of Regents, an employee may serve on behalf of the Board of Regents as a member of the board of directors or other governing board of a business entity that has an agreement with the college relating to the research, development, licensing, or exploitation of inventions and discoveries.

Last Revised 6-7-99

SECTION XII-APPENDICES

APPENDIX A

SUMMARY OF ACADEMIC ADMINISTRATIVE PROCEDURES

In any academic administrative procedure, any of those involved may initiate a recommendation. However, before final approval is given, all parties in the sequence should have an opportunity to concur or disagree. In any area of responsibility requiring final approval of the President and/or the Board of Regents, when, in the opinion of the President, it would be in the best interests of the institution to make a decision before going through all indicated procedural steps, the President is authorized to make such decision subject to later approval or ratification of the Board of Regents.

None of the administrative procedures outlined above shall be construed to limit the powers of the Board of Regents as delineated in Sections 108.01 through 108.37 of the Texas Education Code, 1971.

1. FACULTY RELATIONSHIPS	ADMINISTRATIVE PROCEDURES
1.1 EMPLOYMENT: Recruitment, evaluation, determination of salary and rank and appointment.	Recommendation by Department Chair to Dean to VPAA to President; approval and award of contract by President with approval of Board.
1.2 TERMINATION: Separation of faculty member by resignation, retirement, non-reappointment or dismissal.	Recommendation by Department Chair to Dean to VPAA to President; recommendation by President to Board for final approval subject to tenure policies.
1.3 WORKLOAD ASSIGNMENT: Assignment of faculty and staff to teaching, research, counseling, and community service.	Recommendation by Department Chair to Dean; approval by Dean within allocation of budgeted faculty salaries.
1.4 PROMOTION IN RANK	Recommendation by Department Chair to Division Committee to Dean to VPAA; VPAA recommends to President who recommends to Board; final decision rests with the Board.
1.5 AWARDING OF TENURE	As described in Section V. of this <u>HANDBOOK</u> .
1.6 TRAVEL AND ROUTINE ABSENCE	Recommendations by Department Chair to Dean to VPAA; approval by VPAA.
1.7 LEAVES OF ABSENCE WITHOUT COMPENSATION	Recommendation by Department Chair to Dean to VPAA; approval by VPAA with notification to President.
1.8 EXTENDED SICK LEAVE WITH COMPENSATION	Recommendation by Department Head to Dean to VPAA to President; approval by President.
1.9 DEVELOPMENT LEAVES	Faculty submits requests with recommendations from Department Chair and Dean to Faculty Senate; recommendations to VPAA to President. Final decision rests with the President.
1.10 SALARY ADMINISTRATION a. Equity & Merit.	Recommendations by Department Chair to Dean to VPAA to President; final approval by Board of Regents as part of the approved budget.

b. Other adjustments.	Recommendation by VPAA to President; by President to Board of Regents; final decision by Board within legislative guidelines and policies.
1.11 ANNUAL EVALUATION	Faculty member submits completed F2.08 to Department Chair and Dean; independent review by Department Chair and Dean are submitted to VPAA; combined rating returned to faculty member.
1.12 ALLEGED GRIEVANCE	Aggrieved party seeks resolution at departmental level; unresolved issue is reviewed at division and campus level by Dean, VPAA, and President. Issue unresolved at campus level may be appealed to the Board, which will consider the appeal at its discretion (see V.-4.46 and I-4.4 in System <u>Rules and Regulations</u> for Board of Regents involvement).

2. ACADEMIC/ADMINISTRATIVE RELATIONSHIPS	ADMINISTRATIVE PROCEDURES
2.1 APPOINTMENT OF PRESIDENT	Advisory Committee may be appointed by Board of Regents; final decision by Board of Regents.
2.2 REMOVAL OF PRESIDENT	By Board of Regents.
2.3 APPOINTMENT OF VPAA	Search committee may be appointed by President; recommendation by committee to President; by President to Board of Regents; final approval by Board of Regents.
2.4 REMOVAL OF VPAA	By President after consultation with Board of Regents
2.5 APPOINTMENT OF DEANS	Search Committee may be appointed by VPAA; recommendation from committee to VPAA to President to Board of Regents. Final approval by Board of Regents.
2.6 REMOVAL OF DEANS	Recommendation by VPAA to President to Board of Regents; final approval by the Board
2.7 APPOINTMENT & REMOVAL OF DEPARTMENT CHAIRS AND PROGRAM COORDINATORS	Determination by Dean, subject to review by VPAA and President; approval by President with notification to Board of Regents.
2.8 WORKLOAD ASSIGNMENT OF DEPARTMENT CHAIRS AND PROGRAM COORDINATORS	Recommendation by Dean to VPAA; approval by VPAA.
2.9 DEVELOPMENT LEAVES FOR STAFF	Staff development leaves are recommended by the Staff Advisory Committee to the President for review.

3. STUDENT RELATIONSHIPS	ADMINISTRATIVE PROCEDURES
3.1 ADMISSION	Decision by Vice President for Student Services within policies established by the Board of Regents.
3.2 ADMISSION TO PROGRAM OF STUDY	In the absence of other procedures, decision by Department Chair.
3.3 DROPPING A COURSE	A course may be dropped without penalty during the first six weeks of the semester. The last date for dropping or completely withdrawing from the institution without penalty is established in the official calendar. For drops after this penalty-free period, grades are recorded as Q or F, indicating the student was passing or failing at the time of the drop or withdrawal. The final date to drop or withdraw, with a grade(s) recorded, is published in the catalog.
3.4 OFFICIAL SUMMONS	If all other attempts to contact a student have been exhausted, administrative officers may ask a faculty member to deliver an official summons to a student in class. The faculty member is expected to cooperate in the delivery of the official summons to their students in the classrooms. In most cases, all other ways to contact the student will have been exhausted.
3.5 SPECIAL STUDENT ADMISSION (PAROLEES, ETC.)	Decision and conditions of admission determined by the Vice President for Student Services.
3.6 READMISSION OF STUDENTS ON ACADEMIC SUSPENSION	Decision by Dean of the division with notification to Director of Admissions.
3.7 CERTIFICATION OF GRADUATES	Certification by Dean; verification by Registrar.
3.8 ASSIGNMENT OF GRADE	Decision by appropriate member of the faculty.
3.9 CHANGE OF GRADE	Decision by appropriate member of the faculty with approval by Department Chair and Dean.
4. CURRICULUM	ADMINISTRATIVE PROCEDURES
4.1 ADDITION/DELETION OF PROGRAMS & DEGREES	Recommendation by faculty, Department Chairs, and Deans of the respective division, within role and scope of the institution as established by the Coordinating Board and the Board of Regents; recommendation to VPAA; recommendation to President to Board of Regents; final decision by Board of Regents subject to approval of Coordinating Board.
4.2 ADDITION/DELETION/REVISION OF COURSES & PROGRAMS	Recommendation by faculty and Department Chair to Dean, who makes recommendation to VPAA. VPAA can return the recommendation to the Dean for additional study or refer it to the Campus Academic

	<p>Standards and Curriculum Committee for a determination on its effect on courses/program offerings in other departments or in the other division. The Committee makes a recommendation to VPAA. Recommendation from VPAA to President with notification to Board of Regents. Final decision for approval of changes to technical programs rests with the Coordinating Board.</p>
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<p>5. FISCAL AFFAIRS</p>	<p>ADMINISTRATIVE PROCEDURES</p>
<p>5.1 ASSESSMENT OF NEEDS FOR FINANCIAL RESOURCES</p>	<p>Recommendations by faculty, Department Chairs and Deans to Vice President for Academic Affairs; by VPAA to President; by President to Board of Regents.</p>

APPENDIX B

CHARTER AND BY-LAWS OF THE FACULTY SENATE

CHARTER OF THE FACULTY SENATE

I. Function

The Faculty Senate of Lamar State College-Port Arthur shall serve as the official body responsible for ascertaining and relaying the advice and opinions of the faculty in matters concerning the academic activities of Lamar State College-Port Arthur, a member of the Texas State University System. The Faculty Senate shall provide information concerning faculty opinions and suggestions to the President and other members of the administration on all matters of employee relations. The Faculty Senate shall provide the administration with faculty opinion on all the following areas of concern, though its deliberations shall not be limited to them:

- A. Academic procedures.
- B. Academic standards, including admissions, progress, and graduation.
- C. Development leaves and alternative faculty development programs.
- D. Faculty recruitment and employment.
- E. Faculty research.
- F. Faculty retirement, insurance, and fringe benefits.
- G. Faculty tenure, promotion, and termination.
- H. Teaching loads.

Senate deliberation and action may result either from a request for advice and opinions by the administration or from the request of the faculty it represents. The Senate may make recommendations to the appropriate official on any matters it considers to be of concern to the welfare of the faculty.

II. Procedure

The Faculty Senate shall be organized as a legislative body. It shall elect a president and other such officers as provided for in its by-laws.

In its by-laws, the Senate shall establish rules to govern its general meetings, executive sessions, special hearings, and other procedural matters.

By-laws may be amended by majority vote, but must be proposed at the meeting prior to the vote and subsequently be submitted to the President of Lamar-Port Arthur.

The Senate shall determine a regular meeting place, hour, and day for its monthly meetings. Minutes of the Faculty Senate shall be sent to the President, the Vice-President for Academic Affairs, the Deans of Academic and Technical Programs, other members of the administration, and all faculty members.

The Senate shall meet at other times on the request of the President, the Vice President for Academic Affairs, the President of the Senate, or on the written request of five members of the Senate.

III. Initiative and Referendum

Twenty percent of the voting faculty or a simple majority of the voting faculty of a particular instructional department may petition the Faculty Senate to consider a specific proposal, which it must do at its next meeting.

If twenty percent of the voting faculty request a referendum on a specific issue, the Senate must submit the issue to a vote of the entire voting faculty. A simple majority is sufficient to approve such proposals.

When a vacancy occurs in the office of the President, the Faculty Senate shall ascertain the recommendation of the faculty by recognized research techniques and shall serve as the official voice of the faculty in relaying the recommendation to the Chancellor and to the Board of Regents, with a copy to the officer in charge of the campus.

IV. Structure and Organization

Members of the Senate shall be elected for two-year terms staggered (one-half being elected in April of each year). The terms of office shall begin with the first day of the fall semester. Holdover senators and newly elected senators will elect officers in May for the coming year, but during the summer months, the senate and officers of the preceding year shall continue in office.

Tenured or contract faculty members, excluding those at the level of Dean or above, shall be eligible for election to the Senate if they have completed one year of service at Lamar State College-Port Arthur by the end of the current academic year. All members of the voting faculty shall be eligible to serve on the Faculty Senate.

The Faculty Senate shall consist of seven members each from the two program divisions at Lamar State College-Port Arthur: Academic and Technical. For every five voting faculty members within a division above a base of fifteen, that division shall have the privilege of electing one additional Senator. Librarians of faculty status shall be regarded as members of the Division of Academic Programs.

The number of Senators to be elected by each division shall be determined from information supplied by the Vice-President for Academic Affairs by March 15 of every year. The Vice-President for Academic Affairs is responsible for the conducting the election of Senators.

If a vacancy occurs, the Vice-President for Academic affairs will conduct an election in the division in which the vacancy occurs, if no alternate is available.

In addition, for every twenty (20) non-contract faculty members, the non-contract faculty shall have the privilege of electing one Senator. All non-contract faculty members who have completed at least one year's service by the end of the previous academic year and who have expressed an interest shall be eligible to serve. All non-contract faculty members, regardless of length of service, shall be eligible to vote. The non-contract Senators shall be elected at the beginning of the academic year and shall serve one-year terms from election to election.

BY-LAWS OF THE FACULTY SENATE

(Not part of official policy, included for faculty information only)

I. Meetings

The Senate shall hold a regular meeting during the first week of each month, September through May, or, if the institution is not in session the first week of a particular month, September through May, the Senate shall hold its regular meeting during the first week the institution is in session for that month.

Special meetings may be called as stated in the Charter under "Procedure." All faculty members below the level of Dean are welcome to the meetings of the Faculty Senate except in rare cases when either of the officers or the Senate deem a closed meeting is necessary. Visitors will be allowed the floor only by Senate invitation.

The full-time, non-administrative staff of Lamar State College-Port Arthur, including library staff, shall have the privilege of choosing a representative who shall have the right to attend all open meetings of the Senate and who shall have the right to speak from the floor, but shall not vote.

The Faculty Senates of Lamar University-Beaumont, Lamar-Orange, and the other member institutions of the Texas State University System shall each have the privilege of choosing a representative who shall have the right to attend all open meetings of the Senate and who shall have the right to speak from the floor, but shall not vote.

II. Officers

The officers shall be a President, a Vice President, and a Secretary. Officers shall be elected annually in May by the members of the following year's Senate. Officers may be nominated by a nominating committee appointed by the incumbent President or from the floor. An officer may be re-elected to the same office for two consecutive years but after two years in that office, he/she must step down. After a lapse of one year, he/she is eligible again for election.

III. Duties of Officers

The President shall preside at all meetings, appoint committees, and serve as the official representative of the Faculty Senate in situations where such representation is necessary or desirable. With the Vice President and the Secretary, the President shall set priorities for the monthly agenda.

The Vice President shall carry out all duties of the President when the President is absent. The Secretary shall write and distribute minutes and announcements, take care of general correspondence, and be custodian of all Senate records, policies and proceedings. In the absence of both President and Vice President, the Secretary shall preside until a president pro-tem can be elected. The Secretary shall issue the call for April Senate elections and shall receive the results of the elections.

IV. Resignation of Officers

In case of the resignation of the President, the Vice-President shall become President and assume the duties of that office. In case of a vacancy in the office of Vice President or Secretary, there shall be an election held to fill that office. EXCEPTION: If less than one semester remains in that office, the Executive Committee may choose to fill the vacancy by appointment.

V. Agenda

An agenda for each regular meeting shall be established, and the membership informed, as far in advance as possible but with never less than seven days' notice. New business not on the agenda may be introduced, but no action shall be taken until a later meeting unless a two-thirds majority of those attending agree to a suspension of the rules. A formal agenda is not necessary when a special meeting for emergency discussion and action is called.

VI. Voting

Each senator, including the officers, shall have one vote. Senators shall be regarded as either present or absent; there shall be no substitutes and no proxies. A quorum shall be a simple majority.

VII. Resignation of Senators

At the time of the election in April, the appropriate number of senators, a first alternate, and a second alternate will be elected in each division. In the case of the resignation of a senator during his/her term of office, the Executive Committee shall notify the elected alternate to complete the unexpired term of the resigning senator. The first and second alternates shall be chosen from the remaining candidates on the ballot based on the number of votes received. A tie shall be resolved by random drawing.

EXCEPTION: If the absence of a senator is temporary (i.e., two months or less), the Executive Committee may appoint a replacement for the brief period of time of the original senator's absence.

VIII. Procedures

In all circumstances not covered by the Charter or the By-laws, Rules of Order shall prevail.

Revised: By vote of the Faculty Senate
March 9, 1999

Edited: To reflect the actions of the Texas Legislature
June 1999

Last Revised 6-2-99

APPENDIX C

POLICY REGARDING PERFORMANCE REVIEW OF TENURED FACULTY

I. Introduction

1. This policy provides (1) a process for evaluating tenured faculty to determine retention or revocation of tenure, (2) a procedure for counseling faculty members who fail to meet minimum standards for retention of tenure, and (3) the criteria that a tenured faculty member must meet for retention of tenure. The criteria and procedures described below are consistent with the policies described in the Rules and Regulations of the Board of Regents, Texas State University System (hereinafter cited as Rules and Regulations) (V, 4.2), which govern in the event of a conflict with these regulations.
2. For the purpose of this policy, the faculty are those employees "with a specified academic rank holding a teaching appointment for a fixed term as determined by the President of the college and approved by the Board of Regents" (V, 1.1, Rules and Regulations). Tenure is defined as "an entitlement to continuing appointment as a member of the faculty at a component university" (V, 4.22, Rules and Regulations).
3. This institutional policy supersedes all previous policies and regulations. The policy for the performance evaluation of tenured faculty will be effective beginning with the 1997-1998 academic year.
4. Adoption of this policy by the Texas State University System and the implementation of it by Lamar State College-Port Arthur does not preclude the termination of any tenured faculty member at any time for good cause shown. Good cause includes but is not limited to the examples cited by the Board of Regents (V, 4.24, Rules and Regulations).

II. Performance Evaluation of Tenured Faculty Process

1. The categories of criteria for evaluating the performance of tenured faculty are the same as those used in awarding tenure and include: effectiveness as a teacher; evidence of professional growth and development; organizational and committee service; and student relationships, including advising, counseling and supervision as defined by the Lamar State College-Port Arthur tenure and promotion regulations and guidelines.
2. Evaluation of the tenured faculty is a periodic process.
3. In the event of an overall unsatisfactory performance by a tenured faculty member on the six-year performance evaluation, a more comprehensive evaluation process is initiated.
4. The performance of tenured faculty members will be reviewed under the terms of this policy on a six-year cycle and will be first conducted in the sixth year after a faculty member receives tenure or an academic promotion. The first faculty members who will be evaluated under this policy will be all faculty members who received tenure during or before the 1991-1992 academic year.
5. An application for promotion will include a review of the same elements included in the performance evaluation of tenured faculty. Promotions that occur within six years of receipt of tenure or six years from the last performance evaluation will be considered to be a successful performance evaluation and will signify the beginning of a new six-year cycle.
6. The six-year performance evaluations as described in this policy will replace the annual evaluation for that year only.

III. Department Review of Tenured Faculty

1. The comprehensive performance evaluation for all tenured members of the faculty includes an appraisal of teaching, including prior annual evaluations; evidence of professional growth and development; organizational and community service; and student relationships. The process will at a minimum include peer review, student evaluations, and department head evaluation.
2. The tenured faculty members in each department shall develop the departmental plans for peer review. Peer review will include a review by a tenured faculty member, or a committee of tenured faculty members, teaching in the same department or division. The decision regarding evaluation by a single faculty member or a committee of tenured faculty members shall be left to the discretion of the tenured faculty member.
3. A department head or instructional division dean with tenure will be evaluated as a tenured member of the faculty by the same standards as other tenured faculty members.
4. The written evaluation of each faculty member will be given to the faculty member, kept on file by the department head, and forwarded to the appropriate instructional dean.

IV. Administrative Review of Tenured Faculty

1. The dean of the instructional division will review the evaluation documents prepared by the department head. The dean will add evaluative comments to the document, and make recommendations as needed concerning professional development and retention of tenure.
2. The Vice President for Academic Affairs will review the evaluation documents prepared by the dean and department head. The Vice President will add evaluative comments to the document, and make recommendations as needed concerning professional development and retention of tenure.

V. Results of the Evaluation Procedure for Tenured Faculty

1. SATISFACTORY SIX-YEAR PERFORMANCE EVALUATION

If the Vice President for Academic Affairs rates the tenured faculty member's performance as satisfactory, then no further action by the faculty member, the department, or institution is required.

2. UNSATISFACTORY SIX-YEAR PERFORMANCE EVALUATION

In the event that a tenured faculty member receives an unsatisfactory six-year performance evaluation from the Vice President for Academic Affairs, the following procedure will be used; (1) the department head and dean will counsel the faculty member as to the reasons for unsatisfactory performance and will work with the faculty member to develop written improvement plan with goals, time lines, expected outcomes, and monitoring, (2) institutional support will be provided where available as appropriate, (3) progress will be assessed in each of the following two years.

3. If a tenured faculty member receives an unsatisfactory performance evaluation for two consecutive years following the initial unsatisfactory evaluation described in paragraph "B" above, the normal channels for revocation of tenure for just cause will be implemented by the college (V, 4.24, Rules and Regulations). The faculty member may appeal a termination to the Campus Performance Evaluation of Tenured Faculty Appeals Committee (V, 4.243, Rules and Regulations).

4. A faculty member subject to termination on the basis of an evaluation conducted pursuant to this policy must be given the opportunity for referral of the matter to a non-binding alternative dispute resolution process as described in Chapter 154, Civil Practice and Remedies Code. If both parties agree, another type of alternative dispute resolution method may be elected.

VI. Performance Evaluation of Tenured Faculty Appeals Committee

1. The Performance Evaluation of Tenured Faculty Appeals Committee is made up of five tenured faculty members. The tenured faculty of each instructional division will elect two tenured faculty members to the committee to serve two-year terms, except for the first year of the committee's existence, when each division shall elect one member to a one-year position and one member to a two-year position. The President of the Faculty Senate will serve as an at-large member of the committee if tenured. If the Faculty Senate President is not tenured, the Senate shall elect a tenured faculty member to serve in the at-large position. The committee shall elect a chairperson from its membership.
2. In matters regarding the revocation of tenure, the committee will review annual performance evaluations of a faculty member to ensure that all institutional policies relative to tenure have been followed. The committee will ensure that the affected faculty member has been treated fairly by those involved in the evaluation process. The committee will vote as to its support or non-support of the revocation of tenure. It will submit its recommendation and all supporting documentation to the President of Lamar State College-Port Arthur.

APPENDIX D

POLICIES AND PROCEDURES FOR RESEARCH AND SPECIAL PROGRAMS

A. Proposal Development

All sponsored research and programs are based on agreement to perform certain functions by members of the institution and of necessity a formalized application and acceptance procedure has been established. This involves presentation of ideas, negotiation of terms of the contract, acceptance, and structure for administering the project at hand.

B. Proposals

All sponsored programs must have a principal investigator or director, who is free to select the program's subject matter within the limits of institutional policy. The investigator/director should devote a significant portion of time to the contracted undertaking and assure the agency in question of performance in the successful completion of the project.

C. Proposal Preparation

Proposal preparation is largely the basic responsibility of the principal investigator/director. A proposal checklist for the preparation of a proposal should be completed before a final draft is submitted to assist principal investigators in preparing the proposal as well as to assist department chairs, Deans, and other administrators in evaluating the administrative and budgetary aspects of these proposals. The checklist includes many factors, which are easily overlooked at the time a proposal is prepared but which can cause annoying problems later.

All submitted proposals must have an approval form for Proposals for Special Projects. All proposals should be submitted to the Vice President for Academic Affairs and approved by the President.

D. Reviews

All proposals must be reviewed and formally approved by department chairs, Deans, and the Vice President for Academic Affairs. All proposals must be in the Office of the VPAA a minimum of 10 working days prior to the deadline specified in contract or the grant. Factors considered in the proposal review may include:

- 1. Eligibility of the Investigator--**The individual initiating the proposal must be eligible to be a principal investigator under the policies of the institution.
- 2. Educational Component--**The proposal should include an educational component that contributes to the academic programs of the institution and provides training and support of students. The proposal should assist in achieving the objectives of the department and the institution.
- 3. Freedom to Publish--**Questions regarding the investigators' right to publish his/her findings should be answered.
- 4. Presence at the Institution--**Will the proposed activity require the investigator to be absent from the institution for extended periods of time? Is such absence warranted and will this absence be approved by the Department Chair and Dean?
- 5. Percentage of Effort--**The amount of effort committed by the investigator to the project should be consistent with other duties.

6. **Human Subjects**--If the proposed research or project involves the use of human subjects, does the research protocol comply with governmental requirements and with assurances to be filled by the institution?
7. **Care of Laboratory Animals**--If warm-blooded animals are to be used in the conduct of the research, have provisions been made to insure adequate and humane care in accordance with prescribed institutional and legal standards?
8. **Budget**--Is the budget sufficiently detailed and is it consistent with the subsequent accounting to be rendered for actual costs: Have all the potential cost items been covered in the estimated budget?
9. **Staff Benefit and Indirect Cost Rates**--Have the institution's staff benefit and indirect cost rates been properly applied and included in the proposed budget? The cost rates can be obtained from the Finance Office.
10. **Radiation Hazards**--In the event that the proposed activity contemplates use of materials or devices that may pose a radiation hazard, such as isotopes or radiation-producing machines, is there evidence of appropriate planning for safety and control?
11. **Safety and Health**--Does the proposed project comply with the Federal Occupational Safety and Health Act and state industrial safety regulations?
12. **Patent Agreements**--Have the sponsor's patent terms been considered? Are patent agreements on file for all persons who may be in a position to make, conceive, or first use inventions, improvements, or discoveries under the project?
13. **Copyrights and Rights in Data**--Have the sponsor's copyright and rights in data terms been considered? Are they acceptable?
14. **Insurance**--Does the proposed activity pose any special property or liability insurance questions?
15. **New Staff**--Will the proposed activity require new staff? Would such expansion be consistent with the institution's policies?
16. **Space and Equipment**--Can the project be housed within existing space? Is it adequately equipped? If not, are requirements for additional space and equipment consistent with the department's priorities?
17. **Cost Sharing**--Is any cost-sharing commitment made in the proposal accurate and consistent with the institution's plans and budgets?
18. **Long-term Commitments**--Does the proposal commit the institution to continue the proposed activity beyond the period of sponsor funding? If so, do budgeting and planning appropriately support such commitments?

E. Final Approval and Submission

After final review and approval by the Department Chairs and Deans, the proposal information is returned to the Office of the Vice President for Academic Affairs for submission to the contracting or sponsoring agency.

F. Negotiation

During the application process for support from external sponsors, negotiations often take place at various stages to establish the scope of the activity and terms and conditions under which the work will be performed. These negotiations often take place between principal investigators and an agency official during the preliminary stages of the proposal development and should not involve specific administration of funds received by the institution. These negotiation aspects are the special concern of the Vice President for Academic Affairs.

Once the formal proposal is submitted, the terms and conditions governing work are established in negotiations between the sponsoring agency and the authorized individuals in the institution. The responsible administrative officer will take the initiative in requesting the sponsor to modify provisions to accommodate policy needs of the institution, again coordinating, when appropriate, with the person responsible for conduct of the project and with the other officials of the institution.

All salaries and wages of research personnel will correspond to the existing salary and wage policies of the institution. Any exceptions must be approved by the Department Chair, Dean, and the Vice President for Academic Affairs in the rough draft proposal writing stages. If, for example, the principal investigator proposed to devote one-half time to a project and the Department Chair and Dean concur that the research project will require one-half time for one year, the principal investigator may list one-half of the yearly salary rate in the grant application. If the grant application is for more than one year, or overlaps a calendar year, the salary for the second year may not exceed the annual salary rate of the principal investigator plus an anticipated salary adjustment. Laboratory and research assistants are to be compensated at established rates. Exceptions must be justified and approved by the VPAA.

G. Acceptance

Grants require acceptance by a Lamar-Port Arthur official. Based on the submitted proposal, the grant may become a binding contract when awarded. All contracts require acceptance by the President. Notification of the award of the grant shall be provided immediately to the Vice President for Academic Affairs. The recipient of a contract or grant shall file with the VPAA, as they become available, all contracts, forms, and correspondence which materially alter the basic contracts and responsibilities of the institution.

The requested number of copies of all reports by a particular agency should be submitted to the VPAA at least 14 days prior to the deadline date required by the grantor. All materials submitted to the VPAA will be forwarded to the proper offices of the institution for review and approval.

H. Implementation

Following the award to the institution, the principal investigator will be furnished a copy of the complete agreement to insure understanding of its provisions. The institution, through its established procedures in the Finance Office, will authorize the principal investigator/director to commit funds against the project. Responsibility for compliance with terms of the contract rests first with the principal investigator. Monthly budget printouts will be provided to the VPAA.

I. Patent, Copyright, and Royalty Agreements

All specific matters pertaining to patents, copyrights, and royalties must be in accord with current policy as approved by the Board of Regents. See Sections X and XI of the Faculty Handbook and Policy Manual for institutional policies on copyrights and patents.

J. Publications

Recipients of research grants are encouraged to submit articles resulting from their research projects to professional journals. It is requested that the article acknowledge that project support was provided by Lamar State College-Port Arthur. If the institution is the copyright holder, such fact shall be stated in writing and copyright notice shall be given.

K. Return of Equipment

Equipment purchased with research funds is the property of the institution and will be on the inventory. When an individual completes the use of a piece of equipment, the Vice President for Academic Affairs should be notified. Equipment on inventory to the VPAA assigned to a faculty member be maintained out of his/her research budget during the period the research is being conducted, and subsequently by the department in which the equipment may be placed by the VPAA.

L. Fiscal Matters, Reporting Requirements, and Salaries

1. All funds received for a contract or grant shall be deposited in a special account designated for the purpose by the Finance Office and each requisition for expenditure of these funds shall be directed to the Controller. Each requisition for expenditure of these funds shall indicate against which item in the approval budget the requisition is to be charged. All projects, grants, and special programs are subject to the institution's regulations concerning complying with federal statutes and regulations.
2. It is the policy of Lamar State College-Port Arthur that the first duty of a member of the faculty is to be a highly competent teacher. Research work, projects, and special grant programs should not interfere with teaching or other assigned duties. However, faculty members are permitted to conduct research during the academic year on released time where the research project is able to compensate for such released time. The amount of released time will be determined with the approval of the appropriate Department Chair, Dean, and the Vice President. Released time related to research programs should be negotiated at least two months prior to the beginning of the semester or term in which the research shall begin.

Faculty members may have an opportunity to conduct research or provide services during any academic term on a pro-rated basis of their nine (9) months' salary. A faculty member who has the approval of the appropriate Department Chair, Dean, and the Vice President may spend the summer doing research work for which he will receive compensation from the research project.

A full-time faculty member who performs research during an academic term receives no addition to the nine (9) months' salary from Lamar-Port Arthur. In certain cases, with appropriate approval, the researcher may receive part pay from a project and part from faculty salaries in which the combined total salary may exceed the nine (9) months' salary rate from the institution.

In accordance with Federal and State tax laws, the institution deducts from each paycheck the appropriate withholding tax. As individual circumstances require, the institution will make payroll deductions for social security tax, annuity premiums, insurance, and other such deductions as may be required.

Last Revised 6-2-99

APPENDIX E

STATEMENT OF PROCEDURE FOR THE ACCEPTANCE OF GIFTS, BEQUESTS, AND DONATIONS TO LAMAR STATE COLLEGE-PORT ARTHUR

It shall be the policy of Lamar State College-Port Arthur actively to pursue the acquisition of gifts and bequests within the following policy guidelines:

1. The President of Lamar State College-Port Arthur is responsible for the development of policies and procedures to insure the proper acceptance and usage of all gifts which may be tendered to the institution and that all such programs are in compliance with and supportive of the Texas State University System's operating policies.
2. Non-monetary gifts or bequests which have been tendered to the institution and/or Foundation shall not be sold or disposed of unless such action is specifically approved by the President. All such commitments to expend funds shall be considered in advance of the acceptance of the gift or bequest involved.
3. Any equipment, books, or similar gifts offered to the institution shall be accepted only after appropriate consideration by the officials of the institution who would have the responsibility and/or the authority to use, employ, or otherwise have reason to accept such items on behalf of the institution.

Last Revised 4-12-99

APPENDIX F

FAMILY EDUCATION RIGHTS AND PRIVACY ACT

The following information concerning student records maintained by Lamar State College-Port Arthur is published in compliance with the Family Education Rights and Privacy Act of 1974 (PL 93-380) (FERPA).

Access to Records

Unless the records are of the type exempted by law, students will be granted access to all records directly related to him/her for inspection and review. Explanations and interpretations will be available. Copies may be obtained at the rate established by the General Services Commission.

Challenge of Records

A student has the right to challenge records and information directly relating to him/her. The challenge is limited to inaccurate, misleading or otherwise inappropriate records and information. A student should attempt to resolve issues informally with the official immediately responsible. If a student does not obtain satisfaction through the informal hearing an appeal can be made through administrative channels. The procedure to be followed in an administrative appeal is available in the Office of the Vice President for Student Services.

Release of Information

Access to records by persons other than the student will be limited to those persons and agencies specified in FERPA or the Texas Public Information Act. Records will be maintained of persons granted such access and the legitimate interest in each case, to the extent the law permits maintenance of such records.

The release of information to the public without the consent of the student will be limited to the categories of information listed below which have been designated by the institution as directory information and which will be routinely released. The student may request that any or all of this information be withheld from the public by making written request to the Records Office. The request must be made by the last official day to register for a given session and applies to that session only. The following information will be considered directory information:

1) Name; 2) Current and permanent address; 3) Telephone listing; 4) Date and place of birth; 5) Sex; 6) Marital status; 7) Major and minor; 8) Semester hour load; 9) Classification; 10) Class schedule; 11) Eligibility for and participation in officially recognized activities and sports; 12) Weight and height of members of athletic teams; 13) Dates of attendance; 14) Degrees and awards received with dates; 15) Previous educational agencies or institutions attended.

Deletion of Records

It is the policy of the institution to review records according to its approved record retention schedule and the State Records Retention Act, and expunge records or parts of records that have served their purpose. Records are destroyed only as allowed by law.

Types and Location of Records

The types of educational records and information contained therein which are directly related to students are listed in the table that follows.

AREA OF ADMINISTRATION	TITLE & OFFICE LOCATION	TYPES OF STUDENT RECORDS
Admissions and Records	Vice President for Student Services and Registrar - Student Center Building	Admissions Permanent Academic Enrollment
Instructional Divisions	Dean of Academic Programs -Monroe Building Dean of Technical Programs -Monroe Building	Academic
Financial Aid	Director of Financial Aid -Student Center Building	Student financial aid
Administration	Human Resources Coordinator-Monroe Building	Employee personnel records
Finance	Controller/Business Manager – Finance Office	Financial
Student Affairs	Director of Student Activities-Student Center Building Vice President for Student Services - Student Center Building	Student Government, Personnel, Disciplinary, Student Organizations & Activities, Recruitment, Advisement, Registration, Test Scores

**Note: Medical, Police and Guidance Records are exempt from access provisions.
Last Revised 5-26-99**

APPENDIX G

PROCEDURE IN REFERENCE TO STUDENT GRIEVANCES IN MATTERS RELATING TO ACADEMIC PERFORMANCE

ACADEMIC GRIEVANCE PROCEDURES

To provide for the resolution of alleged grievances in matters relating to the academic performance of students in a prompt and equitable manner, appropriate instructional departments and divisions of the institution are to follow the provisions of these grievance and appellate procedures. The grievance procedures described in this section do not establish a contractual relationship between students and the institution, or between students and employees acting in behalf of the institution. Absolute compliance with the provisions of this section is required of students filing a grievance, while substantive compliance on the part of the institution and its employees shall be satisfactory. The provisions of the section are subject to change by action of the President or Board of Regents with or without prior notice to students. Instances of academic dishonesty are not subject to the provisions of this policy. Faculty members should refer to Chapter IX of the Faculty Handbook and Policy Manual for information regarding penalties and procedures for academic dishonesty.

There shall be in each Division a Student-Faculty Relations Committee. It shall be comprised of up to seven faculty members and three students. The membership of each Student-Faculty Relations Committee, including designation of a chairperson, shall be determined by procedures established by the Deans of the respective divisions. The committee may be appointed annually, permanently, or as needed. The committee should become involved in an alleged grievance only after normal procedures for resolving issues have been exhausted. See Appendix I for complete information on committee composition.

A student who claims a grievance because of grading or other actions by a faculty member or department that affect his or her academic standing **MUST** adhere to the following procedures.

1. The initial step in the normal procedure is for the student to discuss the issue with the offending party (usually a faculty member). This discussion between faculty member and student should occur within two working days of the action by the offending party. If the issue is not resolved, the student's second step **MUST** be to consult with the offending party's Program Coordinator. If a Program Coordinator is not employed in that instructional area, or if the Program Coordinator is the offending party, the student **MUST** appeal the matter directly from the offending party to the Department Chair. An appeal from the final decision of the offending party **MUST** be made to the next level-Program Coordinator or Department Chair-no later than 5:00 p.m. on the second working day following the final decision of the offending party.
2. When consulting with the Program Coordinator the student has the right to state what he/she perceives to be the facts of the issue without the offending party being present. After hearing the student's appeal the Program Coordinator may call both parties together for a face-to-face discussion of the matter, although this is not required, or may pursue other methods for obtaining the information necessary for resolving the matter.
3. If the Program Coordinator cannot resolve the grievance to the student's satisfaction, the student may appeal the matter to the Department Chair. The appeal to the Department Chair **MUST** be made no later than 5:00 p.m. on the working day following the Program Coordinator's decision. The student has the right to state privately to the Department Chair what he/she perceives to be the facts of the matter without the offending party being present. The Program Coordinator may attend this conference unless he/she is the offending party. After hearing the student's appeal the Department Chair may conduct a meeting with the student, offending party, and Program Coordinator in attendance, or may use other methods as he/she deems appropriate for gathering the information necessary to reach a decision.

4. If the Department Chair cannot resolve the issue in the student's favor, the student may appeal the matter to the Dean of the division. The appeal to the Dean **MUST** be in writing, **MUST** specify what actions of the offending party are being appealed, **MUST** state what remedies the student expects from the Dean, and **MUST** be received by the Dean no later than 5:00 p.m. on the second working day following the student's notification of the Department Chair's decision. The student has the right to meet privately with the Dean and state what he/she perceives to be the facts of the issue without the offending party being present; however, the Dean may invite the Department Chair and Program Coordinator, if applicable, to be present with the exception that if either is the offending party that person will not be included in the meeting. Later, the Dean may convene a meeting with the student, offending party, Program Coordinator, and/or Department Chair present, or may use other appropriate methods for gathering the information necessary to reach a decision.
5. The Dean will provide a written response to the student. If the Dean cannot resolve the issue through negotiation and discussion in the student's favor, the student may appeal the matter to the divisional Student-Faculty Relations Committee. The appeal is made through the Division Dean.
6. The student may address a written statement of alleged grievance to the Dean of the division that **MUST** be received no later than 5:00 p.m. on the second working day following the student's notification of the Dean's decision. The student's written statement **MUST** specify the acts which necessitated the grievance, **MUST** identify the desired remedies, and **MUST** request that the Dean refer the grievance to the appointed Student-Faculty Relations Committee for action. The Student-Faculty Relations Committee shall represent the division that includes the department responsible for the course in which the offending act occurred.
7. The Student-Faculty Relations Committee will fully investigate the alleged grievance to determine if it has a basis in fact and results from an incorrect application of a departmental or institutional policy or procedure, an incorrect action by Lamar-Port Arthur personnel, or a combination of these factors. In the event that any member of the committee is a party to the alleged grievance, the Dean shall appoint a substitute member or ask a previously appointed alternate to serve as a substitute. After conducting its inquiry the committee shall present such findings and recommendations to the Dean of the Division as it, by majority vote, finds appropriate. If the committee determines that the grievance has a basis in fact due to these reasons it shall recommend specific redress to the Dean.
8. The Dean shall notify all involved persons and the Vice President for Academic Affairs by separate communication of the committee's findings and recommendations.
9. To assure prompt resolution of alleged grievances, the Student-Faculty Relations Committee shall make a reasonable effort to complete the committee report within two weeks (ten working days) from the date it receives the statement of grievance from the Dean. If this schedule cannot be followed the committee chairperson should notify the Dean and provide an estimate of the projected date on which the committee's work will be completed.
10. The Student-Faculty Relations Committee is not obligated to conduct a hearing as part of its investigation. However, in the event that the committee conducts a hearing the following procedures will be in place:
 - a. A minimum of three faculty members must be present to constitute a quorum.
 - b. The committee chair will vote only if his/her vote can change the outcome.
 - c. The Dean of the division may open the hearing with an overview of the history of the case, the reasons for the hearing, and the prescribed hearing procedures, or may delegate this responsibility to the committee chair.
 - d. The committee members may interrupt statements at any time for the purpose of asking questions or for clarification.

- e. The student will open the hearing by stating the reasons for the appeal/grievance. The student will then present his/her version of the facts of the case.
 - f. The student may present witnesses to substantiate his/her case. Witnesses shall not be present in the hearing room either before or after making their statements. Witnesses presented by the student must testify to circumstances surrounding the act that caused the grievance and/or to corroborate the statements of the student, and shall not be character witnesses.
 - g. Following the student's presentation and any questions by the committee, the alleged offending party (or Program Coordinator or Department Chair if the grievance resulted from a program or departmental decision) may present the reasons for the acts that caused the grievance to be filed.
 - h. The committee has the power to ask other witnesses-students and employees-to attend the hearing and provide additional information either before or after the student and offending party have made their presentations.
 - i. Following the presentations and questioning, the committee chair will allow both parties to make a brief closing statement.
 - j. After the closing statements the committee chair will ask all parties other than the committee members to leave the hearing room. The committee will then decide to deliberate immediately, determine if more facts are required, or postpone deliberations until another date.
11. The Student-Faculty Relations Committee shall at the conclusion of its considerations and deliberations report to the Dean one of the following:
- a. In the considered opinion of the Student-Faculty Relations Committee, the alleged grievance has a basis in fact and results from (select one) an incorrect application of a departmental or institutional policy or procedure, an incorrect action by Lamar-Port Arthur personnel, or a combination of these factors, and the specific redress recommended by the committee is...
- Or,
- b. In the opinion of the Student-Faculty Relations Committee, the alleged grievance is not in fact a grievance resulting from an incorrect application of a departmental or institutional policy or procedure, an incorrect action by institutional personnel, or a combination of these factors and the appeal is rejected.
12. The decision and recommendation of the Student-Faculty Relations Committee is not binding on the administration of the institution. However, the Dean will give careful consideration to its findings when making a decision regarding the final disposition of the alleged grievance.
13. The Dean shall provide the student with a written account of the committee's recommendations and the Dean's decision concerning the final disposition of the alleged grievance.
14. Any alleged grievance regarding grades must be handled only in accordance with policies stated in the Faculty Handbook and Policy Manual. In most circumstances grades remain as recorded and are changed only by the instructor. In the event the instructor is no longer employed, the Department Chair and Division Dean are charged with the responsibility for changing grades. However, grades may be changed by the Department Chair and Dean when the Student-Faculty Relations Committee determines that a faculty member has failed to follow a previously established grade policy or has violated a departmental or institutional policy. The Division Dean and the Vice President for Academic Affairs have the authority to order the reinstatement of a student into a technical or allied health program.

15. In the event that the student involved in the alleged grievance should seek to appeal the decision and/or recommendation of the Student-Faculty Relations Committee or the Dean, the written appeal shall be addressed to the Vice President for Academic Affairs. An appeal of the final disposition of the grievance shall be considered only if it addresses one or more of the following criteria:
 - a. An allegation that the student was denied due process during the previous stages of appeal. If the Vice President determines that due process was denied the grievance shall be returned to the level at which due process was not granted, at which time it shall be afforded appropriate consideration. If the grievance cannot be resolved in the student's favor at this level the student has the right to repeat the appellate procedures through the Student-Faculty Relations Committee, if necessary.
 - b. A grievance concerning the denial of a right guaranteed under state or federal law or the Texas State University System Rules and Regulations.
16. In matters of appeal regarding the denial of a right guaranteed under law or System policy, the Vice President for Academic Affairs shall notify the Vice President for Student Services regarding an alleged grievance based on a prohibited action. The Vice President for Student Services shall inform the person who presented the alleged grievance, the major Department Chair, the Division Dean, the Vice President for Academic Affairs, and the President of the final decision and disposition of the appeal.
17. Additional appeal procedures are provided to Lamar-Port Arthur students in the following areas:
 - a. Academic Dishonesty/Student Conduct/Lamar-Port Arthur Discipline Code
 - b. Traffic and Parking Regulations
 - c. Racial Harassment
 - d. Sexual Harassment

Last Revised 9-30-2008

APPENDIX H

ETHICAL STANDARDS AND CONFLICT OF INTEREST REGULATIONS

Lamar State College-Port Arthur recognizes and encourages the involvement of its personnel in private enterprises. Such involvement benefits the community economically and the employee both personally and professionally. However, certain business arrangements or employment opportunities may constitute a breach of ethical standards resulting in a conflict of interest between the institution and the employee. The policy of Breach of Ethical Standards, promulgated by the State Purchasing and General Services Commission, is applicable to Lamar-Port Arthur as follows:

A. Breach of Ethical Standards

A breach of ethical standards may occur in any of the following cases:

1. Conflict of interest (Subsection C of this section)
2. Failure to disclose financial interests (Subsection D of this section)
3. Gratuities and kickbacks (Subsection E of this section)
4. Contingent fees (Subsection F of this section)
5. Restrictions on employment of employees (Subsection G of this section)
6. Contemporaneous employment prohibited (Subsection H of this section)
7. Use of confidential information (Subsection I of this section).

B. Definitions

The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise:

"Confidential information" -- Information which is available only because of one's status as a Lamar-Port Arthur employee.

"Direct or indirect participation" -- Involvement through decision, approval, disapproval, recommendations, preparation of any contract, or of any part of a procurement process, influencing the content of any specification of procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity.

"Employee" -- Shall broadly include members, officers and employees of the institution, as well as members, officers and employees of other state agencies acting pursuant to delegated authority from the institution, or in connection with any matter involving that agency with the institution.

"Financial interest" -- Shall refer either to a personal receipt, or right to receive, money or other valuable property or benefits under the actual or proposed contract; the holding of a position in a business such as an officer, director, trustee, partner, employee, or the like, or holding any position of management; or the ownership of substantial stock or other interest in a business. Substantial in this context shall not include token ownership or ownership which would not normally be able to influence decisions of the business.

"Immediate family" -- Shall include spouses, parents, brothers, and sisters and sons and daughters of the employee.

"Person" -- An individual or business entity.

C. Conflict of Interest

1. It shall be breach of ethical standards for any employee to participate directly or indirectly in the procurement of any institutional contract when the employee knows that:
 - a. The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
 - b. The employee or any member of the employee's immediate family has a financial interest in a business or organization submitting a bid for that contract;
 - c. Any other person with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.
2. Employee participation in blind trusts, or retirement programs of business entities, submitting bids to the institution shall not be a breach of ethical standards provided disclosures of such participation is made to the institution, and no other conflict is shown.

D. Failure to Disclose Financial Interests in Business Entities

1. It shall be a breach of ethical standards for an employee to fail to report a financial interest in a procurement, or in a business entity submitting a bid in response to a procurement.
2. Upon discovery of an actual or potential conflict of interest due to a financial interest in a business entity submitting a bid in response to a procurement, an employee shall promptly file a written statement of disqualification and shall withdraw from further participation, if any, the employee may have in the transaction.

E. Gratuities and Kickbacks

1. **Gratuities.** It shall be a breach of ethical standards for any person to offer, give, or agree to give any employee, or for any employee to solicit, demand, accept, or agree to accept from another person, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any processing or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or any contract or subcontract, or to any solicitation or proposal therefor.
2. **Kickbacks.** It shall be a breach of ethical standards for any payment, gratuity, or offer of employment to be made to an employee by or on behalf of a contractor or subcontractor in connection with the award of a contract.

F. Prohibition Against Contingent Fees

1. Contingent fees. It shall be a breach of ethical standards for a person be retained, or to retain a person, to solicit or secure a contract from the institution upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.
2. Representation of contractor. Every person, before being awarded a contract by the institution, shall represent, in writing, that such a person has not retained anyone in violation of Paragraph (1) above. Failure to do so is a breach of ethical standards.

G. Restrictions on Recruitment of Employees

1. No person shall offer an employee of the institution, or of any agency exercising delegated authority from the institution, employment with the offeror, if that employee is involved significantly in handling a procurement in which the offeror is interested.
2. A former employee may not appear before the Board of Regents on behalf of any person having business before the institution, if the former employee is paid for such appearance, and the appearance involves a specific transaction the former employee was significantly involved with while an employee. Other than such a situation there are no restrictions on former employees in making appearances before the Board.
3. It shall be a breach of ethical standards for a business in which an employee has a financial interest knowingly to act as a principal, or as an agent for anyone other than the Lamar State College-Port Arthur, in connection with any:
 - a. judicial or other proceeding, application, request for a ruling, or other decision;
 - b. contract;
 - c. claim; or,
 - d. charge of controversy in which the employee either participates personally and substantially through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, or which is the subject of the employee's official responsibility, where Lamar State College-Port Arthur is a party or has a direct and substantial interest.

H. Contemporaneous Employment Prohibited

It shall be a breach of ethical standards for any employee who is participating directly or indirectly in the procurement or contracting process to become or be, while such an employee, the employee of any person contracting with Lamar State College-Port Arthur.

I. Use of Confidential Information

It shall be a breach of ethical standards for any employee knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

J. Disclosure of Business Affiliation

The institution provides a Disclosure of Business Affiliation available through the Human Resources office. In order to assure compliance with state policies and laws and to protect our employees, each employee of Lamar-Port Arthur with an affiliation with an organization that does business with the institution must advise the institution by means of the Disclosure of Business form.

K. Receiving a Contract

A breach of ethical standards enumerated in Subsection A of this section shall bar the offending person from receiving a contract that may have been awarded to such person except for the breach. If a contract has already been awarded, the institution may decide to cancel the contract, or, where applicable remove the person from the institution's bidders list. An employee who breaches ethical standards as set forth in this section may be either reprimanded, suspended, or dismissed.

Last Revised 6-2-99

APPENDIX I

ADVISORY ORGANIZATIONS

Lamar State College-Port Arthur recognizes the importance of advisory organizations in general policy development and encourages the active participation of faculty members in such organizations. Such participation is considered a part of the professional development responsibilities of the faculty. The recommendations of all advisory organizations are subject to review and action by the President.

FACULTY SENATE

The Faculty Senate expresses faculty views relating to the academic activities of the institution, and provides policy advisement for the administration on matters pertaining to the welfare, conduct, and involvement of the faculty. Faculty Senators are elected to two-year terms, staggered, one-half being elected in April of each year. Officers are elected by Senators in May to serve beginning the subsequent fall. There are seven faculty (full-time, contract) from each Division plus additional representatives from a Division on a ratio of one senator for each five voting faculty over a base of fifteen. The Charter and By-laws of the Faculty Senate are located in Appendix B of this Handbook.

COUNCILS

DEANS' COUNCIL

The Deans' Council advises the Vice President for Academic Affairs and the President concerning academic and student policy, the quality of instruction, advising procedures, and admissions standards, and such other matters as are deemed appropriate. The Council includes the instructional deans, the Dean of Library Services, the Director of Institutional Effectiveness, and the Coordinator of Distance Learning. The Vice President for Academic Affairs chairs the Council.

EXECUTIVE COUNCIL

The Executive Council advises the President on policies and procedures for the institution. The Vice President for Academic Affairs, Vice President for Finance, Vice President for Student Service, Deans, Director of Institutional Effectiveness, Director of the Small Business Development Center, Director of the Physical Plant, and others as requested by the President are members of the Council. The President is chair of the Council.

Revised September 2012

CAMPUS AND DIVISION STANDING COMMITTEES

ACADEMIC STANDARDS AND CURRICULUM COMMITTEE

The Academic Standards and Curriculum Committee advises the Vice President for Academic Affairs on academic policies and procedures and the development and modification of curricula. Members of the committee are appointed by the Vice President for Academic Affairs in consultation with the instructional Deans. The committee includes representatives from both instructional divisions. The Dean of Library Services, Director of Institutional Effectiveness, and Coordinator of Distance Learning are *ex officio* members.

Revised September 2012

ADMISSIONS COMMITTEE

The Admissions Committee serves as an advisory and review body for the Vice President for Academic Affairs and Vice President for Student Services. The Vice President for Student Services chairs the committee; the Vice President for Academic Affairs appoints the members.

CAMPUS TENURE COMMITTEE

The Campus Tenure Committee makes recommendations to the Vice President for Academic Affairs concerning the granting of tenure to faculty members. The committee is comprised of three members from each instructional division. Members are elected from the tenured faculty. Elections are held prior to September 30, under the supervision of the Vice President for Academic Affairs. The Committee elects its own chairperson.

DIVISION PROMOTION COMMITTEES

The Division Promotion Committee makes recommendations to the division Dean concerning the promotion of faculty members. The committee is composed of five tenured faculty members; if the number of tenured faculty is insufficient to fill committee positions and provide adequate faculty representation, tenure track, full-time faculty with at least three years of service at Lamar-Port Arthur shall be eligible to serve. Election is by full-time contract faculty in the division with at least one year of service. The election is supervised by the Dean. Deans and Department Chairs are excluded from voting or service. Those planning to apply for promotion should refuse consideration. Each Committee elects its own chairperson. The Technical Division Promotion Committee represents the Allied Health, Business and Technology, and Commercial Music Departments. The Academic Division Promotion Committee represents the Math and Science, Developmental Education, and Liberal Arts Departments.

Revised November 2013

DIVISION STUDENT-FACULTY RELATIONS COMMITTEES

The Division Student-Faculty Relations Committee reviews alleged grievances between students and faculty and makes recommendations regarding the alleged grievances to the division Deans. The committee shall consist of up to seven faculty members appointed by the Dean from the respective Division, and the Dean shall appoint one faculty member to serve as committee chair. The Dean, in consultation with the Vice President for Student Services, will also appoint three student members. The Chair shall select three faculty members from the committee and not involved in the dispute to join with the student members to consider the appeal. In the event the Chair is involved in the appeal, the Dean shall appoint one of the remaining faculty members to chair the committee.

Revised August 2004

FACULTY DEVELOPMENT LEAVE COMMITTEES

The Faculty Development Leave Committees receive and evaluate the applications for paid faculty development leave, and annually recommends to the President which applications for leave should be granted. The President may ask the committees to rank the applications using whatever criteria he may establish. Membership on one committee shall consist of contract faculty members who are eligible to receive the award, as defined for this purpose by the *Texas Education Code* and the Faculty Handbook and Policy Manual, and elected by the Faculty Senate. Membership on the staff committee shall consist of five members of the staff who are considered members of the general faculty as defined in the *Texas Education Code*. Members of the staff committee shall be elected

by staff members who are considered to be general faculty. Staff considered general faculty for the purpose of this committee include qualified researchers, administrators, professional librarians, or other staff members who perform professional services. Members shall serve annual terms. The committee member with the longest amount of consecutive service shall serve as committee chair.

GAYLE SIMS MEMORIAL SCHOLARSHIP SELECTION COMMITTEE

The Gayle Sims Memorial Scholarship Committee oversees a scholarship fund named in memory of Gayle Sims, a former faculty member of the Business and Computer Information Systems Department. The eight committee members--two from the Division of Technical Programs, two from the Division of Academic Programs, two from the Developmental Education Department, and two from Lamar-Port Arthur staff--are selected by the Faculty Senate. Members serve staggered two-year terms, with half of the members elected each fall. Members must be "full-time employees" of Lamar-Port Arthur. The members of the committee select the chairperson each year.

Revised September 2002

GENERAL EDUCATION AND CORE CURRICULUM COMMITTEE

The General Education and Core Curriculum Committee reviews and makes recommendations to the Academic Standards and Curriculum Committee regarding all courses included in the component areas of general education and the core curriculum. Members of the committee are appointed by the Vice President for Academic Affairs in consultation with the instructional Deans. Membership includes a faculty member as chair, one representative from each department within the Technical Programs Division, and one faculty member representing each of the follow: English, humanities/creative arts, government/history, mathematics, natural sciences, social/behavioral sciences, and physical education. The three Deans, the Director of Institutional Effectiveness, and a representative of the Faculty Senate serve as *ex officio* members.

Revised September 2012

INSTITUTIONAL SCHOLARSHIP COMMITTEE

The Institutional Scholarship Committee provides the Vice President for Student Services with recommendations regarding the allocation of a variety of institutionally administered scholarships. The committee is composed of seven members. An Admission Advisor and Financial Aid Officer from the Student Services Division and four faculty members (two from each Division) are appointed by the Vice President for Student Services upon approval of the President. The Vice President for Student Services serves as an *ex officio*/resource member. An Admission Advisor chairs the committee.

LEARNING CENTER ADVISORY COMMITTEE

The Learning Center Advisory Committee advises the Department Chair for Developmental Education on policies, procedures, and services relating to the operation of the Learning Center. The committee consists of five faculty members and a Student Services representative. The Vice President for Academic Affairs appoints the committee. The committee elects the chairperson.

LIBRARY ADVISORY COMMITTEE

The Library Advisory Committee advises the Dean of Library Services on policies and procedures relating to the operation of Gates Memorial Library. The committee is composed of six (6) faculty members who are appointed by the Vice President for Academic Affairs. The chairperson is appointed by the Vice President for Academic Affairs upon recommendation of the Dean of Library Services. Although not a member, the Dean of Library Services attends the meetings. Faculty members serve three-year terms unless re-appointed.

Revised September 2003

PERFORMANCE EVALUATION OF TENURED FACULTY APPEALS COMMITTEE

The purpose of the committee is to hear the appeals of faculty members who receive notice of termination through the Campus Performance Evaluation of Tenured Faculty Policy. It consists of five tenured faculty members. The tenured faculty of each instructional division will elect two tenured faculty members. The President of the Faculty Senate will serve as an at-large member of the committee if tenured. If the Faculty Senate President is not tenured, the Senate shall elect a tenured faculty member to serve in the at-large position. The committee shall elect a chairperson from its membership.

PLANNING AND ASSESSMENT COMMITTEE

The purpose of the Planning and Assessment Committee is to help the College improve in the ways it most frequently interacts with students: recruiting, enhancing learning, ensuring success, promoting satisfaction with College programs and services, and retention. The committee develops goals and objectives that support the attainment of the College's Mission Statement. The committee consists of equal proportions of faculty, staff, and administrators. Members are appointed by the President. The Vice President for Academic Affairs serves as chairperson.

RECOGNITION OF TEACHING EXCELLENCE CAMPUS SELECTION COMMITTEE

The Campus Selection Committee for the Recognition of Teaching Excellence reviews the division nominees and makes recommendations to the Vice President for Academic Affairs. The committee is appointed by the VPAA and consists of at least three (3) faculty members who are previous winners. The committee elects its own chairperson.

RECOGNITION OF TEACHING EXCELLENCE DIVISION COMMITTEES (two)

The Division Committees for the Recognition of Teaching Excellence solicit candidates and select the division nominees. Members of the Recognition of Teaching Excellence Division Selection Committees are chosen by the faculty of that Division in elections conducted by the respective Deans. Deans determine the number of members to be elected and the method of election process. Each committee selects its own chairperson.

Revised August 2006

GUIDELINES FOR APPOINTMENTS TO INSTITUTION-WIDE/CAMPUS COMMITTEES

1. Appointments shall be for three-year terms, unless otherwise specified. Appointees shall not serve on the same committee for a second or subsequent appointment without an interval of at least one academic year.
2. Appointment shall be approved by the President, or the appropriate executive officer, prior to the annual publication of committee appointments.

ROLE OF DIVISION/DEPARTMENT COMMITTEES

Division and department committees are appointed as needed to facilitate the work of their organizations. Faculty are expected to serve on these committees as part of their professional duties.

Last Revised 8-1-2006

APPENDIX J

CLEAR ENGLISH REQUIREMENT

- A. House Bill 638, as enacted by the 71st Legislature of the State of Texas (V.T.C.A. Education Code, Section 51.917) requires that each public institution of higher education will ensure that all courses (with the exception of foreign languages) will be clearly taught in the English language. House Bill 638 reads (in part) as follows:
- a. Faculty member means a person who teaches a course offered for academic credit by an institution of higher education, including instructors, lab assistants, lecturers, assistant professors, associate professors, and full professors.
 - b. A faculty member may use a foreign language to conduct foreign language courses designed to be taught in a foreign language.
 - c. A faculty member may provide individual assistance during course instruction to a non-English speaking student in the native language of the student.
 - d. Faculty members whose primary language is not English must earn a satisfactory grade on the "Test of Spoken English" of the Educational Testing Service.
 - e. Faculty members who do not earn a satisfactory score on the "Test of Spoken English" will enroll in a program or short course the purpose of which is to
 1. assist faculty members to become proficient in the use of English and
 2. ensure that courses offered for credit are taught in the English language.
 - f. The cost of such English proficiency course shall be paid by the faculty member lacking proficiency in English. The faculty member must take the course until deemed proficient in English by his or her supervisor. The cost will be deducted from said faculty member's salary.
- B. Individuals being interviewed for an instructional position at Lamar-Port Arthur will be carefully evaluated prior to being employed to ensure that they possess effective communications skills in the English language.
- C. The following clause will be added to the contract of any faculty member whose primary language is not English.

"In accordance with a requirement of Texas law, Lamar-Port Arthur has created a special assessment procedure and a program to ensure that all courses (with the exception of foreign languages) will be clearly taught in the English language. As a condition of your employment, you must be assessed, and you may be required to complete this program satisfactorily. Costs with providing English language proficiency instruction as required under the provisions of Education Code Section 51:917 will be paid by instructional personnel receiving such instruction."

Last Revised 12-14-2001

APPENDIX K

INFORMATION RESOURCES USE POLICIES

PURPOSE OF POLICIES

Lamar State College-Port Arthur relies heavily on computers and the automated retrieval, processing, and storage of information to meet its operational, financial, and reporting requirements. Continuing availability of information is essential to the operation of College functions. Moreover, increased use of automation and technical advances in automation processing will increase continual dependence on information resources.

Information processed by computers is a critical asset and must be protected accordingly. Information use and security requires the active support and ongoing participation of executive, technical, and non-technical management, as well as all students, faculty, administrative and technical personnel whose duties or activities bring them in contact with critical, confidential, or sensitive information resources.

In 1993, the Texas Department of Information Resources (DIR) published information use and security standards which have been adopted in the Texas Administrative Code. The DIR standards have been used to establish state policy regarding information security. The Lamar-Port Arthur Computer Services Department has prepared a manual for the purpose of documenting the Information Security Program instituted at the College in order to comply with state security policy and standards. This ever-evolving document protects these valuable assets against accidental or unauthorized disclosure, modification, or destruction, as well as to assure the security, reliability, integrity, and availability of information. Protecting information and the investment that surrounds it is the impetus for establishing an information security program. Information security applies to mainframe, minicomputer, microcomputer, distributed processing, and networking environments. Information security must be applied to academic as well as administrative computing.

The proper use of information resources, security, and risk management requires the active support and ongoing participation of individuals from all levels. It requires the support of executive, technical, and non-technical management, as well as all students, faculty, administrative and technical personnel whose duties or activities bring them in contact with critical, confidential, or sensitive information resources.

Information resources are valuable assets strategically provided to further research, education, public service, and administrative functions of the College. Individuals using information resources owned or managed by the College are expected to know and comply with College policies, procedures, and local, state, and federal laws. Individuals are responsible for the security of any computer account issued to them and will be held accountable for any activity that takes place in their account. In September 1985, the Texas Computer Crimes Statute became operative as part of the Texas Penal Code. This state law makes it a crime to make unauthorized use of protected computer systems or data files on computers, or to make intentionally harmful use of such computers or data files. The seriousness of such a crime ranges from Class B misdemeanor to third-degree felony.

Lamar State College-Port Arthur has developed a comprehensive information resources use policy that includes, but is not limited to, Acceptable Use, Budgeting and Acquisition, Computing Facilities, Definitions, E-Mail, Instant Messaging, Internet, Password Security, Peer-to-Peer, Portable Computing, Software Licensing, Software/Hardware Selection, and Telephone Systems. The complete policy is available on the Lamar-Port Arthur website at Departments/Computer Services/Policies.

Revised November 2007

APPENDIX L

PROCEDURE IN REFERENCE TO FILING, PROCESSING, AND RESOLVING STUDENT COMPLAINTS REGARDING ALLEGED DISCRIMINATION

I. DEFINITIONS AND GENERAL PROVISIONS

- A. Discrimination Complaint: A written complaint alleging any policy, procedure, or practice which discriminates on the basis of race, color, national origin, sex, or qualified handicap.
- B. Student Grievant/Complainant: A student of Lamar State College–Port Arthur who submits a complaint alleging discrimination based on race, color, national origin, sex, or qualified handicap.
- C. Title IX and Section 504 Coordinator: Person designated to coordinate efforts to comply with and carry out responsibilities under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and other state and federal laws addressing equal educational opportunity. The Title IX /504 Coordinator is responsible for processing complaints and serves as moderator and recorder during hearings. Lamar-Port Arthur has designated the Director of Human Resources to act as the Title IX/504 Coordinator.
- D. Respondent: Person *alleged* to be responsible for the violation alleged in a complaint. May be used to designate a person responsible for a particular action or persons with supervisory responsibility for procedures and policies in areas covered in the complaint.
- E. Day: A working day. The calculation of days in complaint processing shall exclude Saturdays, Sundays, and holidays.
- F. Extension of Time: Any time limits set by those procedures may be extended by mutual consent of parties involved. The total number of days from date that complaint is filed until complaint is resolved shall be no more than 180 days.
- G. Access to Regulations: The College shall provide copies of all System and/or College regulations prohibiting discrimination on the basis of race, color, national origin, religion, sex, age, or qualified handicap upon request.
- H. Confidentiality of Records: To the extent practicable, records of complaints will remain confidential unless permission is granted by the parties involved to release such information. Complaint records shall be maintained on file for three years after the resolution of the complaint.

II. PRE-FILING PROCEDURES AND INFORMAL COMPLAINTS

- A. All complaints are considered informal until they are filed in writing. Prior to the filing of a written complaint, the student may file an informal complaint alleging discrimination with the appropriate College official.
 - 1. Complaints regarding discrimination by faculty members should be directed to the Vice President for Academic Affairs.
 - 2. Complaints regarding discrimination by other students should be directed to the Vice President for Student Affairs.
 - 3. Complaints involving a staff member should be directed to the appropriate division supervisor (Vice President/Academic Affairs, Vice President/Student Services, Vice President/Finance, or the Director of the Physical Plant).

4. In the event a student is uncertain regarding which college official should receive the informal complaint, or if an informal complaint cannot be filed with the appropriate official identified in 1-3 above, the complaint may also be reported to the Director of Human Resources.
- B. When resolving an informal complaint the student grievant and college official should make reasonable effort to resolve the problem or complaint. After the student has notified the proper office of the alleged discrimination, the steps for seeking an informal resolution are as follows:
1. The college official will work with the grievant/complainant to determine what evidence exists for the charge of discrimination.
 2. The evidence presented will be reviewed to determine if there is cause to believe a discrimination violation has occurred.
 3. If in the judgment of the college official a violation did not occur, the grievant/complainant will be so advised and given a verbal explanation of why the incident(s) described does not constitute discrimination.
 4. If the grievant/complainant does not agree with this decision, the student will be given the opportunity to file a formal, written complaint.
 5. If the college official has cause to believe discrimination did occur, the complainant will be given the opportunity to file a formal, written complaint or pursue an informal resolution.
 6. If the grievant/complainant chooses to pursue the informal resolution, the college official will notify the person charged (respondent) that an informal complaint has been filed and the complainant wishes to seek an informal resolution to the problem. The charged party will be given an opportunity to confirm or rebut the charge. The college official will then meet with both parties, either together or independently, for the purpose of reaching a mutually agreeable resolution.
 7. If a resolution is not achieved, the student will be given the opportunity to file a formal, written complaint.
 8. The College may elect to pursue the charge even if the complainant does not elect to proceed.

III. FILING, PROCESSING, AND RESOLVING DISCRIMINATION COMPLAINTS

- A. To be considered a formal complaint regarding discrimination on the basis of race, color, national origin, sex, or qualified handicap the complaint must be submitted to the appropriate college official in writing within ninety (90) days of the most recent incident and must include the resolution sought. A complaint should be filed with one of the following college officials.
1. The Vice President for Academic Affairs if the complaint is made against a faculty member.
 2. The appropriate division head (Vice President for Academic Affairs, Vice President for Student Services, Vice President for Finance, or Director of the Physical Plant) if the complaint is made against a staff member.
 3. The Vice President of Student Services if a formal complaint is lodged against a student.
 4. The Director of Human Resources, if a student is uncertain regarding which college official should receive the formal complaint.

- B. The college official will review the written complaint with the student grievant/complainant.
1. If the college official does not feel there is cause to believe that discrimination occurred, he/she will so advise the complainant in writing and state the reason(s) for the decision.
 2. If the college official thinks there is cause to believe that discrimination did occur, he/she will notify the charged party that he/she has been formally charged with discrimination and give him/her a copy of the written charge. The accused party will be given the opportunity to confirm or rebut the charge in writing.
 3. The college official will then meet with both parties either together or separately and try to reach a mutually agreeable resolution.
- C. If a solution is not reached in III.B, the college official and the Director of Human Resources will meet with both parties, either together or separately, to review both sides of the issue.
1. The college official and the Director of Human Resources will then mutually agree on a resolution which will be communicated in writing to both parties.
 2. Both parties will be instructed by the appropriate college officials to comply with the terms of the resolution.
- D. Appeals.
1. The decision reached by the college official and the Director of Human Resources as described in III.C may be appealed by either party to the President of the College by submitting a *written* statement to the Director of Human Resources. The appeal must include the basis for the appeal and the remedy sought.
 2. Appeals must be filed within five (5) working days of receiving an answer. Each step should be completed within ten (10) working days.
 3. The President will take whatever action he feels appropriate to resolve the complaint. The President's decision is final and binding.
- E. Lamar State College-Port Arthur may take appropriate disciplinary action for any discrimination occurring in the employment or academic environment even in the absence of an individual complaint. Disciplinary action may consist of action up to and including termination of employment or, in the case of a student, dismissal from the College. If disciplinary action is imposed, the accused shall have his/her full right to invoke applicable due process procedures.
- F. If a discrimination complaint, informal or formal, is filed against a Vice President, the Director of the Physical Plant, or the Director of Human Resources, the functions assigned to the person by these procedures will transfer to the President or his designee.
- G. The student grievant/complainant and the respondent both have the right to bring an advisor to all meetings with college officials. The advisor may not act as a participant, but may render consultation to the advisee. If either party chooses to exercise this option, the advisor's name shall be submitted in writing to the Director of Human Resources at least forty eight (48) hours prior to the meeting.

- H. Under no circumstances will Lamar State College-Port Arthur permit retaliation against an individual as a result of seeking relief under this policy.

Adopted and filed with the Texas Commission on Human Rights-December 2003

APPENDIX M

FACULTY DISCIPLINE PLAN

The Academic community cannot tolerate actions by its own members that hinder or make less effective the carrying out of its mission. The demands of academic responsibility and professionalism apply to all those who teach at Lamar State College-Port Arthur, tenured or non-tenured, full-time or part-time.

Faculty who violate any Lamar State College-Port Arthur policy are subject to the faculty disciplinary process.

The concept of progressive discipline acknowledges that a faculty member may be guilty of an employment offense or misconduct that, while serious, does not necessarily justify immediate dismissal. A faculty member's activities that fall outside the scope of employment shall constitute misconduct if such activities adversely affect the interests of Lamar State College-Port Arthur.

DISCIPLINE OPTIONS

Disciplinary actions imposed on a faculty member may include both punitive and corrective actions. These actions may extend from mild to severe and will be administered based upon the seriousness, frequency and/or flagrant nature of the infraction. When appropriate, progressive discipline will be employed as follows:

- First incident – oral reprimand
- Second incident – written reprimand
- Third incident – probation
- Fourth incident – dismissal

Some violations may be of such a nature that progressive discipline is not appropriate. In those instances, administration may choose to employ sanctions not of a progressive nature. Written documentation of all/any disciplinary action other than an oral reprimand will be placed in the personnel file.

Adopted and filed with the Texas Commission on Human Rights-December 2003

APPENDIX N

POLICY ON THE USE OF PERSONAL ELECTRONIC DEVICES IN THE CLASSROOM

Electronic devices (including but not restricted to cell phones, MP3 players, and laptop computers) shall not be used during examinations unless specifically allowed by the instructor, or unless the Special Populations Coordinator has determined that such a device is a reasonable accommodation for a disability. Under any other circumstances, the use of an electronic device during an examination shall be considered academic dishonesty, and will result in appropriate sanctions as outlined in the Instructor's syllabus, in the Faculty Handbook and Policy Manual (Section IX-1), and in the Student Handbook ("Academic Dishonesty").

Use of electronic devices during normal class hours distracts other students, disrupts the class, and wastes valuable time. Instructors have an obligation to reduce such disruptions. Each instructor shall develop a policy regarding the use of electronic devices in class and include that policy in his/her syllabus.

Adopted August 1, 2006

APPENDIX O

DISTANCE EDUCATION ACADEMIC AND INSTRUCTIONAL POLICIES

I. OVERVIEW

A. Purpose and Scope

The purpose of this policy is to provide a framework for the development, implementation, and maintenance of formal degree and certificate programs and courses offered via distance education for academic credit at Lamar State College – Port Arthur.

B. Authority

The contents of the Policies listed below ensure the college's compliance with Texas Administrative Code Title 19, Part 1, Chapter 4, Subchapter P, the Texas State University System Rules and Regulations, and the Southern Association of Colleges and Schools Commission on Colleges.

II. DISTANCE EDUCATION

A. The definition used for distance education in this document is the one adopted by the Southern Association of Colleges and Schools Commission on Colleges:

For the purposes of the Commission on College's accreditation review, distance education is defined as a formal educational process in which the majority of the instruction (interaction between students and instructors and among students) in a course occurs when students and instructors are not in the same place. Instruction may be synchronous or asynchronous. A distance education course may use the internet: one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices; audio conferencing; or video cassettes, DVD's, and CD-ROMs if used as part of the distance learning course or program.

B. Lamar State College – Port Arthur does not currently offer any courses via correspondence, video conference, pre-recorded video cassette, DVD, or CD-ROM. All Lamar State College – Port Arthur distance education courses are offered through an Internet based online course management system.

III. DISTANCE EDUCATION STANDARDS AND CRITERIA

A. Institutional Issues (Authority – Texas Administrative Code 4.260)

1. All distance education courses that offer either semester credit hours or Continuing Education Units shall do so in accordance with the standards of the Southern Association of Colleges and Schools Commission on Colleges.
2. The Office of the Vice President for Academic Affairs serves as the central repository for distance education program information and support structure. The Distance Learning Advisory Committee will serve in an advisory capacity to the VPAA on policy and operational issues related to distance education. Committee membership is determined by the VPAA.
3. All instruction shall be administered by the same academic unit administering the corresponding on-campus instruction. The supervision, monitoring, and evaluation

process for distance education instructors shall be comparable to those for on-campus instruction. All subject content decisions will be the responsibility of the instructor and will be coordinated through the appropriate Lamar State College – Port Arthur academic structure no matter the delivery system.

4. All LSC-PA policies and procedures related to admission, withdrawals, and attendance will be the same no matter what delivery system is utilized. Admission to the college does not automatically admit students to a specific distance education program or course. Texas Higher Education Assessment requirements must be met before a student is admitted to a course that might require proficiency in related study skills. In addition, there are individual course prerequisites that must be met.
5. LSC-PA shall submit or not submit distance education courses for formula funding as required by the Texas Higher Education Coordinating Board formula funding general provisions (TAC Title 19, Part 1, Chapter 4.264).

B. Distance Education Programs and Courses (Authority – Texas Administrative Code 4.261, 4.262)

1. Each program that Lamar State College – Port Arthur offers via distance education shall be within the role and mission of the academic unit responsible for offering the instruction. There shall be no distinction between programs offered through distance education and those offered on campus. Unless otherwise provided, all policies, standards, and guidelines for on-campus instruction apply to programs delivered via distance education.
2. Each course that LSC-PA offers via distance education shall be on the College's inventory of approved courses and each program LSC-PA offers via distance education shall be on the offering academic unit's inventory of approved programs. There shall be no distinction between courses offered through distance education and those offered on campus. Courses offered via distance education shall have the same rigor and expected outcomes of on-campus offerings.
3. The quality of distance education instruction must meet the same standards as on-campus instruction. All face-to-face, online, and hybrid classes must be approved by the Vice President for Academic Affairs before development as outlined in the Faculty Handbook and Policy Manual. For online courses, the *Principles of Good Practice for Electronically Delivered Courses and Programs* self-study must be completed and submitted to the Coordinator of Distance Learning for each first time course offering. Verification is then forwarded to the Vice President for Academic Affairs for approval to offer the course.
4. An academic unit offering a degree or certificate program shall comply with the standards and criteria of any specialized accrediting agency or professional certification board.
5. Each degree program offered via distance education shall be approved by the Texas State University Board of Regents. If the program is approved through all college levels, it will be transmitted by the Vice President for Academic Affairs to the Texas Higher Education Coordinating Board and Southern Association of Colleges and Schools Commission on Colleges for final review.
6. Students who enroll in distance education courses must satisfy the same requirements for admission to Lamar State College – Port Arthur, to the program of which the course is a part, and to the class or section itself as are required of on-campus students.
7. The instructor of record shall bear responsibility for the delivery of instruction and for evaluation of student progress.

C. Faculty (Authority – Texas Administrative Code 4.263)

1. Faculty shall be selected and evaluated by the same standards, review, and approval procedures used by the institution to select and evaluate faculty responsible for on-campus instruction. Faculty selection follows the same procedure at LSC-PA no matter what delivery system for the course is used.
2. The Coordinator for Distance Learning and the Information Technology Services Department shall provide training and support to enhance the added skills required of faculty teaching classes at a distance via electronic delivery.
3. The load value for a distance education course shall be the same as its equivalent on-campus course. The total number of students allowed to enroll in any distance education course shall be set by the appropriate division director in consultation with the dean and the instructor.
4. Lamar State College – Port Arthur encourages faculty members to develop courses to be delivered through distance education technology. Faculty members who create distance education courses are subject to the college's Copyright Policy as detailed in the Faculty Handbook and Policy Manual.
5. Faculty compensation for developing and teaching distance education courses is outlined in the Faculty Handbook and Policy Manual, Section IV, AC.3.
6. Lamar State College – Port Arthur, through the Coordinator of Distance Learning, shall provide information regarding the most current copyright laws to all faculty members, and faculty members shall adhere to those guidelines.

D. Student Support Services (Authority – Texas Administrative Code 4.264)

1. All advertising, recruiting, and scheduling information provided in campus publications or online regarding any distance education class or program shall include the prerequisite level of knowledge and skill necessary to complete the course successfully and clear and specific information on the technology needed to participate in the course. Where necessary, these publications shall include information on resources available to assist the student in using the required technology.
2. Students shall be provided academic and student support services—including academic advising, counseling, library and other learning resources, tutoring services, and financial aid—comparable to those available for on-campus students. Distance education students are provided academic support services by a variety of delivery methods, including, but not limited to, orientations, on-site conferences, links on web pages within Internet-based courses, the LSC-PA web site, the My.LamarPA web portal, e-mail, fax, and telephone.
3. Lamar State College - Port Arthur shall provide access to Gates Memorial Library services and resources through the campus library web page. Services include self-paced online tutorials and electronic reference assistance. Resources include extensive electronic holdings including e-books, e-journals, magazines, newspapers, data sets, graphics and audiovisual collections.

E. Distance Education Facilities and Support (Authority – Texas Administrative Code 4.274)

1. Distance education facilities (other than homes as distance education reception sites) shall be comparable in quality to those for on-campus instruction. Distance education students will have access to the same learning management systems as on-campus students.
2. The College shall support student and faculty access to on-line courses and on-line support services through the campus Internet connection or through access provided in

computer labs on campus. A help desk shall be provided by the Information Technology Services Department.

Approved by the Distance Learning and Technology Advisory Committee on November 29, 2012

APPENDIX P

POLICY ON PROTECTING THE PRIVACY OF DISTANCE EDUCATION STUDENTS

I. OVERVIEW OF DISTANCE EDUCATION PRIVACY PROTECTIONS

- A. The privacy of all students, including Distance Education students, will be protected through strict adherence to the rules of the Family Education Rights and Privacy Act.
- B. All students, including Distance Education students, will be issued a unique, nine-digit student identification number during the acceptance process at Lamar State College – Port Arthur. The student ID number will become the unique identifier for all individuals throughout their academic career at Lamar State College – Port Arthur and will be meaningless outside of Lamar State College – Port Arthur systems.
- C. All students, including Distance Education students, will be issued a unique username and password. The username and password combination are required for login to My.LamarPA.edu and the Learning Management System. Students must follow the Lamar State College – Port Arthur IT Policy requirements for password length, complexity, and change frequency. Students must accept responsibility for the security of their personal passwords.
- D. The privacy of all students, including Distance Education students, will be protected within the Learning Management System by:
 - 1. Controlled registration of students and assignment of faculty to online courses.
 - 2. LSC-PA issued username and password login required for course access.
 - 3. Student information is separated from others' within the Learning Management System and protected from outside intruders.
 - 4. Faculty information is protected from student views within the Learning Management System and from outside intruders.
- E. Distance Learning faculty will keep the concern for student privacy in the forefront of all activities related to Distance Learning courses. Distance learning faculty will inform students of anticipated ways their information or work may be used by the college. The following statements must be included in course syllabi distributed to students:

II. ASSESSMENT

- A. Assessment is a process by which LSC-PA can help students learn better and gauge the level of progress students have made to attain knowledge, skills, beliefs, and values. It also helps professors understand how to improve teaching and testing methods in your classes, and it helps each department understand and improve degree and certificate programs.

- B. Periodically LSC-PA will collect assessment data for research and reporting purposes, including statistical data and sometimes copies of student work. Students can be assured that all material the college uses for assessment purposes will be kept confidential. To ensure anonymity, the name will be removed from any material LSC-PA uses for assessment purposes, including video-recorded performances, speeches, and projects.

III. RELEASE OF STUDENT INFORMATION

- A. Federal privacy laws apply to college students. This means that college employees, including instructors, cannot divulge information to third parties, including parents and legal guardians of students. Even if the students are minors, information about their college work cannot be shared with anyone except in very limited circumstances.
- B. Anyone requesting information about a student should be referred to the Registrar. Instructors will be notified in writing by that Office about what information may be released and to whom.
- C. Please remember that releasing private information about a student, however innocuous it may seem, can be a violation of federal law, with very serious consequences. Circumstances under which information may be released:
 - 1. An adult student may submit, to the Registrar, a handwritten, signed note granting permission for release of information. The note must specify what information may be divulged, and it must specify the name of the person to whom the information may be given.
 - 2. A parent or guardian may be given access to information about a student by providing a copy of a filed tax return that shows that the student was listed as a dependent of that parent or guardian. The tax return must be for last complete tax year. Again, this documentation must be submitted to the Registrar's Office.
 - 3. A parent or guardian may be given access to information about a student if the student logs on to MyLamarPA and sends an email to the Registrar granting permission. The email must specify what information may be given and the name of the person to whom it may be given.

Approved by the Distance Learning and Technology Committee on November 29, 2012

APPENDIX Q

BEST PRACTICES IN ONLINE COURSE DESIGN

This collection of best practices was created by a Faculty committee to help Lamar State College-Port Arthur instructors design online courses that are instructionally and pedagogically sound and incorporate universal design for learning principles. The best practices outlined here are a synthesis of principles, strategies, activities, design techniques, organizational tips, etc., that have been successful in higher education.

The best practices are presented in two parts, A and B. Part A deals with course organization and page presentation while Part B deals with instructional design and pedagogical concerns. Both areas should be given equal weight and consideration when building an online course.

A. Course Organization and Design

Standard	Description
1. Create an introduction that details the general course content and student responsibilities, among other items, in your syllabus.	Include items that address/explain the following: <ul style="list-style-type: none">• Course description• Faculty contact information. Include a statement on how long students should expect to get a reply from you.• Textbooks• Learning outcomes that are measurable• How the course is organized and how it works• Grading policy• Exams• Term papers/projects• Course schedule• Research information and links• Netiquette• Plagiarism• How to succeed in an online course• The college withdrawal policy• Technical requirements for the course• Downloads/plugin-ins• Technical support• Help for students with disabilities• Copyright information for students• Others who might have access to the course, including invited guests, technical support people, and course evaluators
2. Greet your students with a welcome message, and tell them how to get started in the course.	This welcome message should be the first thing students see when they initially log into the course. Keep the tone of this message warm and inviting. Consider recording an audio or video message alongside the text of your announcement.

Standard	Description
3. Introduce yourself to the class, and have students introduce themselves to you and to one another in order to begin building a “community of learners”.	<p>The instructor might ask students to answer specific questions, such as their year in college, major, what high school they attended, city they live in, hobbies, future goals, family, pets, job, and anything else they are willing to share. This can also be done in pairs with each individual in the pair to introduce each other, showing speech and listening skills.</p> <p>If you want to create more community, you can incorporate a blog.</p>
4. Acquaint students with the course software.	<p>Instructors can have students:</p> <ul style="list-style-type: none"> • Send an email in which students explain why they enrolled in the course, what they already know about the content of the course, and what they hope to learn. Another option to this is to create a one page PowerPoint about themselves. • Introduce themselves in the discussion board. An alternative to text here is to use upload a voice note they have created with the student’s cell phone. • Send an email that details their computer-related skills and experience. • Post a message in the appropriate group discussion board with a link to a web site they think will benefit students in the class. • Post to a blog. • Complete a quiz based on the syllabus.
5. Ensure that students understand what is required for them to succeed in an online course.	<p>Include an activity that teaches students:</p> <ul style="list-style-type: none"> • Successful study strategies • How to communicate online • How to behave ethically online • How to prepare technologically for the course • Where to access college resources
6. Structure your course in a well-organized manner, and make it easy to navigate.	<p>Students should be able to intuitively get from place to place within the course.</p> <p>Content should be divided into learning units, appropriately labeled, and presented in a logical manner. Instructors typically divide these learning units into modules, chapters, etc. The course’s main navigation menu should not be cluttered with too many items.</p> <p>Consider using the LSC-PA Online Course Template to create your course or use it as a model. Using the template will ease the task of meeting best practices and provide students a consistent look and feel as they move from course to course.</p>
7. Ensure that your links are active and up-to-date.	<p>Instructors should check all links prior to the course and prior to each segment of the course.</p> <p>Inactive links should be fixed or removed. Links with outdated information should be updated.</p>

Standard	Description
8. Create web pages that are consistent and reasonably attractive.	Text on the screen should be easy to read with font and background colors that provide high contrast. The only underlined text should be hyperlinks. Break the material up to avoid densely packed text that discourages reading. If you are creating web pages and need design help, consult the college's distance learning coordinator.
9. Design your course so that all aspects of it are accessible to students with disabilities.	If you need assistance with ADA compliance question, consult the special population's coordinator. If you need assistance with technical questions, contact the distance learning coordinator.
10. Include one discussion board forum where students can ask and answer class-related questions and one where they can ask and answer non-class-related questions. Also, post frequently-asked questions in your course.	Possibilities for labeling the two discussion boards are "Student-to-Student questions" and "Virtual Cafe". To signify that posts to these boards will not be graded, you can include the word "Ungraded" in front of each. Provide a description in each discussion board describing the appropriate use of each discussion board and referencing the other discussion board use. Provide an appropriate sample discussion post for a guideline.
11. Design your course so that pages can be downloaded within a reasonable period of time even without a high-speed Internet connection.	Do not upload extremely large files to your course. Image file size should be under 50k. The JPEG format should be used for photos; GIF should be used for all other graphics. Audio and video can be streamed, instead of downloaded. Design for users with a 56k modem. If you need assistance with any of the above, consult the college's distance learning coordinator.
12. Consider designing course content for mobile devices, such as smart phones and tablets	The methods students use to access web content is evolving. There is an increasing use of mobile devices such as smart phones and tablets. These devices often have smaller screen sizes and slower bandwidth. In the design of your course, consider how your course content might display on these devices. The colleges LMS has a mobile app available to students and faculty. Consider viewing your pages using the mobile app and adjusting the design if necessary.

B. Instructional Design

Standard	Description
1. Introduce learning units with an overview of the topic.	This can simply be a paragraph that briefly explains the topic to be studied. Consider using video or audio introductions to make the unit more engaging.
2. Connect what the students already know about the topic to what they are going to learn.	This can include questions or activities to make this connection. Recalling prior knowledge should help provide a context for the students and get them excited about the learning tasks ahead of them.

Standard	Description
3. Write and post objectives or outcomes for each learning unit.	Your unit objectives or outcomes should emanate from your course’s learning outcomes and detail the specific tasks that students will be able to complete.
4. Align your learning activities to your objectives and outcomes.	Use your objectives and outcomes to determine your learning activities. Be consistent. For example, if one of your objectives states that students will discuss a topic, make sure the activity is a class discussion in the discussion board.
5. Align your assessments to your objectives and outcomes.	Use your objectives and outcomes to determine your assessments. Be consistent. For example, if one of your objectives states that students will evaluate a topic, make sure the assessment has a corresponding essay question that asks students to evaluate.
6. Structure your learning activities to foster student-instructor, student-student, and student-content interactions.	Strive to design a student-centered environment where active learning and engaging activities are present.
7. Clearly write your content and lessons.	<p>Ambiguity will result in confused students and a lot of emails to you. If your instructions aren't clear, the students don't have you in front of them to ask clarifying questions. The clearer you write the less confusion for your students.</p> <p>Include formatting techniques such as bolds, bullets, and white space, and make sure your text contains no spelling or grammar errors.</p>
8. Post model submission assignments.	<p>Model assignments are examples that your students can view in order to better understand the differences between quality and non-quality work.</p> <p>To use model assignments from former students, get their permission in writing, and remove their names from the assignments prior to posting. If you are unable to get these from former students, consider creating them yourself.</p>
9. Post rubrics for grading.	<p>Rubrics are criteria for grading non-objective tests and assignments. They let students know exactly how you will grade them, and they take the subjectivity out of your grading.</p> <p>You can develop rubrics for individual assignments, or in the case of discussion board postings, you can develop a generic rubric that applies to all posting assignments.</p>
10. Ensure that the breadth of your content covers all of the content in the course outline of record.	If your course doesn’t cover everything in the course outline, your students won’t learn everything they are supposed to learn. This especially has a negative impact on students who transfer to four-year institutions and are expected to know specific content.
11. “Chunk” the information that you post for students.	Written material posted to students, particularly lectures, should be divided into short, readable (“chunked”) sections with links to subsequent pages, if necessary. PowerPoint or similar presentations—with or without audio narration—should be chunked and 5-10 minutes in duration. Podcast lectures should be chunked and the same length.

Standard	Description
12. Ensure that your content meets the needs of students with different learning styles.	Multimedia works best to meet the needs of audio, visual, and kinesthetic learners. Audio narrations, podcasts, videos, pictures, charts and graphs, and simulations all enhance learning.
13. Extend your students' learning with optional web resources.	For those students who get excited about a topic and want to learn more on their own provide links to web sites that you think will be helpful. Conversely, you can also provide links that will help remediate students who struggled through a topic.
14. When designing lengthy quizzes or exams, design them so students see one question at a time.	This way, each answer gets saved once the student goes to the next question, which is helpful in case the student's browser times out. If you decide that you really want all of the questions presented on the same screen, consider dividing the lengthy exam in multiple shorter exams, and tell students to save answers after each question.
15. Design exams and assignments to minimize cheating.	Though there are many products which purport to secure exams and assignments, there are no foolproof methods available to completely secure an online exam. For example, students can use smart phones to take pictures of test items on the computer screen, and they can then text the photos to others.
16. Gather feedback from your students on the course so you can improve it for the future.	Gathering feedback is not done as an official evaluation of the course; it is merely a way to improve the course. Surveys can be used to gather the feedback, and they can be used at any point during, and/or toward the end of, the course. Periodic evaluation of student progress may provide insight for particular module or unit revisions. There is a survey tool within the LMS and SurveyMonkey is a one free source that provides this.
17. Refrain from using copyrighted materials illegally.	If you are unsure as to whether you are violating copyright law, seek permission to use the copyrighted material. For more information on the U.S. Copyright Law, visit the U.S. Copyright Office's web site .

Developed by the Distance Learning Committee (2012)

APPENDIX R

BEST PRACTICES FOR WORKING WITH PUBLISHER CONTENT

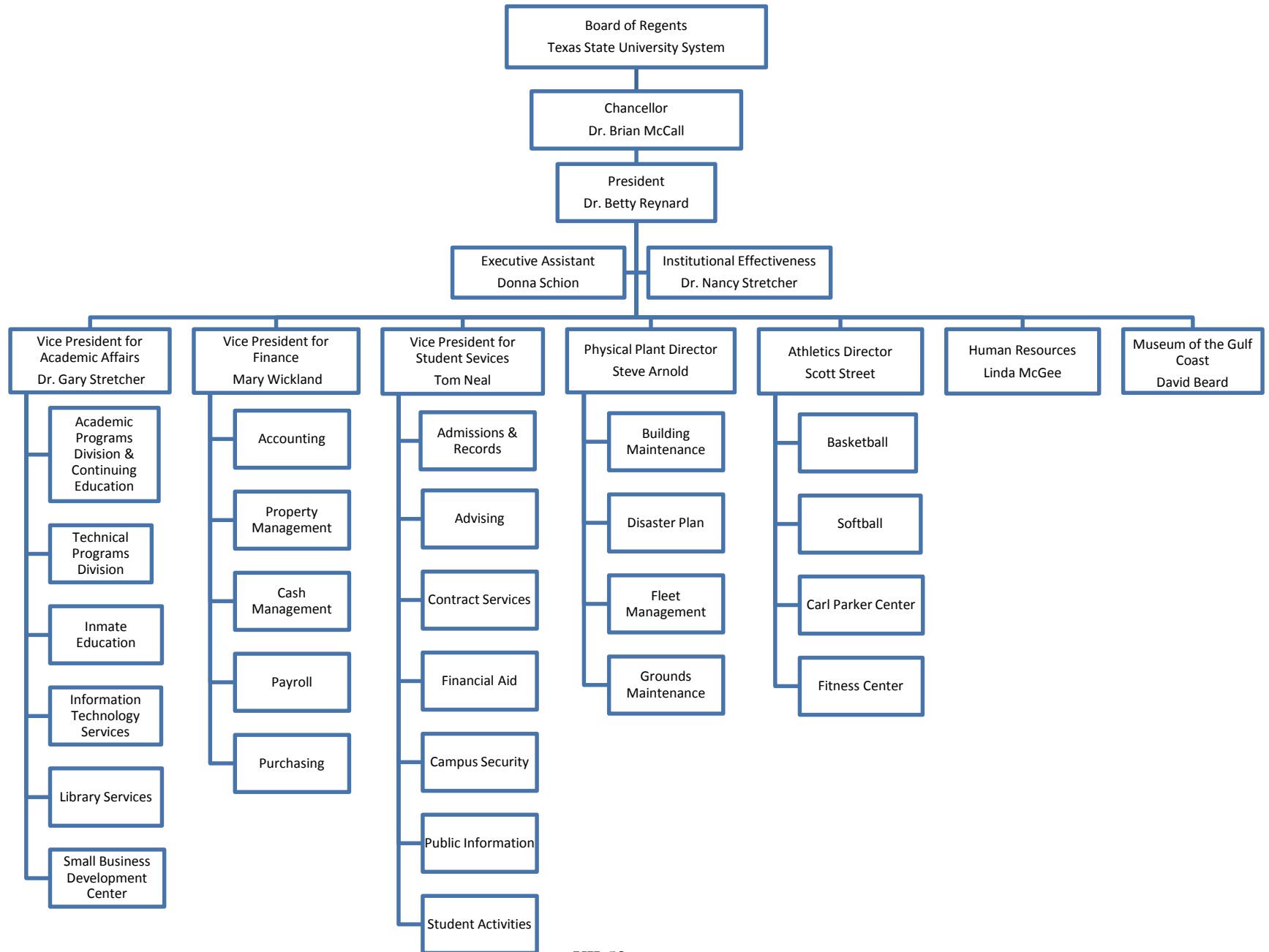
Publisher Content presents faculty with a variety of media-rich choices for the rapid development of courses in the online or face-to-face environment, yet there are effective practices that instructors can utilize to further ensure the success of their students. The purpose of this document is to present eight best practices that play a critical role in the management of Publisher Content.

1. **Best Practice: Choose content that aligns to course objectives**
Start out by carefully seeking out Publisher Content that best aligns with the objectives of your course.
2. **Best Practice: Drill-down Publisher Content**
Some Publisher Content is extensive, and not all of the provided digital assets need to be integrated or used in your course. In fact, some Publishers create 5 times the amount of content needed for a 16-week class, and it's not uncommon for Publishers to provide you with test banks containing upwards of five-thousand test questions! Much like selecting the chapters from a textbook, so your role in this critical step is to select which resources you will use. It is important at this juncture to use only the material you will need and select content & activities that will diversify learning for your students.
3. **Best Practice: Add interactivity**
Once you beef up your course with rich publisher content, be sure to create opportunities that will provide student-to-student interaction and student-to-instructor engagement.
4. **Best Practice: Provide knowledge checks for your learner along the way**
There will be no shortage of assessment activities if you elect to use Publisher Content in your course. Your role then, is to be sure to select both, Formative and Summative assessment measures that may be integrated frequently and strategically throughout your course content.
5. **Best Practice: Provide ample feedback**
Be intentional about selecting key junctures in your course where students may ask questions, receive feedback and stay on track.
6. **Best Practice: Be present**
Remember that a number of your students selected to take the course with you because they are looking for your expertise to enrich their learning experience. Be present. Participate in discussion forums, answer the students' blog posts, reply to comments, give feedback, send out emails, post announcements and let them know you are present with them as they walk down the corridor of learning.
7. **Best Practice: Make the end goal clear**
Students are going to want to know what they need to do in order to succeed in your course. Use the built-in LMS Calendar, or a Course Schedule to keep learners informed of what's due and what is coming up.
8. **Best Practice: Don't forsake the basics**
Despite utilizing pre-built content, the course is still your domain! Remember that you have at your disposal a number of communication and interactivity tools that will make your course come to life. Use these tools frequently and intentionally. Your students will thank you for it!
 - Welcome Message
 - Office Hours
 - Contact Information
 - Weekly Announcements

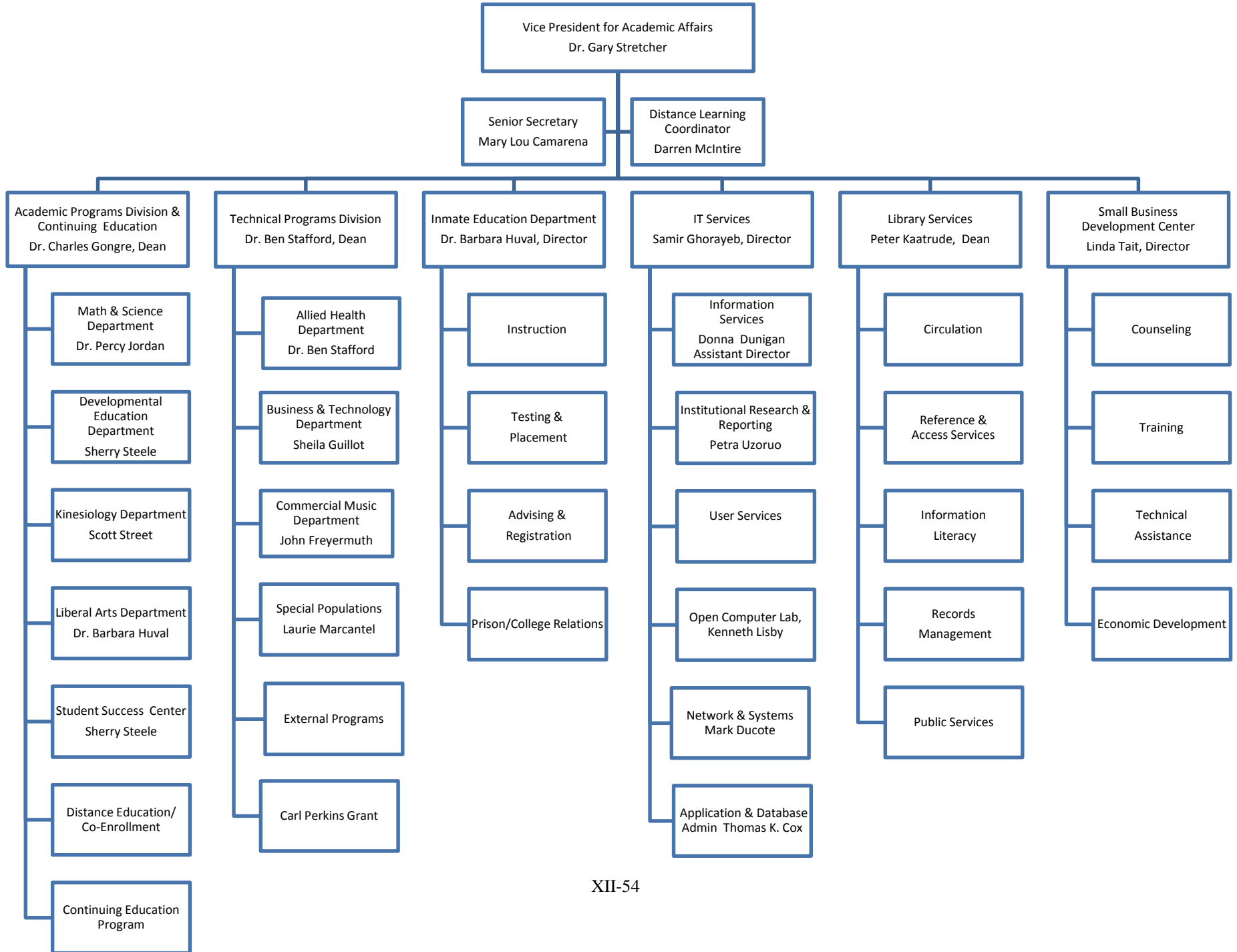
Implementing these simple, effective measures will increase the level of satisfaction your students experience when completing your course.

Developed by the Texas State University System Office (2014)

Lamar State College–Port Arthur Organizational Chart



**Lamar State College – Port Arthur
Office of the Vice President for Academic Affairs Organizational Chart**



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