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Executive Orders

EXECUTIVE ORDER EWE-76-4

WHEREAS, the National Historical Publications and Records Commission was created to cooperate with and encourage appropriate Federal, State, and local agencies and private and nongovernmental institutions, societies, and individuals in collecting, preserving, editing, and publishing the papers of outstanding citizens of the United States and other documents as may be important for an understanding and appreciation of the history of the United States; and

WHEREAS, the preservation, collection, and publication of important historical papers and documents is best achieved through the coordinated efforts of an advisory commission.

NOW, THEREFORE, I do hereby create the Louisiana Historical Records Advisory Commission, to be composed of not more than twenty-one members, for the purpose of collection, preservation, and publication of papers of outstanding citizens of the State of Louisiana and other historical papers and documents as may be important for a better understanding and appreciation of the history of the State of Louisiana and of the United States; provided that the Director of the archives and records service of the Secretary of State and the Director of the State Art, Historical and Cultural Preservation Agency, or its successor, shall be ex officio members of said advisory commission.

The Commission shall be composed in the following manner:

1. A majority of the members of the Commission shall be persons of recognized professional qualifications and experience in the administration of historical records, or in a field of research which makes extensive use of such records, and
2. The remaining members of the Commission shall possess a known interest in the administration and use of historical records. To the extent possible the members of the Commission shall represent the public and private archival and research institutions and organizations of this state.

The initial members, except ex officio members, shall be appointed for staggered terms so that the terms

of no more than one-third of the members of the Commission will expire each year. Thereafter, the members of the Commission shall be appointed for terms of three years.

The Commission shall be headed and coordinated by the State Archivist who shall, for the purpose of this executive order, serve as Historical Records Coordinator of the Louisiana Historical Records Advisory Commission.

The Louisiana Historical Records Advisory Commission shall serve as an advisory body for planning of historical records and for projects developed and carried out under the program in this state. The Commission may perform the following duties, including, but not limited to:

1. Sponsor surveys of the condition and needs of historical records in this state, and publish the results of the surveys;
2. Solicit or develop plans for historical records projects to be carried out in this state by institutions or by the Commission with financing by the National Historical Publications and Records Commission;
3. Review historical records projects proposed by institutions in this state and make recommendations thereon to the National Commission;
4. Develop, revise annually and submit to the national commission recommended state plans for historical records projects following priorities prescribed by the National Commission; and
5. Review, through reports and otherwise, the operation and progress of approved historical records projects in the state financed by the National Commission.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 22nd day of April, A.D., 1976.

EDWIN EDWARDS
Governor of Louisiana

EXECUTIVE ORDER EWE-76-5

WHEREAS, the President of the United States has announced a White House Conference on Handicapped Individuals to be held in May, 1977; and

WHEREAS, the Conference offers the opportunity of providing direction and action that will greatly influence services and programs concerned with the handicapped citizens of Louisiana and the nation; and

WHEREAS, the purpose of the Conference is to stimulate a national assessment of problems faced by handicapped individuals, to generate a national awareness of these problems, and to develop recommendations for legislative and administrative actions, to allow individuals with handicaps to live fuller and more independent lives; and

WHEREAS, in order to take an effective part in the Conference, Louisiana must have an effective plan to present Louisiana's position on vital concerns of the handicapped;

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me, by the Constitution and laws of this State, do hereby order and direct the following:

1. The Governor's Planning and Advisory Council on Handicapped Persons is created and established to consist of not more than twenty-five members to be appointed at such time as will facilitate the work of the Council.
2. The Governor's Planning and Advisory Council on Handicapped Persons shall plan Louisiana's participation in the White House Conference on Handicapped Individuals.
3. The Governor's Planning and Advisory Council shall take whatever steps are necessary and proper for Louisiana to participate in and benefit from the Conference.
4. The Governor's Planning and Advisory Council on Handicapped Persons shall elect its officers and shall conduct open public hearings in various areas of the state in order that interested citizens may make their views known to the Council, and in order to encourage public awareness of the needs of the handicapped and of the Conference.
5. The Governor's Planning and Advisory Council shall hold a state conference prior to the

national conference to receive presentations from professional leaders in the social, health, and education fields on the varied needs of the handicapped.

6. Administrative responsibility for the Governor's Planning and Advisory Council shall be vested in the program administrator of the Division of Vocational Rehabilitation of the Department of Education who shall provide administrative assistance with respect to the Conference; all activities will be coordinated with the Division of Human Services of the Louisiana Health and Human Resources Administration and with the Governor's Committee for the Employment of the Physically Handicapped.

IN WITNESS WHEREOF, I have hereunto set my hand officially, and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 26th day of April, A.D., 1976.

EDWIN EDWARDS

Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Board of Trustees for State Colleges and Universities

At its meeting on April 23, 1976, the Board of Trustees for State Colleges and Universities adopted the following rule, effective immediately:

Article 5, Section 2 of the Bylaws for the Board of Trustees for State Colleges and Universities shall be amended to include:

- Subsection F. Grievance Committee
- Subsection G. Legislative Committee.

The necessity for this rule is the impending legal action on a suit which has to be heard by the Grievance Committee and the necessity for the Legislative Committee's recommendations on requested legislation before the upcoming Regular Session of the Louisiana Legislature.

This action was taken in accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:553B.

Bill Junkin
Executive Director

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The following emergency rule was adopted on April 22, 1976, by the State Board of Elementary and Secondary Education as an immediate response to a need in the local schools to allow full-time certified teachers to teach outside their certified field for limited periods under certain conditions.

Rule 3.01.52.c

Bulletin 741 (1966 edition, interim and 1976 edition) is amended in respect to certified teachers being allowed to teach outside their field under specified conditions. The specified conditions are that a full-time certified teacher may teach outside of his certified field up to two periods if (1) he has twelve hours of course work in the area he will be teaching out of his certified field, and (2) if he has the approval of the State Department of Education, Bureau of Teacher Certification.

Earl Ingram
Director

DECLARATION OF EMERGENCY

Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission on April 27, 1976, adopted the following resolution, as per R.S. 49:953B:

Whereas, biologists of the Louisiana Wildlife and Fisheries Commission have found there are harvestable amounts of white shrimp in a certain portion of the Louisiana coastal nursery area, and

Whereas, it is recommended that a special four-day white shrimp season be opened west of the Atchafalaya River.

Now, therefore, be it resolved that the Louisiana Wildlife and Fisheries Commission does hereby declare a

special four-day white shrimp season to begin at 7:35 p.m. Central Daylight Time, on Tuesday, April 27, 1976, and close at midnight, Saturday, May 1, 1976, in a certain area from the Atchafalaya River, westward to the Sabine River/Texas State Line and to include Calcasieu Lake, with special said season being open to both wing nets and trawls. However, night trawling shall be prohibited in Calcasieu Lake.

Be it further resolved that the Director be and is hereby authorized through May 31, 1976, to extend and close said season regardless of the above stated periods if found to be biologically necessary.

J. Burton Angelle
Director

Rules

RULES

Department of Agriculture Milk Division

(Editor's Note: These rules will become effective on June 9, 1976.)

Whereas, Dave L. Pearce, Commissioner of Agriculture of the State of Louisiana, acting through Howard P. Brosset, Chief of the Milk Division of the Louisiana Department of Agriculture, did, pursuant to R.S. 40:931.4, Sub-part C, Title 40 of the Louisiana Revised Statutes of 1950, as amended, and consistent with the applicable provisions of the Administrative Procedures Act, and in accordance with the decision from the 19th Judicial District Court, East Baton Rouge Parish, hold a public hearing in Baton Rouge, Louisiana, December 17, 1975, for the purpose of considering amendments to Production Marketing Area No. 1 and Production Marketing Area No. 2 concerning the provisions of the American Dairy Association of Louisiana, Inc. Upon the basis of the evidence introduced at the hearing and the record thereof, I have determined in my decision of April 2, 1976, that there shall be one statewide program of promotion, research, advertising and nutrition education, administered by American Dairy Association of Louisiana, Inc. in a nondiscriminatory manner.

Pursuant to R.S. 40:931.4, a referendum was held April 2, 1976, on the recommendations with respect to American Dairy Association of Louisiana, Inc.

Whereas, more than two-thirds of the votes in the referendum in Production Marketing Area No. 1 and Production Marketing Area No. 2, having been duly tabulated on April 23, 1976, and determined in favor of the recommended decision;

Therefore, under and by the authority vested in me by Act 31 of 1974, and consistent with the applicable provisions of the Administrative Procedures Act, I declare the referendum, this 23rd day of April, 1976, to be in favor of the amendments as recommended for Production Marketing Areas No. 1 and No. 2 and hereby declare the amendments to be effective June 9, 1976, as follows:

Production Marketing Area No. 1

A. Amend Production Marketing Area No. 1 by adding thereto ss 1.25 (A) and ss 1.25 (B).

ss 1.25(A) Promotion, Research, Advertising and Nutrition Education Fund.

The "Promotion, Research, Advertising and Nutrition Education Fund" is a "fund" into which payment will be made pursuant to ss 1.49 (i).

ss 1.25(B) "American Dairy Association of Louisiana, Inc." or "A.D.A." is a nonprofit corporation organized under the laws of Louisiana whose Board of Directors is composed of not more than eighteen regular members, two-thirds of whom shall be producer members and one-third of whom are handler members.

* * * *

B. Amend Subsection 1.49 (i) of Production Marketing Area No. 1 so as to read as follows:

ss 1.49(i) Subtract an amount equal to the total receipts of producer milk at handler's plant, multiplied by six cents per hundredweight and on or before the twentieth day of each month, each handler shall pay to the American Dairy Association of Louisiana, Inc. such amount as the Promotion, Research, Advertising, and Nutrition Education Fund. The American Dairy Association of Louisiana, Inc. shall administer the fund in accord with the provisions of Subsection 1.79.

* * * *

C. Amend Production Marketing Area No. 1 by adding thereto a Subsection 1.79 so as to read as follows:

ss 1.79 Administration of the Promotion, Research, Advertising and Nutrition Education Fund.

The Promotion, Advertising and Nutrition Education Fund shall be administered by the American Dairy Association of Louisiana, Inc., in conformity with the provisions hereinafter set forth:

(a) Each handler's obligation under Production Marketing Area No. 1, Subsection 1.49 (i) shall be strictly complied with to create the maximum benefit from this cooperative endeavor and to this end in the event that any such obligation is not faithfully complied with within ten days of the date or dates specified herein, the American Dairy Association of Louisiana, Inc. is authorized to institute legal proceedings for the enforcement thereof and to collect such sum or sums as is determined due and owing together with legal interest and attorney's fee.

(b) The Board of Directors of the American Dairy Association of Louisiana, Inc., is charged with the responsibility of creating and implementing a single, statewide program of promotion, research, advertising and nutrition education. Under this program, the total sum of allowances received by American Dairy Association of Louisiana, Inc. shall be used by that group in funding the statewide program which is ultimately adopted by the Board of Directors of American Dairy Association of Louisiana, Inc. Such an approach shall exclude any credit or refund arrangement with any individual producer group. American Dairy Association of Louisiana, Inc. shall furnish an annual audit of its receipts and expenditures prepared by a certified public accountant to the Commissioner and any other interested persons.

Production Marketing Area No. 2

A. Amend Production Marketing Area No. 2 by adding thereto ss 2.18 and ss 2.19.

ss 2.18 Promotion, Research, Advertising and Nutrition Education Fund.

The "Promotion, Research, Advertising and Nutrition Education Fund" is a "fund" into which payment will be made pursuant to ss 2.62 (i).

ss 2.19 American Dairy Association of Louisiana, Inc.

"American Dairy Association of Louisiana, Inc." or "A.D.A." is a nonprofit corporation

organized under the laws of Louisiana whose Board of Directors is composed of not more than eighteen regular members, two-thirds of whom shall be producer members and one-third of whom are handler members.

* * * *

B. Amend Subsection 2.62 (i) of Production Marketing Area No. 2 so as to read as follows:

ss 2.62 (i) Subtract an amount equal to the total receipts of producer milk at handler's plant, multiplied by six cents per hundredweight and on or before the twentieth day of each month, each handler shall pay to the American Dairy Association of Louisiana, Inc. such amount as the Promotion, Research, Advertising, and Nutrition Education Fund. The American Dairy Association of Louisiana, Inc. shall administer the fund in accord with the provisions of Subsection 2.102.

* * * *

C. Amend Production Marketing Area No. 2 by adding thereto Subsection 2.102 so as to read as follows:

ss 2.102 Administration of the Promotion, Research, Advertising and Nutrition Education Fund.

The Promotion, Advertising and Nutrition Education Fund shall be administered by the American Dairy Association of Louisiana, Inc., in conformity with the provisions hereinafter set forth:

- (a) Each handler's obligation under Production Marketing Area No. 2, Subsection 2.62 (i) shall be strictly complied with to create the maximum benefit from this cooperative endeavor and to this end in the event that any such obligation is not faithfully complied with within ten days of the date or dates specified herein, the American Dairy Association of Louisiana, Inc. is authorized to institute legal proceedings for the enforcement thereof and to collect such sum or sums as is determined due and owing together with legal interest and attorney's fee.
- (b) The Board of Directors of the American Dairy Association of Louisiana, Inc., is charged with the responsibility of creating and implementing a single, statewide pro-

gram of promotion, research, advertising and nutrition education. Under this program, the total sum of allowances received by American Dairy Association of Louisiana, Inc. shall be used by that group in funding the statewide program which is ultimately adopted by the Board of Directors of American Dairy Association of Louisiana, Inc. Such an approach shall exclude any credit or refund arrangement with any individual producer group. American Dairy Association of Louisiana, Inc. shall furnish an annual audit of its receipts and expenditures prepared by a certified public accountant to the Commissioner and any other interested persons.

Dave L. Pearce
Commissioner

RULES

Board of Trustees for State Colleges and Universities

(Editor's Note: The following rules were adopted by the Board of Trustees for State Colleges and Universities on April 23, 1976, to be effective May 20, 1976. This series of revised rules supercedes policies and procedures from the old State Board of Education under which the Board of Trustees has been operating.)

Part IV

Education Policies and Procedures

Section 4.1 Agreements Between Institutions

The Board authorizes colleges and universities to enter into contracts and agreements with other public agencies with respect to cooperative enterprises and undertakings relating to or associated with college or university purposes and programs, in accordance with applicable laws.

Section 4.2 Evaluations

The Board authorizes and encourages evaluation of the various colleges by representatives of standard-setting associations and accrediting agencies.

Section 4.3 Religious Classes

No credit shall be given for courses in religion given by nonfaculty personnel off campus.

Section 4.4 Course Numbering System

All freshman level courses offered at colleges and universities under the Board shall be numbered 100 through 199. All first semester freshman courses shall be designated by odd numbers (e.g. English 101-103, etc.); and all second semester freshman courses shall be designated by even numbers (e.g. English 102-104, etc.). An identical system shall be used for sophomore, junior, and senior courses, except that the numbers 200-299, 300-399, and 400-499 respectively be used.

Section 4.5 Foreign Study

Each college and university under the jurisdiction of the Board may grant credit hours for studies at foreign universities and colleges. Credits shall be given in the same manner as on-campus programs.

Section 4.6 Reporting Student Credit Hours

The Board establishes the fourteenth class day following the beginning of classes for reporting of student credit hours at the institutions under the jurisdiction of the Board.

Section 4.7 Television Instructional, National

The Board leaves to the discretion of the college presidents the matter of giving college credit for national television instruction.

Section 4.8 Reciprocal Recognition of Credits

All institutions under the jurisdiction of the Board are to recognize undergraduate credits gained by students at other institutions under the jurisdiction of the Board.

Section 4.9 Requests for New Degree Programs

- A. All new degree programs are to be sent to the Academic Affairs Committee for study and recommendation before being placed before the Board.
- B. The Board's deadlines for filing new academic programs will be as follows:
 1. Letter of intent: The Board requests the

letter fifty-two weeks before February 1 or September 1 submission dates.

2. Program applications shall be received by the Board no later than November 1 for January review and no later than June 1 for August review.

Section 4.10 ROTC Programs

The Board authorizes all colleges and universities under its jurisdiction to apply for ROTC units.

Section 4.11 Honorary Doctorates

The Board authorizes the college presidents under the jurisdiction of the Board to give honorary doctorates to outstanding persons, these doctorates to be given with the prior approval of the Board under receipt of recommendations submitted in written form.

Principles: For an institution of higher learning the practice of awarding honorary degrees is an acceptable means of expressing its ideals, however, the authority to grant such degrees rests with the Board. Honorary degrees are to be granted in recognition of truly distinctive, creative achievement. They are not to be used to obtain a good commencement speaker, a contribution to the university or to encourage reciprocity with other institutions. A reasonable balancing of degrees among various fields of endeavor should be maintained.

Section 4.12 Honorary Doctorates

Types of Degrees: Degrees which may be awarded are: Doctor of Science (D. Sci.), for distinction in the area of science or medicine; Doctor of Humane Letters (LH. D.), for significant contributions in the humanities or to the welfare of mankind, Doctor of Letters (Litt. D.), accorded to a writer, poet, editor, or critic; Doctor of Fine Arts (D.F.A.), for contributions in the fine arts; Doctor of Laws (LL. D.), the highest accolade, for pre-eminence in any field.

In exceptional circumstances, with approval of the Board, other degrees may be conferred.

No honorary degree shall be awarded which could be confused with an earned degree granted by any institution in the State of Louisiana.

The honoree should represent eminent achievement of lasting importance in intellectual, scholarly, or creative fields of endeavor or should have performed

with high distinction in public service, or, made significant contributions to society in general. The individual chosen should be of exemplary moral character. Particular consideration should be given to those whose contributions have not heretofore been widely recognized by other institutions.

Certain categories of individuals should be excluded from consideration for honorary degrees: Present faculty or staff members of the granting institution; Louisiana elected officials in office at the time of selection and conferral; persons chosen solely in hope of financial gain by the institution; those who would decline to receive the degree in person; and lastly, any who have previously received honorary degrees from other institutions in Louisiana.

Selection Process: The selection of honorees is an administrative matter but must be consistent with the Board guidelines stated herein.

Number of Degrees: To emphasize and preserve the value of an honorary degree, each institution is hereby limited to a maximum of two per academic year.

Section 4.13 Major Fields

All schools authorized to grant Master of Education degrees shall have a minimum requirement of twelve hours in a major field other than in Education. The Master of Science or Master of Arts Degrees shall have a minimum requirement of eighteen hours in the major field in which the degree is granted.

Section 4.14 Twelve-Week Summer Session

The Board authorizes the institutions of higher learning under its jurisdiction to carry out summer programs of varying length up to twelve weeks, provided they first present such programs to the Board. The normal summer session is recognized as being nine weeks.

Part VII

Faculty and Staff Personnel Policies and Procedures

Section 7.1 Age

A. Administrative Personnel

Presidents of colleges and universities, and anyone holding a position in an administrative capacity under the Board shall be retired at the age of sixty-five years, with the provision that a

person attaining age sixty-five in a school year will be permitted to continue until the end of the year.

B. Extension—Beyond Age Sixty-five (Effective only until June 30, 1977)

1. No person shall be continued in the employment of the Board beyond the end of the fiscal year in which that person reaches the age of sixty-five years unless, on application made for such continuation, the Board finds that such a person is mentally, physically, temperamentally, and morally fit to perform his duties, in which event the Board may, at its discretion, extend the employment of such person one year at a time, but not beyond the end of the fiscal year in which such person reaches the age of sixty-eight years.
2. Any person requesting retention beyond the age of sixty-five years shall submit an application in writing prior to April 1 of the year in which such person would be retired.
3. All applications for extension must be supported by the concurrence and written certification by the president of the institution that, in his opinion, the person recommended is mentally, physically, temperamentally, and morally fit to continue in service and to perform his duties satisfactorily for one additional year beyond the age of sixty-five years, or for one year additional beyond the retirement period previously extended, together with such other pertinent information and reasons for continuing the employment as are within the knowledge of the party making the certificate. If the party making the certificate knows the facts through his own personal knowledge, he shall so state. If the recommendation for retention is based upon the recommendation of or information by a dean, department head, or other similar official having knowledge of the facts, the application shall be accompanied by a similar certificate executed by such dean, department head, or other such person. The Board shall have the right to require such other information or evidence as it deems necessary in each case.
4. All employees at the institutions under the jurisdiction of the Board who have reached

the age of sixty-five must take and pass a physical examination showing that they are physically able to continue working in their present positions without injury to their health; written results of the examinations shall be made a part of the personnel records in the institution and must be reported to the Board.

5. All college and university presidents shall be directed immediately to abide by the present policy of the Board and shall exercise judgment in each individual request for continuation of employment after the age of sixty-five for one year for those employees who meet the criteria set forth by the Board; any statement in handbooks or documents of the colleges and universities that categorically denies any employment after age sixty-five shall be eliminated. Renumeration for the rank of president emeritus shall be discontinued with attrition taking care of those presidents presently drawing president emeritus pay.

C. Termination of Extensions Beyond Age Sixty-Five

The policy of the Board which allows each college and university president to exercise his judgment in individual requests shall be continued until June 30, 1977, in accordance with present policy. On June 30, 1977, the termination of employment will be mandatory at age sixty-five, with the provision that a person attaining age sixty-five in a school year will be permitted to continue until the end of the year.

Section 7.2 Personnel Actions

A. Consolidation to a Single Item

All personnel changes shall be incorporated in a single item to be brought before the Board for its action.

B. Conversions of Basis – Nine to Twelve Months

Unclassified personnel whose employment status is being changed from nine months to a twelve-month basis shall be increased in salary by no less than one-third of their nine-month salary. Any such employee whose status changes from a twelve-month to a nine-month salary amount shall be decreased by no more than

one-fourth of their previous twelve-month salary.

C. Notification in Advance

All requests for leave of absence and all personnel actions must be in the hands of the Board members at least ten days before such action is finalized, except in extreme emergency situations.

Section 7.3 Personnel Benefits

A. Annuities

The heads of institutions under the jurisdiction of the Board are authorized to make withholdings from salaries of employees for annuity purposes and to purchase annuities from the funds withheld in accordance with Section 403(b) of the Internal Revenue Code of the United States.

B. Social Security

The Board authorizes the President of the Board to sign agreements with the Public Employees Board of Louisiana to provide Social Security coverage for employees at the institutions under the jurisdiction of the Board who are not eligible for membership in any other retirement system.

Section 7.4 Personnel Policies

A. Classified Employees

The Board grants authority to the college president under its jurisdiction, or their appointed representatives, the right to hire or dismiss any classified employee.

B. Chief Executive Vacancies

For all State appointments concerning vacancies in the chief executive position at an institution under the jurisdiction of the Board, prior notice shall be provided the Board members in sufficient time in order that all applicants who shall meet the earned doctorate qualification may be given an official application for such vacancies and that the proper committee, after hearing and interviewing such applicants, may make recommendations to this Board for final selection.

Section 7.5 Leaves of Absence

- A. The presidents of the colleges and universities shall determine whether or not individuals are eligible for leaves of absence, based on the regulations of the Board.
- B. An employee of an institution under the control of the Board who is not a member of the faculty or administration does not come under the Board's policy of leaves of absence for faculty members.
- C. Leaves of absence for the purpose of accepting a temporary appointment elsewhere shall not exceed one year. Any additional extensions shall require special justification by the president of the college and approval by the Board.
- D. Leaves granted for the purpose of participating in a political campaign shall not exceed six months.
- E. Leaves for Military Duty

For faculty personnel on military leave (or special leave for war-connected service) from the institutions under the control of the Board, the person on leave shall be re-employed by the institution at the beginning of the next semester (or trimester) after the date on which the institution head shall receive written notification that such person wishes to return to his position, provided that such notification shall be given within forty days after honorable discharge from the armed forces.

F. Sabbatical Leave

Policy for Improving the Quality for Professional Services at the Colleges by Providing for Leaves of Absence with Pay for Faculty Members.

Provision for leave with pay for the purpose of professional or cultural improvement, or for the purpose of rest and recuperation, is a well-established administrative device calculated to improve the quality of college teachers in service. The Board of Trustees recognized that for the colleges under its control, such a policy is justifiable and desirable. The Board provides for faculty leaves of absence under the following conditions:

1. Every faculty member or administrator may

be eligible for leave for the purpose of professional or cultural improvement, or for the purpose of rest and recuperation, for the two semesters immediately following any six or more consecutive fiscal years of active service in the institution where such teacher is employed or for one semester following three or more consecutive fiscal years of such service; provided that absence on sick leave shall not be deemed to interrupt the active service herein provided for. The work is normally to consist of advanced courses in the instructor's teaching field or in a program leading to an advanced degree in that field.

2. Faculty members and administrators may be granted leave for the purpose of independent study or research. In those cases where the faculty member or administrator receives outside compensation for such study or research which equals or exceeds the amount he is entitled to under existing Board leave policy, then he is ineligible for leave pay. The college or university shall review the amount received from the grant; and if this is less than the compensation he would receive for leave with pay, the institution shall pay this difference.
3. That no person whose application for leave has been granted shall be denied such leave. Every application shall specify (a) the period for which leave is requested, (b) whether leave is requested for the purpose of professional or cultural improvement, or for the purpose of rest and recuperation, (c) the precise manner, insofar as possible, in which such leave, if granted, will be spent, (d) the semesters spent in active service in the college from which leave is requested, and (e) the date of birth of applicant; and said application shall contain a statement, over the signature of the applicant, that he or she agrees to comply with the provisions of this enactment. Every application for leave for the purpose of rest and recuperation shall be accompanied by statements from two physicians certifying that the health of the applicant is such that the granting of such leave would be proper and justifiable.

That any applicant who, at the expiration of the semester in which he or she applies, shall be ineligible for the leave requested

and/or who has not complied with the provisions listed above shall have his or her application rejected, but all other applicants may have their applications granted, provided that all leaves requested in such applications could be taken without violating the following provision: At no time during any semester of the academic year shall the number of persons on leave exceed five percentum of the total number of teachers employed in a given college or ten percentum during any summer session; provided further, that in cases of sick leave these percentages may be exceeded.

4. After each leave period is finished, evidence must be submitted to indicate that the purpose for which the leave was granted has been achieved. For those not holding the doctorate, official transcripts must be sent to the appropriate academic dean; for those holding doctorates, adequate written evidence must be submitted to the appropriate dean by the individual and, whenever possible, corroborated by the institution(s) concerned.
5. The compensation for the period of leave approved shall be at the rate of seventy-five percent of the salary the individual received during the preceding fiscal year for the period of time leave is applied for and granted. Individuals shall contribute to the retirement system on the basis of annual salary rate. Compensation payable to persons on leave shall be paid at the times at which salaries of the other members of the teaching staff are paid, and in the same manner. Prior approval must be secured from the Board of Trustees before any replacement is secured for person granted leave. Institutions should utilize faculties to the fullest extent before requesting such replacements.
6. Refusal by a faculty member to comply with the provisions of this policy shall result in the forfeiture of tenure and ineligibility for increase of salary and promotion in rank until the requirement shall have been met.
7. In accepting a leave of absence with pay, the faculty member shall be understood to assume a moral obligation to return to his institution for at least one year of further service.

8. A copy of this policy shall be furnished to the faculty member each year by the college president.
9. Request for interpretations on any phase of this policy shall be channeled through the staff of the Board. This procedure is necessary in order that all persons concerned will be appraised of any and all interpretations rendered.

Section 7.6 Salaries

A. Advanced Degree Adjustments

Pay increases shall be granted when additional degrees are earned according to existing salary schedule and Board policy. Such increases shall be made effective at the beginning of the first semester of the fiscal year following that in which the degree is earned, and no mid-term increases shall be made for advance degrees.

B. Date of Implementation

Raises in pay because of advanced degrees will be effective at the beginning of the fall semester in the scholastic year following the receipt of the degree. In those cases where a certificate from the proper authority of the institution attended is presented prior to the beginning of the scholastic year stating that all requirements for the higher degree have been completed, with the exception of the formal conferring of the degree, the Board of Trustees will accept that as completion of the degree for salary purposes only, effective at the beginning of the scholastic year.

Section 7.7 Patents

- A. Any discovery, invention or development which is made possible wholly or in part (1) through the use of State funds, (2) while using State-owned facilities, and (3) by an individual while employed by the State, in any of the institutions under the jurisdiction of the Board, is the property of the State of Louisiana.

Section 7.8 Colleges and Universities

A. Public Office Seeking

The president of the institution where the employee is employed must agree that this undertaking will not interfere with his work at

the institution. The employee must comply with any provisions of State law on this subject.

B. Membership in Organizations

The Board has no policy denying or restricting college and university faculties the right to create or belong to faculty organizations which have for their purpose the good of their respective institutions and which serve as forums for enabling their membership to express their opinions, individually or collectively, regarding matters they feel worthy of study and discussion.

C. Nepotism

The Board authorizes the employment of persons from the same economics unit, or the same immediate family although a separate economics unit, when their individual qualifications are such that they represent the best possible choice for a given position. Employees from the same economic unit, or from the same immediate family although a separate economic unit, may not be employed in a situation where one member may have direct administrative responsibility for the other.

D. Campus Security Directors

The Board grants to each college president permission to hire a nonclassified employee to direct campus security activities in connection with closer control against drug activities as well as other problems.

Section 7.9 Faculty Rank

A. Rank Distribution

Special care shall be exercised in assigning faculty ranks to new appointees and in making promotions in rank from year to year. The following table provides guidelines and limitations on assignments of ranks within each institution:

Academic Rank	Range	Percentage Not to Exceed
Professor	20-35%	35%
Associate Professor	25-35%	35%

B. Promotion

Each institution shall establish a policy setting criteria for faculty promotions. The policy statement should contemplate that very few persons be promoted to the rank of full professor who do not hold the doctor's degree.

C. Evaluations

Each institution shall evaluate each faculty member and administrator at least on an annual basis, and the evaluation shall be filed in appropriate personnel files.

Section 7.10 Tenure

A. The uniform provisions for tenure provide that the Board of Trustees has the ultimate responsibility for hiring academic personnel and for awarding or denying tenure to academic personnel within the colleges and universities under the jurisdiction of the Board. The precise terms and conditions of every appointment shall be stated in writing and be in the possession of both institution and employee before the appointment is consummated.

B. Indeterminate tenure shall be earned by full-time academic personnel with respect to academic rank only.

1. Administrators shall not earn tenure, except as members of an academic discipline.
2. Faculty members shall be on annual appointment at the instructor level.
3. Faculty members shall not be eligible for tenure at the instructor level.
4. Assistant professor or equivalents shall be eligible for tenure after serving the established probationary period.
5. Faculty members promoted to the rank of associate professor, professor, or equivalent, shall be awarded indeterminate tenure and shall be informed in writing within ninety days of Board of Trustees' action.
6. Faculty members initially employed at the rank of associate professor or equivalent shall serve a probationary period of at least one year, but no more than four years.

7. Faculty members initially employed at the rank of professor or equivalent may be granted tenure upon appointment, or, at the discretion of the institution, may be required to serve a probationary period not to exceed four years.
 8. Faculty members appointed to the rank of professor or associate professor while being paid from a grant or contract for services such as special lecturer, consultant, or visiting professor, may not be granted indeterminate tenure, but may be granted limited tenure, not exceeding the duration of the grant or contract.
- C. Full-time academic personnel below the rank of associate professor or equivalent shall serve a probationary period not to exceed seven years of continuous service. For the purpose of computing continuous service during the maximum seven-year probationary period, leaves approved by the Board of Trustees and service at all ranks shall be included.
1. At the end of the fifth year of continuous service, such faculty members shall be evaluated for the purpose of determining eligibility for tenure.
 2. At the end of the sixth year, the results of each individual's evaluation shall be provided to that individual. In the event tenure is to be denied to an assistant professor, twelve months written notice of termination shall be given. In the event tenure is to be awarded, affected faculty members shall be informed in writing.
 3. For the purpose of the probationary period, credit may be given for prior service at other institutions with the mutual consent of the individual institution and the Board of Trustees.
 4. Recommendation of those to be considered for tenure shall originate in the various structural units, with tenured faculty and unit heads initiating the recommendations. Final authority for granting or denying tenure shall rest with the Board of Trustees.
- D. Tenured faculty shall retain their status until they retire, resign, or are terminated for cause or as a result of financial exigency. Because faculty members hold tenure with an institution

through an academic structural unit, termination for financial exigency may occur when the financial exigency is at the structural unit level or at the institution level as determined by procedures which include faculty participation.

- E. This policy shall supercede all existing policies with the following exceptions:
1. All persons holding tenure on the effective date of this policy shall retain their tenure.
 2. Any person in the employ of an affected institution on the effective date of this policy shall be eligible to earn tenure under the terms and conditions of the policy in force and in effect at the time of that person's employment at that institution.
 3. This policy shall in no way affect any rights acquired by any person employed by an institution prior to the effective date of this policy.
- F. Within ninety days of the effective date of this policy, each tenured faculty member in each affected institution shall be notified of his/her tenured status. Within the same time period, each nontenured faculty member shall be informed of his/her nontenured status and shall be informed of existing tenure policy affecting him/her.

Section 7.11 Summer Session

The president of each college under the jurisdiction of the Board shall submit to the Board by May 1 of each year a list of employees who will participate in the summer school session.

Section 7.12 Transfer

- A. No State college under the jurisdiction of the Board shall employ academic personnel from another State college or university under the jurisdiction of the Board without prior approval of the Board and with the concurrence of the presidents of the institutions involved.
- B. Any individual who resigns from the staff or faculty of one institution cannot be employed by another institution under the jurisdiction of the Board for a period of one year without the prior approval of the Board.

Section 7.13 Faculty

A. Salary Schedule

(Based on the Minimum Educational Attainment of the Master's Degree)

1. The Board will adopt upper and lower limits on rates of compensation for college teaching on a nine-month college-year basis in each of the several academic ranks.
 2. Initial appointments shall be made at any point within the limits set in the current salary schedule.
 3. A person who has earned one year (twenty-four semester hours) of graduate credit in his teaching field or work leading to a higher degree in his major field, after having completed the requirements for the master's degree, shall be paid \$400 above the salary to which he is entitled by his rank and his current salary, and for two years (forty-eight semester hours) he shall be paid \$800.
 4. A person who has earned the doctor's degree shall be paid \$1,500 (i.e., \$700 above the minimum amount provided for in Paragraph 3) above the salary to which he is entitled by his rank and his current salary.
 5. An individual's salary may not be increased above the maximum for his rank as shown in the current salary schedule.
- B. The minimum salary in the colleges and universities under the jurisdiction of the Board shall be no less than the State minimum salary schedule of individuals employed in the public school system of the State.
- C. Colleges and universities are allowed the option of paying up to twenty-five percent of the nine-month salary for a nine-week summer session.

Section 7.14 Faculties of Laboratory Schools

A. On-campus Laboratory Schools

The faculty of laboratory schools, at the discretion of the college, may or may not have academic rank. In either case the salary may be paid by the college. Each faculty member, if

given academic rank, shall be paid salary equal to that received by other faculty members of equal training, experience, and merit. If not given academic rank, the teacher in the laboratory school may be paid a salary equal to that which they would be paid if they were teaching in the parish or city system, plus up to \$1,500 per year to be paid by the college as a supplement for their participation in the teacher education program. Supervising teachers who are required to teach college-level classes may be paid for this service.

B. Off-Campus Laboratory Schools

Effective the school year 1976-77, the college or university shall pay a salary to fully qualified and certified cooperating teachers in accordance with the following schedule:

1. \$200 per semester for first student teacher at a given school;
2. \$175 per semester for the second student teacher at a given school;
3. \$50 per semester for each additional student teacher to a maximum of \$500 for the semester at a given school.

The college or university shall pay principals of schools where student teaching is done according to the following schedule:

\$50 per semester for each cooperating teacher used in the program to a total of ten (\$500 is the maximum per semester that may be paid a principal).

Off-campus supervising teachers and principals must be in full compliance with the college and university rules and regulations in order to receive this money.

Section 7.15 Uniformity

- A. The college presidents shall inform all administrative and academic personnel in the respective colleges that:

1. With regard to salaries, the Board recognizes that there is a difference among the colleges in the duties and professional qualifications of personnel holding positions described by the same or similar terms.

2. There is no desire to achieve uniformity among the colleges either in the duties of or salaries paid to administrative and academic personnel.

Part VIII

Student Personnel Policies and Procedures

Section 8.1 Opening Date

Any State college or university under the jurisdiction of the Board may change the date of the beginning of its school year in order that the first semester may end before the Christmas holidays. This permission leaves the opening date to the discretion of the individual institution.

Section 8.2 Admission—Transfers

In order to transfer, the student must be eligible to re-enter the institution from which he is transferring before he will be able to enter a college or university under the jurisdiction of the Board. No credit earned at another institution while under academic or nonacademic suspension will be accepted upon return to an institution under the jurisdiction of the Board.

Section 8.3 High School Students

- A. Incumbent upon a student making application, he shall supply a high school transcript and the record of the ACT test or the acceptable equivalent in order to be considered for admission. In the event that these cannot be supplied in time for admission, he may be considered for provisional admission. Part-time students may be admitted without ACT test or acceptable equivalent test.
- B. Early admission shall be allowed a student entering a college before twenty units of high school credit are earned if: (1) the student made a "B" or better average during six semesters of high school, (2) the student made an ACT score of at least 24, and (3) the student is recommended by his high school principal. Upon earning twenty-four semester hours at college, he may be granted a high school diploma by the appropriate Board.

Section 8.4 Special School Students

All colleges and universities under the jurisdiction of the Board shall accept students who have success-

fully completed the curriculum of the State School for the Blind, the Deaf, the Spastic, or Cerebral Palsy in order that such students may pursue a curriculum which they may be qualified to enter and complete in order to become certified as teachers.

Section 8.5 Minimum Class Attendance Regulations for the Colleges and Universities Under the Control of the Board

- A. Class attendance is regarded as an obligation as well as a privilege, and all students are expected to attend regularly and punctually all classes in which they are enrolled. Failure to do so may jeopardize a student's scholastic standing and may lead to suspension from the college or university.
- B. Each instructor shall keep a permanent attendance record for each class. These records are subject to inspection by appropriate college or university officials.
- C. A student shall submit excuses for all class absences to the appropriate official(s) designated by the president within three class days after the student returns to his respective class. The appropriate official may excuse a student for being absent and the faculty member shall accept an official university excuse.
- D. When a freshman or sophomore student receives excessive unexcused absences (a minimum of four) in any class, the instructor may recommend to the student's academic dean that he be withdrawn from the rolls of that class and given an appropriate grade.
- E. Faculty members are required to state in writing and explain to the students their expectations in regard to class attendance prior to the close of the drop and add period.

Section 8.6 Standards for Student Conduct

- A. The presidents of the colleges and universities under the jurisdiction of the Board have the right and are urged to draft reasonable regulations concerning codes of conduct, behavior, and decorum.
- B. Each university shall require in their Code of Conduct the following minimal breaches of student conduct:

1. Intentional obstruction or disruption of teaching, research, administration, disciplinary procedures, or other university/college-authorized event.
 2. Unauthorized occupation or unauthorized entry into any university/college facility.
 3. Physical abuse or threat thereof against any person on campus or at any university/college-authorized event or other conduct which threatens or endangers the health or safety of any such person.
 4. Theft or damage to property of the university/college or to a person on the campus.
 5. Intentional interference with the right of access to university/college facilities or with any lawful right of any person on the campus.
 6. Setting a fire on the campus without proper authority.
 7. Unauthorized use or possession on the campus of firearms, ammunition, or other dangerous weapons, substances or materials.
 8. Aiding or inciting others to commit any act of misconduct set forth above.
2. If his or her matriculation and participation with the university has been suspended or terminated.
- D. The president of each college or university under the jurisdiction of this Board shall adopt and promulgate a due process procedure for the hearing of any student whose substantial rights involving further participation as a student have been suspended or terminated. Such procedures to insure due process of law in disciplinary matters shall, as a minimum, provide for notice and hearing at which the student may offer and present evidence on his behalf, to be conducted before an impartial person and/or committee composed of members of the university community, with the final ruling subject to review by the president. Whenever the subject matter is of sufficient import, such as separation or suspension of the student from the university, the student shall be entitled to representation by counsel for which the student himself makes provision, and insofar as possible, a written record be maintained setting out findings of fact and the final ruling.
 - E. An appeal hereunder by a student shall be filed in writing with the Executive Director of the Board. Where it appears to the said Director that on-campus due process procedure has been exhausted, as herein required, and that a written record thereof, if any, accompanies such application for appeal including the final decision of the president, said Director shall notify members of the Board of the filing of such appeal for review. Where notification of the filing of an appeal has been given by the Director as aforesaid, the President of the Board or, in his absence, the Vice-President or members of the Board as is provided by the general procedures of the Board may take the following action:
 1. A special or regular meeting of the Board may be designated at which time a hearing be conducted on the appeal.
 2. In the alternative, a special committee may be appointed by the President or in his absence the Vice-President, composed of not less than three members of the Board and such other persons as may be named by the President for the purpose of conducting a hearing on the appeal presented, provided that no final adjudication shall be taken by such committee until the findings and

Section 8.7 Due Process

- A. Students shall have due process in disciplinary matters at each of the colleges and universities under the jurisdiction of the Board of Trustees.
- B. This Board has been kept fully advised of developments and jurisprudence in both the Federal and State courts pertaining to due process procedural requirements affecting students. The Constitution and laws of Louisiana authorize this Board to adopt rules of procedure pertaining to due process. This Board intends to provide for due procedures for the benefit of students and institutions under its jurisdiction by the adoption of this Section.
- C. Any student who has exhausted all the on-campus administrative appeal procedures may appeal his or her grievance to the Board of Trustees:
 1. If he or she has been denied the right to live off-campus after application duly made or,

recommended decision of the committee have been approved by the Board.

- F. Any hearing by the Board or by committee of the Board hereunder shall be scheduled at a time which will permit reasonable notice thereof to be given to the appellant and the subject university. At the hearing, the appellant shall, in the discretion of the body conducting the hearing, be entitled to representation by counsel, provided legal representation as also allowed to the subject university and where the record on appeal warrants, the right to present additional evidence on the appellant's or university's behalf and to present oral argument. Where the hearing is conducted by a committee of the Board, the findings of the committee shall be reduced to writing and submitted to the Board for final action.
- G. Rules of procedure for insuring due process of law with respect to any application for parietal rules exemption may be in accordance with suggested form, a copy of which is on file in the Board of Trustees' office and marked as "Exhibit 1." This Exhibit 1 may be amended, modified, and supplemented by the president of the university or any person or committee approved by him. The final form of procedure shall be approved by the president and promulgated by inclusion in the annual university catalogue or other publication of the university to which the student shall have access.

Section 8.8 Residence of Students

A. State Policy

The Legislature of Louisiana has found and declared that the security and welfare of the State requires that this and future generations of Louisianians be assured of an ample opportunity for the fullest development of their intellectual capabilities and that this opportunity will be jeopardized unless colleges and universities accommodate youth who aspire to a higher education. The constitutionally and lawfully designated governing authorities of institutions of higher learning have determined that these needs were so great that it was incumbent on such boards to take positive action which has consisted of:

1. Establishment of new commuter college facilities; and

2. Acquisition and construction of essential housing, dining, student life, and academic building facilities for established institutions.

During the period of 1955-1965, the growth of such academic and nonacademic facilities on the campuses of the institutions of higher learning in Louisiana were extended and improved to meet the increasing enrollments. It has been and is the philosophy that higher education in the State of Louisiana should consist of and include in addition to the basic and primary academic pursuits the additional enrichment afforded by student life facilities and programs as, for example, lectures and appearances by prominent national and international figures, social events, special movies and films, performances of music, dance and opera groups, plays and traveling theater groups, and activities of student organizations and scholastic societies. It is further the philosophy of higher education in the State of Louisiana that all such activities and functions form a part of the total higher educational experience; that the acquisition and construction of dining, residence halls, and student life facilities provide a means of conducting such activities which are an integral part of the functions of a university; that residence hall life on the campus of institutions of higher learning can, where provided and operated in an enlightened manner, be an important part of the total education of each student, providing an opportunity for an independence that develops responsibility, consideration for others and self-discipline; that life on the campus of modern American colleges and universities its a "give and take" environment—an enrichment which promotes personal, social, and academic development; that the student is afforded the opportunity to further develop his interests, abilities, and skills; that opportunity of association of older students with the younger or less experienced is an educational asset; that providing dining facilities assures a balanced and healthful diet, at an economical cost to the student, essential to successful studies and a healthy mental and physical being; that student life facilities provide a means of organization and financing through which many important activities, services and facilities could not otherwise be made available to the several colleges and universities throughout Louisiana. It is further the philosophy of higher education in the State of Louisiana as interpreted by this Board that