Procedures for Revisions:

When changes occur, the Office of Academic Affairs will be responsible for indicating all new language to this document in green text. In addition, each revision will have a footnote* to include any deleted language or to note that an addition has been made (i.e., *[deletion: w/old verbiage] or *[addition]). The note will also indicate the date the change was made. The color change and footnote will remain for at least 12 months.

The official version of the Faculty Handbook is the latest dated version in the University Archives. Each time a change is made, the Office of Academic Affairs will place a new version in the University Archives. The latest dated version in the University Archives controls if there is any difference between it and this web version, or between it and any printed version noted below.

The Faculty Handbook will also be distributed in hardcopy to all deans, department chairs, and program chairs each summer. When changes occur, a hardcopy of the revised section will also be forwarded, on a timely basis, to these same individuals. A limited number of additional copies will be printed and made available to any faculty member on request, on a first-come, first-serve basis. However, these faculty members will not receive any notices of changes. Of course, one may download the Faculty Handbook from this site, http://tulane.edu/provost/faculty-handbook.cfm, at any time.
# TABLE OF CONTENTS

## PART I. MISSION STATEMENT AND INTRODUCTION ................................................. 7

A. Mission Statement ................................................................................................. 7

B. Introduction ............................................................................................................ 7

## PART II. ORGANIZATION OF THE UNIVERSITY .................................................... 9

A. The Board of Administrators ............................................................................... 9

B. The President's Cabinet ....................................................................................... 11

C. Tulane Medical Center Board of Governors ...................................................... 14

D. The University Senate ......................................................................................... 15

E. Bodies Advisory to the President ......................................................................... 17

F. College and School Organization ...................................................................... 18

## PART III.* POLICIES CONCERNING FACULTY APPOINTMENT AND RESPONSIBILITY ................................................................. 19

### A. Statement on Academic Freedom, Tenure, and Responsibilities .................. 19

- **Article I** Faculty Membership ......................................................................... 20

- **Article II** Appointments .................................................................................... 21

- **Article III** Probationary Regular Appointments on the Tenure Track* ............ 25

- **Article IV** Continuous Regular Appointment with Tenure* ......................... 29

- **Article V** Termination of Tenure ..................................................................... 30

- **Article VI** Dismissal Procedure ....................................................................... 33

- **Article VII** Action by the Board of Administrators of Tulane University ....... 36

- **Article VIII** Suspensions .................................................................................. 37

- **Article IX** Terminal Salary or Notice ................................................................. 38

- **Article X** Academic Freedom and Responsibilities of Faculty ..................... 39

- **Article XI** Academic Freedom of Non-tenured Teachers ............................... 41

- **Article XII** Research Associate, Teaching Assistants, etc. ............................ 42

### B. Academic Titles ............................................................................................... 43

### C. Procedures and Considerations for Certain* Appointments ....................... 48

### D. Conflict of Interest ......................................................................................... 53

### E. Consulting and Other Extramural Activities .................................................. 71

### F. Photocopying Policy of Copyrighted Materials .............................................. 72

### G. Employment .................................................................................................... 73

1. Equal Opportunity and Affirmative Action Policy .............................................. 73

2. Grievance Procedures in Cases of Alleged Discrimination ................................. 73

3. Appeals of Promotion or Tenure Decisions on Grounds of Discrimination ....... 75

4. Multiple Family Members .................................................................................. 75

5. Foreign Nationals ............................................................................................... 75

### H. Research Misconduct** ................................................................................ 76

1. Introduction/Purpose* ......................................................................................... 76

2. Definition of Research Misconduct ..................................................................... 78

3. Process for Handling Allegations of Research Misconduct .............................. 78

### I. Intellectual Property Policy and Procedures .................................................. 93

1. Introduction .......................................................................................................... 93

2. Definitions .......................................................................................................... 93

3. Applicability ....................................................................................................... 95
4. Intellectual Property in General ................................................................. 96
5. Patents ...................................................................................................... 96
6. Copyrights .............................................................................................. 97
7. Tangible Research Materials ................................................................. 99
8. Trademarks ............................................................................................ 99
9. Distribution of Income from Intellectual Property .................................. 99
10. Procedures and Administration of Policy ............................................ 101
11. Agreements with Outside Bodies .......................................................... 103
J. Off-Campus Speaking ............................................................................ 104
K. Research and Scholarship ................................................................. 105
   1. Introduction ...................................................................................... 105
   2. Research Oversight ......................................................................... 105
   3. The Committee on Research ............................................................ 107
   4. Restrictions on Publications ............................................................. 107
L. Students .................................................................................................. 111
   1. Confidentiality of Student Records .................................................. 111
   2. Retention of Exams ......................................................................... 112
M. Teaching Load, Overloads, Office Hours, and Other Teaching-Related Faculty Responsibilities ................................. 113
N. Scheduling and Class Absences Related to University Sponsored Events or Activities... 114
PART IV. FACULTY SALARIES AND BENEFITS .............................................. 115
A. Salaries .................................................................................................. 115
   1. Payment of Salaries ........................................................................ 115
   2. Salary Supplements ........................................................................ 116
   3. Leaves of Absence with Pay .............................................................. 116
   4. Leaves of Absence without Pay ......................................................... 118
B. Benefits ................................................................................................ 121
   1. Insurance ........................................................................................ 121
   2. Retirement: ..................................................................................... 122
   3. Health Insurance Premium Conversion ........................................... 123
   4. Flexible Spending Account .............................................................. 123
   5. Tuition Waivers .............................................................................. 123
   6. Tuition Exchange Program .............................................................. 125
   7. Extended Tuition Waivers ................................................................. 126
C. Other Benefits and Services ................................................................. 129
   1. Admission to Intercollegiate Events ............................................... 129
   2. Bookstore Discount ....................................................................... 129
   3. Health Services .............................................................................. 129
   4. Identification Cards ....................................................................... 129
   5. Purchasing Department Discount ................................................... 130
   6. Reimbursement for Travel and Other Business Expenses ............ 130
PART V. PHYSICAL FACILITIES .................................................................... 133
A. Athletic Plant ....................................................................................... 133
B. Libraries ............................................................................................... 134
C. The Medical Center ............................................................................ 139
D. The Uptown Campus .......................................................................... 141
PART VI. RESEARCH CENTERS AND INSTITUTES ................................................. 142
   Amistad Research Center ................................................................. 142
   Center for Archaeology ................................................................ 142
   Center for Bioenvironmental Research ........................................ 143
   Center for Cardiovascular Health ................................................. 143
   Center for Environmental Engineering ......................................... 143
   Center for Intelligent and Knowledge-based Systems ................. 143
   Eason-Weinmann Center for Comparative Law ............................. 143
   The Hebert Center ......................................................................... 144
   Maritime Law Center ..................................................................... 144
   Middle American Research Institute ........................................... 144
   Murphy Institute of Political Economy and Policy Analysis .......... 145
   National Institute for Global Environmental Change (NIGEC) .... 145
   Newcomb College Center for Research on Women ...................... 146
   Pacific Rim Center ....................................................................... 147
   Roger Thayer Stone Center for Latin American Studies .............. 147
   Tulane Museum of Natural History ................................................ 147
   Tulane National Primate Research Center .................................. 148
   Tulane Institute for Health Services Research ............................. 148
   United States/China Institute .......................................................... 148
   United States/China Energy and Environmental Technology Center .. 148
   United States-Japan Cooperative Biomedical Research Laboratories .. 149

PART VII. CAMPUS SERVICES AND THEIR POLICIES ........................................ 150
   A. Bookstores .............................................................................. 150
   B. Campus Parking ...................................................................... 150
   C. Career Services Center .............................................................. 151
   D. Direct Deposit .......................................................................... 151
   E. Technology Infrastructure Services ........................................ 151
   F. Educational Resources and Counseling ................................. 152
   G. Food Services ......................................................................... 153
   H. Housing .................................................................................. 153
   I. Human Resources .................................................................... 154
   J. Center for International Students and Scholars ..................... 154
   K. Post Office ............................................................................... 154
   L. Purchasing ............................................................................... 155
   M. Speakers and Meetings ............................................................. 155
   N. Security Department and Relations with New Orleans Police .. 156
   O. University Printing and Copy Centers ................................. 157

PART VIII. RECREATIONAL AND CULTURAL OPPORTUNITIES ........................................ 159
   A. Campus Recreation and Athletics ............................................ 159
   B. Musical Organizations and Programs ...................................... 159
   C. Theatre ................................................................................... 160
   D. Tulane University Campus Programming (TUCP) ...................... 160
   E. Tulane University Women's Association ................................ 160
   F. The University Center ............................................................. 160

PART IX. INSTITUTIONAL ADVANCEMENT .......................................................... 161
PART X. HARASSMENT POLICY ................................................................. 163
A. Statement of Philosophy .............................................................. 163
B. Principles ...................................................................................... 163
C. Policy Coverage ........................................................................... 164
D. Sexual Harassment ...................................................................... 164
   I. Definition of Sexual Harassment ............................................... 164
   II. Examples of Sexual Harassment .............................................. 164
   III. Other Forms of Harassment ................................................... 165
   IV. Retaliation .............................................................................. 165
V. Confidentiality ........................................................................... 166
VI. Complaint Procedures .............................................................. 166
VII. Investigation and Informal Resolution of Harassment Complaints...................................................... 168
VIII. Investigation and Formal Resolution of Harassment Complaints ............................................................. 168
IX. Appeals ..................................................................................... 169
X. Other Legal Resources ............................................................... 170
XI. Dissemination of Policy .............................................................. 171
XII. Revisions to Policy ................................................................. 171
XIII. False Accusations Forbidden ................................................... 171
PART XI. NEPOTISM POLICY ............................................................. 173
PART XII. POLICY ON CONSENSUAL RELATIONSHIPS ..................... 175
A. Policy ......................................................................................... 175
B. Definitions .................................................................................. 175
C. Procedures .................................................................................. 176
D. Objectivity ................................................................................. 177
E. Notice of Outcome ...................................................................... 177
F. Appeals ........................................................................................ 178
G. False Allegations ....................................................................... 178
H. Faculty Rights ............................................................................ 178
I. Dissemination of Policy ............................................................... 178
J. Revisions to Policy ...................................................................... 179
PART XIII. POLICY ON BILLING AND REIMBURSEMENT OF HEALTH CARE SERVICES ................................................................. 180
PART XIV. SMOKING POLICY ............................................................ 182
APPENDIX ...................................................................................... 183
Guidelines for the Duplication of Copyrighted Material for Classroom Use ...................................................... 183
Guidelines for Copying Educational Material ........................................... 185
Definitions .................................................................................... 186
How to Request Copyright Permission .............................................. 188
PART I. MISSION STATEMENT AND INTRODUCTION

A. Mission Statement

Tulane's purpose is to create, communicate and conserve knowledge in order to enrich the capacity of individuals, organizations and communities to think, to learn and to act and lead with integrity and wisdom.

Tulane pursues this mission by cultivating an environment that focuses on learning and the generation of new knowledge; by expecting and rewarding teaching and research of extraordinarily high quality and impact; and by fostering community-building initiatives as well as scientific, cultural and social understanding that integrate with and strengthen learning and research. This mission is pursued in the context of the unique qualities of our location in New Orleans and our continual aspiration to be a truly distinctive international university.

B. Introduction

Tulane University is a community dedicated to excellence in the pursuit of knowledge through superior teaching and research, distinguished professional accomplishment, and leadership in education on the regional, national, and international levels. Its status as a privately endowed, non-sectarian educational institution, the quality of its faculty and student body, and its reputation support this mission. This Handbook is intended as a general guide to the policies and operation of Tulane University. For detailed, comprehensive information on the constitutions of the faculties, the regulations of departments, and matters such as benefits, faculty members should refer to the offices of their dean, their department chair, and the Office of Human Resources. The information in the Handbook is current at the date of its issuance, but much of it is presented in summary form, and nearly all of it is subject to amendment.

Its graduate and professional programs are concentrated in those areas where it carries on superior teaching and research. In order to maintain and increase a high level of institutional distinction, Tulane strengthens its undergraduate and graduate programs by the judicious application of human and material resources in those disciplinary and interdisciplinary areas where it currently enjoys distinction or is on the threshold of attaining distinction. The guiding principle of academic distinction to be considered in the expansion or initiation of fields is the same as that followed in promotion and tenure procedures for the faculty, where the criteria dictate rigorous evaluation to assure high standards of quality (cf. "Statement on Academic Freedom…” Article X.)
Building on its strength as a center for international studies, Tulane continues to attract outstanding foreign students and scholars to study and teach here. Its stature as an international center of scholarship is a particular source of pride for the University.

Tulane's beginnings date back to 1834 when a group of New Orleans physicians founded the Medical College of Louisiana. By 1850, the college had merged with the public University of Louisiana; a law school had been added; and an academic department, the forerunner of Tulane College, had been established. The University was reorganized as the private, non-sectarian Tulane University of Louisiana in 1884, when Paul Tulane gave the school its first endowment, and since that time has been governed by a self-perpetuating Board of Administrators. In 1886, Mrs. Josephine Louise Newcomb founded Newcomb College, the first degree-granting coordinate women's college in the nation, as a memorial to her daughter Harriott Sophie.

Since then, seven more schools and colleges have been incorporated, including Architecture, Business, Engineering, Public Health and Tropical Medicine, Social Work, the Graduate School, and University College, the division that offers courses to the general public and sponsors the annual summer school.

From the construction of the first building of the Medical College of Louisiana in 1843, the campus continued for half a century to be on Common Street between University Place and Baronne Street. In 1894, a new 110-acre uptown campus was established in residential uptown New Orleans, although the Medical College moved from its Washington Avenue site to the uptown campus in 1918. In addition to the uptown campus and the medical campus, the University maintains the F. Edward Hebert Research Center in nearby Belle Chasse and the Tulane National Primate Research Center near Covington, Louisiana.

Since the 1960's, the University has grown rapidly in size and importance. It prides itself upon its selective undergraduate colleges, its demanding liberal arts curriculum, and its distinguished graduate and professional schools.
PART II. ORGANIZATION OF THE UNIVERSITY

A. The Board of Administrators

The governing and policy-making authority for the University is vested in a group of trustees incorporated under the title of the Administrators of the Tulane Educational Fund.

The Board's authority regarding the University is derived from Act 43 of the Louisiana General Assembly (Legislature) of 1884, which was confirmed in a general election as an amendment to the state constitution. Act 43 of 1884 provides "That the Board of Administrators of the University of Louisiana shall hereafter consist of seventeen Administrators of The 'Tulane Educational Fund,' or such greater numbers as the Administrators shall, from time to time, determine by suitable provision in their bylaws, with power, perpetually, to fill any vacancy in their own number; with the addition of the Governor of the State, the Superintendent of Public Education, and the Mayor of the City of New Orleans as ex-officio members of said Board." In practice, the ex-officio members do not take part in the Board's activities. The act specified that this new Board should have "full direction, control and administration of the University...in all its departments." The name of the institution was then changed to the Tulane University of Louisiana.

Administrators elected after February 25, 1999 are elected for a term of three years, and except for the Administrators elected pursuant to Sections 3 and 4 of Article I of the bylaws, may be re-elected to two additional three-year terms. Members who have served three terms to completion are eligible for reappointment for one additional three-year term after two years, provided that no one may serve more than 15 years. The term of office of the Chair is automatically extended to coincide with this Administrator’s term as Chair. Administrators who attain the age of 70 retire and are appointed as Emeritus members of the Board. Section 3 of Article I of the bylaws provides that one of the Administrators is chosen by the Board of Administrators from a list of three nominees submitted to the Board of Administrators by the Board of Directors of the Tulane Alumni Association. This Administrator serves for a term of three years and is not eligible for re-election. Section 4 of Article I of the bylaws provides that the individual who serves as President of the University serves as a member of the Board of Administrators during that individual’s term as President and has all the voting privileges of membership.

In addition to the Board of Administrators, in which all corporate powers of corporation are exclusively vested, there is also a Board of Administrators (Emeritus). The Board of Administrators (Emeritus) is composed of persons who have served as elected Administrators for three three-year terms or who have retired as elected Administrators upon attainment of age 70. Emeritus Administrators are eligible to serve on committees of the Board, to attend all meetings of the Board and committees to which they are assigned, participate in discussions and enjoy all other prerogatives of office of the Administrators; they have the right to vote and be counted in the determination of quorums at committee meetings, but not at meetings of the Board. Emeritus Administrators are not eligible to serve as chair of any standing committees.

Under a resolution of the Administrators, faculty, students, staff and the Alumni Association may have appointed representatives who may attend meetings of the Board and have the privileges of
the floor, but may not vote. Under a resolution of the Administrators, "faculty, student, alumni or staff delegates to the Board may be invited to meetings of the Executive Committee of the Board when the Chairperson of the Board determines that the opinions of such delegates would be helpful in arriving at decisions on matters to be considered at such meetings."

Most official Board actions are taken at regular meetings. The duties of the Administrators, however, entail extensive work by committees, including:

- The Executive Committee, comprising the officers of the Board, the Chairs of selected committees, and two at-large members, meeting in those months in which regular Board meetings are not held.
- Standing committees in the areas of finance, endowment management, academic and student affairs, development, audit, physical plant and campus development, nominating, Medical Center, personnel, honorary degrees, and intercollegiate athletics.
B. The President's Cabinet

- **1. The President** is the Chief Executive Officer of the University. Elected by the Administrators, the President has general responsibility for the management of the University and exercises the authority, including all appointments within the University, as delegated by the Administrators. The President also makes recommendations to the Administrators on matters requiring Board action or approval.

The President presides over the University Senate and confers academic degrees on candidates recommended by the faculties. To assist in the performance of these duties, the President, with the approval of the Administrators, appoints and prescribes the power of a Senior Vice President for Academic Affairs and Provost, a Senior Vice President for the Health Sciences, a Chief of Staff, a Senior Vice President for Operations and Chief Financial Officer, a Senior Vice President for External Affairs, and a General Counsel.

- **2. The Senior Vice President for the Health Sciences** is responsible to the President and to the Board of Administrators, for the management of all the University’s programs in medical education, medical research, and patient care. Under the Senior Vice President’s direction are the School of Medicine, the School of Public Health and Tropical Medicine and the Tulane National Primate Research Center. The Senior Vice President for the Health Sciences is also a member of the Governing Board of the University Health Systems. The Senior Vice President for the Health Sciences is concerned with administration and long-range planning for the academic programs (including research programs).

The principle officers who assist the Senior Vice President for the Health Sciences are the Senior Vice President for Operations/Chief Financial Officer and the Senior Vice President for External Affairs. Officers reporting to the Senior Vice President for the Health Sciences are the Dean of the School of Medicine, the Dean of the School of Public Health and Tropical Medicine and the Director of the Tulane National Primate Center.

- **3. The Senior Vice President for Academic Affairs and Provost**, as the chief academic officer on the uptown campus, is responsible to the President for the administration of the entire academic program of instruction for the undergraduate colleges, the Graduate School, and the professional schools of the University, excluding the School of Medicine and the School of Public Health and Tropical Medicine. The Howard-Tilton Library, the offices of academic support services (Admissions, Financial Aid, Registrar), the Student Affairs Office, and the academic centers and institutes are under the direction of the Senior Vice President for Academic Affairs and Provost. Together with the Senior Vice President for Operations and Chief Financial Officer, the Senior Vice President for the Health Sciences and the Senior Vice President for External Affairs, the Senior Vice President for Academic Affairs and Provost is responsible for recommending to the President the proposed annual budget for presentation to and approval by the Board of Administrators.
The principal staff officers reporting to the Senior Vice President for Academic Affairs and Provost are the Associate Provosts, the Registrar, the Vice President for Enrollment Management and Institutional Research, the Vice President for Student Affairs, the Dean of Libraries and Academic Information Resources, and the Deans of the Faculty of the Liberal Arts and Sciences, Newcomb College, Tulane College, University College, the A.B. Freeman School of Business, and the Schools of Law, Engineering, Social Work and Architecture.

4. **The Senior Vice President for Operations and Chief Financial Officer** is responsible to the President for managing all financial activities and business operations of the University. Together with other members of the President’s Cabinet, the Senior Vice President for Operations and Chief Financial Officer recommends to the President the proposed annual budget for presentation to and approval by the Board of Administrators. Under the overall supervision of the Senior Vice President for Operations and Chief Financial Officer are the Controller, Treasurer, Internal Audit, and the operations of the University’s physical plant, public safety, purchasing, real estate, recreation, and auxiliary enterprises departments.

5. **The Senior Vice President for External Affairs** is responsible to the President for areas of the University that include strategic and campus planning, government and agency affairs/institutional program development, communications and university relations, technology transfer and development, and the Board of Administrators. In addition, the Senior Vice President for External Affairs has oversight responsibility for the day-to-day operations of the Department of Intercollegiate Athletics, the management of all fundraising, including Major Gifts, Corporate and Foundation Relations and Planned Gifts, Annual Fund, Alumni Affairs, and Development Services. As chief development officer, she/he serves as the key liaison with the Board of Administrators on all University development.

6. **The Vice President for Information Technology/Chief Information Officer** is the senior member of the administration responsible for university-wide academic computing, networking and administrative computing, telecommunications on the main campus, and the Innovative Learning Center. The CIO is responsible for the development and implementation of the university’s information technology and resources management strategies. The CIO is actively engaged with the university's schools, colleges, major administrative units, and vendors in order to provide products and services that both faculty and administrators depend upon for their various information technology needs.

7. **The General Counsel** is responsible to the President for the administration of all legal affairs and institutional compliance with federal and state regulations. Under the supervision of the General Counsel are the Director of Risk Management and the Office of Equal Opportunity.

8. **The Chief of Staff** serves as senior staff to the President and members of the President’s Cabinet with responsibility for assignments related to the duties of the University President. These include serving as a liaison to ensure the smooth flow of
information among the President’s Cabinet, other University constituents, external constituents and the President. The Chief of Staff manages the operation of the President’s Office and the following-up and implementing of presidential decisions. In addition, the office of University Human Resources reports to the President through the Chief of Staff.
C. Tulane Medical Center Board of Governors

The Tulane Medical Center Board of Governors was established by the Board of Administrators in 1967. Its purposes, as stated in the constitution, are:

- To be the governing body of the Medical Center, subject to reservation by the Administrators of corporate powers which must be exercised by them under their charter and Act 43 of 1884.
- To furnish general supervision of and have responsibility for the planning and operation of all programs, services, and activities of the Center.
- To provide advice and assistance to the Senior Vice President for the Health Sciences on all aspects of the Medical Center.

The Board of Governors recommends a Medical Center budget and a capital projects budget to the Board of Administrators. The Board of Governors is responsible for proper execution of both. It approves affiliation agreements and plans and conducts public fundraising campaigns. It evaluates the programs and performance of the various units of the Medical Center.
D. The University Senate

The University Senate is the principal agency through which members of the faculty influence policies and operation of the University as a whole. Voting membership in the Senate consists of:

- **1. Ex-Officio** - The President of the University, who is ex-officio Chair of the Senate; the Vice Chair and the Secretary (elected by the Senate from its faculty membership); the Senior Vice President for Academic Affairs and Provost; the Senior Vice President for the Health Sciences; the Senior Vice President for Operations and Chief Financial Officer; the Senior Vice President for Planning and Administration; the Deans of each of the twelve academic constituencies; the President of the Associated Student Body; and the Chair of the Staff Advisory Committee.

- **2. Elected Faculty Senators** - From one to seven Senators from each academic constituency, depending upon the size of its full-time faculty. Senators are apportioned as follows:

  - fewer than 6 full-time faculty - 1 Senator
  - 6 to 49 - 2
  - 50 to 99 - 3
  - 100 to 149 - 4
  - 150 to 199 - 5
  - 200 to 299 - 6
  - at least 300 - 7

  The total of 32 includes:

  - from the Faculty of Liberal Arts and Sciences 7
  - Tulane College 1
  - Newcomb College 1
  - Architecture 2
  - Engineering 3
  - University College 1
  - A.B. Freeman School of Business 2
  - Law 2
  - Medicine 7
  - Public Health and Tropical Medicine 3
  - Social Work 2
  - and the Graduate School 1

- **3. Senators at Large** - Eight, elected annually by the Senate, from a slate of full-time faculty members (ordinarily Chairs of Senate Committees) prepared by the Committee on Committees.

- **4. Student Senators** - Two elected from the student body of the undergraduate divisions and two elected from the student body of the other schools.
5. **Staff Senators** - three, elected by the Staff Advisory Committee.

The Senate Constitution states its powers and jurisdiction as follows:

- **a.** The Senate may make recommendations on all matters of general University concern.
- **b.** While the Senate recognizes the autonomy of the academic constituencies of the University in matters of their special concern, it reserves the right to review any actions of those academic constituencies which affect the University as a whole.
- **c.** New academic policies of general University concern, or changes in current academic policies of general University concern, shall be submitted to the Senate for its consideration.
- **d.** The Senate may request necessary budget information in order to implement its jurisdictional responsibilities under this section.

The Senate maintains a communication link with the Board of Administrators in the form of three Faculty Representatives to the Board, elected by the Senate to staggered three-year terms. These representatives attend the regular bimonthly meetings of the Board of Administrators and have privileges of the floor, but not of voting.

The Senate functions largely through standing and *ad hoc* committees, which recommend action, and in some matters, are empowered to act for the Senate. The standing committees are:

- Academic Ceremonies;
- Academic Freedom and Responsibility of Students;
- Affirmative Action;
- Art Collections;
- Athletics;
- Budget Review;
- Calendar;
- Committees;
- Computing;
- Development;
- Educational Policy;
- Faculty and Staff Benefits;
- Faculty Tenure, Freedom & Responsibility;
- Honors;
- Libraries;
- Physical Facilities;
- President's Faculty Advisory Committee;
- Research;
- Review of Faculty Status Decision Impasses;
- Social Issues;
- Student Affairs;
- Teaching Quality.

The Senate's regular meetings are ordinarily scheduled on the first Monday of each month during the academic year with the following exceptions. It does not meet in January; and in April, it meets on the first and final two Mondays.
E. Bodies Advisory to the President

The President regularly receives the advice of four standing groups:

- **1. The President's Council** was created in 1976. The Fellows of the Council serve at the invitation of the President. They are chosen on the basis of their distinguished personal achievements and their awareness of the needs of private higher education in its pursuit of excellence. The Council provides the President with advice and support in achieving the goals of the University.

- **2. The Administrative Council** includes the University officers of administration, and the deans as well as other administrators.

The Council exists for the purpose of internal communication and interchange. It provides a mechanism of communication regarding general University affairs. It meets monthly during the academic year.

- **3. The President's Faculty Advisory Committee** advises the President upon matters of university policy, particularly when subjects of great urgency or delicacy require immediate consultation. The Committee consists of six faculty members, no more than two from a single academic constituency. Each year, two faculty senators are nominated by the elected faculty senators for election by the full Senate to serve for three-year terms. The Vice Chair and the Secretary of the Senate serve as ex-officio members. The Committee elects its Chair annually. It is also responsible for resolving jurisdictional disputes involving other Senate Committees.

- **4. The Parents Council**, founded in 1980, consists of parents who have a child currently enrolled in the University. The Council gives the President advice and support in attracting the best qualified students, in increasing Tulane's access to several sectors of potential financial support, and in interpreting University policies, activities, programs, and aims to other Tulane parents.
F. College and School Organization

The dean conducts the affairs of the school, college, or division in accord with the general policies laid down by the University. The dean gives leadership to the development of the division's programs. The dean is the representative of the faculty to the administration and of the administration to the faculty.

Because the divisions differ in size, objectives, and methods, there are differences in their forms and procedures pertaining to faculty organization. Each division, in addition to its advisory board, has its own constitution and/or set of rules regarding faculty meetings, curriculum, committees and their functions, teaching loads, academic ceremonies, and other matters. There also are variations in policies regarding consultant services and other outside professional activity, since the nature of such work and its relation to the individual's primary faculty responsibilities differ considerably. Questions in these areas should be addressed to the appropriate dean, department head or chair, or other designated officer.
PART III.* POLICIES CONCERNING FACULTY APPOINTMENT AND RESPONSIBILITY

A. Statement on Academic Freedom, Tenure, and Responsibilities

The following statement has been approved by the University Senate and by the Board of Administrators.

Preamble

Tulane University, as an institution of higher learning, exists for the pursuit and communication of knowledge. It serves the common good rather than the interest of individual teachers or the University as a whole. The common good depends upon the free search for truth and respect for the individual and the processes by which inquiry and teaching are pursued.

Academic freedom is essential in a university and should apply to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in teaching is fundamental for the protection of the rights of the teacher so far as teaching is concerned and for the student so far as freedom to learn is concerned. Such freedom, of course, carries with it duties and responsibilities which are correlative to these rights. Tenure for faculty members is a means to an end and not the end in itself. It embraces specifically: (1) Freedom in teaching and research and extramural activities; and (2) A sufficient degree of economic security to make the teaching profession attractive to persons of ability. Guarantees of freedom and economic security to faculty members are indispensable to the success of a university in fulfilling its obligations to the students and to society.

Faculty status, including appointments, re-appointments, decisions not to reappoint, promotions, the granting of tenure, discipline and dismissal, is primarily a faculty responsibility. The power of review or final decision should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty. The primary responsibility of the faculty for such matters is based upon the fact that judgment of faculty members is central to general education policy. Furthermore, scholars in a particular field or activity have the chief competence for judging work of their colleagues; in such competence, it is implicit that responsibility exists for both adverse and favorable judgments. Likewise, there is the more general competence of experienced faculty personnel committees, having a broader charge, such as that assigned to the Senate Committee on Faculty Tenure, Freedom and Responsibility. Determinations in matters of faculty status should first be by faculty action through established procedures with subsequent review by the dean of the appropriate division and other academic officers as are designated by the President of the University with the concurrence of the Board of Administrators.

*Any change to this part requires two readings at separate regular meetings of the University Senate and a 2/3 vote of those present.
Article I  Faculty Membership

Section 1.

The faculty of Tulane University is defined as those engaged in teaching and research appointed to appropriate faculty status by the Board of Administrators of the University in accordance with the existing constitutions of the various divisions of the University. Some full-time administrators may hold faculty status. Under special circumstances, personnel of the University libraries may hold faculty status.

Section 2.

There are two categories of faculty appointments: 1) Tenure-track (a tenured appointment or a probationary appointment which leads to a review for tenure) and 2) Non-Tenure track (appointments which carry neither tenure nor the expectation of tenure).

Tenure and tenure-track faculty, who are responsible for teaching, research, and service constitute the primary faculty appointments of the University. They are identified as Professor, Associate Professor, and Assistant Professor.

Non-tenure track appointments are identified as Visiting, Adjunct, Instructor, Clinical, Research, Postdoctoral Teaching Fellow, Lecturer, or "of the Practice of" (for example, Associate Professor of Clinical Surgery, Research Professor, or Professor of the Practice of Spanish.) The type of appointment is clearly specified in the initial and subsequent appointment contract(s).

It shall be the responsibility of the individual School to determine the ranks of its faculty. Positions with designations such as Research Assistant, Teaching Assistant, Administrative Assistant, Secretarial Aide, and the like, are not indicative of membership in the faculty of Tulane University or in any of its Schools.
Article II  Appointments

Section 1.

The conditions of each appointment, including salary, rank, term of appointment, and tenure, shall be stated and confirmed to the faculty member in writing by the dean of the division. Any subsequent extensions or modifications of an appointment, and any special understandings, shall be stated and confirmed in writing by the dean of the division.

Section 2.

Each person appointed to the faculty of a division shall be considered a member of the faculty of the University.

Section 3.

Each division shall determine the qualifications required of the respective faculty ranks, and shall apply its own rules for determining voting rights, and apply its own standards of professional qualification for appointments and promotions.

Section 4.

There shall be two kinds of faculty appointment: **Special** and **Regular**.

Section 5.

A **special** appointment neither gives tenure nor is to be regarded as a probationary appointment that may lead to tenure. Special appointments are either full time for a limited term or part time (as outlined in Section 7 below), and may be made only under one or more of the following conditions: (a) an appointment as a visiting professor, (b) an appointment for a summer session only, (c) an appointment for a special project, (d) an appointment for a definite time limit, (e) an appointment concerned with a project for which continued financial and salary support is not assured, (f) an appointment as a Postdoctoral Teaching Fellow or Senior Postdoctoral Teaching Fellow.

With the exception of Postdoctoral Teaching Fellows, a special full-time faculty appointment ordinarily will not be continued beyond two years and, in any event, may not be continued beyond three years.

Postdoctoral Teaching Fellows are recent recipients of terminal degrees, who are ordinarily appointed for a three year term that is renewable only once. Postdoctoral Teaching Fellows are expected to undertake instructional responsibilities and to engage in intellectual endeavors that develop their scholarly dossiers. Based upon the recommendations of the faculty subsequent to a review before the end of the second year of appointment, Postdoctoral Teaching Fellows may be reappointed for a second term, promoted to Senior Postdoctoral Teaching Fellows, and expected to assume some supervisory responsibilities.
Section 6.

A regular appointment may be either probationary, (with the prospect of tenure), continuous (namely an appointment with immediate tenure), or non-tenure track. Any faculty member employed to carry out full-time, regular duties must receive a regular faculty appointment.

Non-tenure-track appointments will normally be for periods up to three years, except for clinical appointments in the School of Medicine and the School of Public Health and Tropical Medicine, which are bound by the appropriate rules of each school. Three-year appointments will be reviewed during the second year to determine reappointment. If reappointment is not recommended, the faculty member will have one year's notice before their employment is terminated. In the event of a lengthier term of appointment, a review to determine reappointment will take place before the beginning of the final year of the contract.

Non-tenure track appointments include the following categories of full-time faculty membership:

a. Clinical: In the School of Medicine and the School of Public Health and Tropical Medicine, faculty members whose primary responsibility is providing practical instruction and application of practical knowledge. As Clinical Professor, a faculty member will not receive tenure.

b. Research: A member of the faculty whose primary assignment is investigative, and who is not expected to undertake regular service and teaching responsibilities. Research professors do not receive tenure.

c. Professors of the Practice, Lecturers, and Senior Lecturers: These categories of full-time faculty membership refer to faculty whose primary assignment is instruction and activities related to instruction. The choice of titles for these appointments follows prevailing practices and traditions in the schools and disciplines. No more than 25% of a school's full-time regular faculty (with the exception of the School of Continuing Studies) will consist of Professors of the Practice, Senior Professors of Practice, Lecturers or Senior Lecturers in any one academic year.

Professor of the Practice:

A member of the faculty whose primary assignment is instruction and activities related to instruction. Professors of the Practice have terminal degrees or equivalent professional experience. Professors of the Practice do not receive and are not eligible for tenure.

After completion of a second term, Professors of the Practice may be offered renewable appointments, and shall be promoted to Senior Professors of the Practice.
Lecturer:

A member of the faculty whose primary assignment is instruction and activities related to instruction. Lecturers hold terminal degrees or have equivalent professional experience. Lecturers do not receive and are not eligible for tenure.

After completion of a second term, Lecturers may be offered renewable appointments and shall be promoted to Senior Lecturers.

d. Instructor: A category of non-tenure track faculty, whose retention may be for an indefinite term beyond six years, at the School of Law for instructors in the Law School clinics who, under the direction of full-time tenure-track faculty or clinical professors, supervise and assist students in the management of client cases, including court appearances, and at the School of Architecture, SPHTM, and Medical School. In the last three divisions an Instructor is a non-tenure track Special appointment that can be full or part time. It requires a terminal degree. The appointment is normally for three years, renewable, with faculty review during the second year of each appointment period.

After completion of a second term, Instructors may be offered renewable appointments and shall be promoted to Senior Instructors.

Non-tenure track faculty may apply for any open tenure-track position.

Section 7.

A faculty member on special part-time appointment can be continued indefinitely, provided that the nature of his or her appointment is bona fide part-time.

The time served on a special part-time appointment is not considered, as such, part of the probationary period and thus cannot lead to tenure, unless at the option of the University and the division to which the faculty member is attached, it is decided to convert the special part-time appointment to a regular tenure-track appointment. In such cases the time spent under the special appointment may be counted as part of the probationary period.

Adjunct appointments to professorial ranks are part-time positions. In the event that persons so appointed engage in full-time service (for example, have primary responsibility for more than four courses per academic year or a lower teaching load in combination with research, service, or advising duties equivalent to full-time service in the School in which they are appointed), that period of full-time service is subject to the rules governing special full-time appointments given in Section 5 (above).

Section 8.

A faculty member may terminate his or her appointment by resignation effective at the end of an academic year, provided he or she gives notice in writing at the earliest possible opportunity in accordance with the rules of a particular division, but, in no case, later than May 15, or thirty
days after receiving notification of the terms of appointment for the coming year, whichever date occurs later. The faculty member may request a waiver from the University of this requirement of notice in case of hardship or in a situation in which he or she would otherwise be denied substantial professional advancement or other opportunity.
Article III  Probationary Regular Appointments on the Tenure Track*

*[Approved by the Senate September 14, 2009; Faculty Handbook updated November 19, 2009.]*

Section 1.

The purpose of the probationary period is to provide opportunity for demonstration of the suitability of the appointee for an appointment with permanent tenure at Tulane University.

Section 2.

Appointment during the probationary period shall normally be for a period of one year at a time.

Section 3.

The probationary period shall not exceed seven years. Any credit for full-time teaching done at Tulane University or at any other accredited institution of higher education may be negotiated. The probationary period agreed to must be stated in writing at the time of the tenure-track hire.

**Extension of Probationary Period:** When a probationary faculty member becomes seriously ill, must care for a seriously ill child, spouse, or parent or has a professional disaster such as a fire in his/her laboratory, he or she may request a maximum one-year extension of the faculty member's probationary period. When a probationary faculty member has become the parent of a new child through birth to the faculty member or spouse or through adoption of a child five (5) years of age or under, he or she may request a maximum one-year extension of the faculty member's probationary period. The faculty member must submit the request to his or her department. The request will follow the same channel of review that a request for tenure or promotion follows. If the request is supported, the extension will be granted subject to the following conditions:

- **a.** The probationary period may be extended only once and by either one or at most two semesters under this provision or other provisions, as requested by the faculty member.

- **b.** If a request for extension of the probationary period is made during the semesters in which the third year or equivalent review is to take place, no extension will be granted unless the review results in a determination that the faculty member has satisfactorily met the standards set for the review.

- **c.** No request for extension of the probationary period can be made under this provision if the semester scheduled for initiation of the tenure review process has begun.

Section 4.

Any initial appointment at Tulane University may be made or, within the limits stated in Article III, Section 3, extended without tenure by written agreement between the faculty member involved and Tulane University. If the faculty member has attained tenure in an accredited
institution of higher education, the probationary period shall not exceed three years. The notice periods required are the same as in Article III, Section 8.

Section 5.

Any full-time faculty appointment after the faculty member has completed the probationary period automatically carries tenure.

Section 6.

Notification in writing of appointment or reappointment shall be made annually by the proper administrative officer in the case of each faculty member who has a probationary regular appointment. After a faculty member has received appointment to a position with tenure, he or she need receive no further notification of reappointment to maintain tenure, except as hereinafter provided in Article IV, Section 1.

Section 7.

When probationary tenure-track faculty members are reviewed for reappointment during the first and second years of service, and when non-tenure-track regular faculty are reviewed for reappointment during the second year of their appointment period, the procedures shall include the participation of members of the department or unit in the evaluation. The nature of these procedures shall be specified in guidelines for faculty evaluation developed within each school. Non-tenured faculty will be evaluated on the basis of the duties and responsibilities specified at the time of their appointment or reappointment.

Section 8.

In the case of tenure track faculty appointments, a department is required, not later than April (October 1 for mid-year hires) of the third year of a faculty member's service, to recommend to the dean and the college or division tenure committee whether the faculty member should be re-appointed or terminated. The department shall give reasons, supported by evidence, to show that the faculty member has or has not made satisfactory progress toward meeting the criteria for tenure. If the tenure committee concludes that the faculty member has not made satisfactory progress, the faculty member shall be notified that the appointment will terminate at the end of the fourth year. A similar review should be conducted when a final tenure decision is required. These reviews should be conducted rigorously by the department, the division tenure committee, and the administration to insure high standards of quality in the tenured faculty. The administration can reject the recommendation if the division has failed to follow its own or university standards or procedures applicable to the particular review. If the administration decides that exceptional circumstances exist which require the administration to reject the recommendation of the division, the administration shall notify the division of its decision with the reasons therefore and give the division the opportunity to provide additional support for the division's original recommendation. The division must act expeditiously in providing additional support for its initial recommendation so that the faculty member can timely receive the required notice of appointment or non-reappointment. The administration shall reconsider its initial
decision in light of the additional materials provided by the division. It should be understood by all concerned that the existence of a tenure position does not imply any assurance that the probationary candidate for that position will in fact receive tenure unless the candidate fully meets the criteria for tenure at the time of the final review. The third-year review in no way precludes reviews or limitation of appointments by departments or divisions during other years of a faculty member's probationary period.

Section 9.

a. If a faculty member goes on leave during his or her probationary period, there should be an agreement in writing between the faculty member and the dean or other appropriate administrative office of the university, before the beginning of the leave, stating whether the leave time is to be subtracted from the remaining probation time. If such an agreement is not executed in writing before the beginning of the leave, the time of the leave will be counted as probationary time.

b. Administrative suspension of tenure probationary period for faculty in clinical departments of the School of Medicine.

(1) The tenure clock for faculty in the clinical departments of the School of Medicine may be suspended to take into account special programmatic duties for a maximum of three years. This requires a written agreement to suspend the clock between the faculty member and the Chair of the department. This agreement must be approved by the Personnel and Honors Committee and the Dean.

(2) The maximum cumulative time that can be suspended or excluded from tenure consideration for an individual covered by paragraphs (1) and (2) above is three years.

(3) The agreement to suspend or exclude time from the tenure clock is to be made prospectively and must be done before the end of the fourth year of faculty service at Tulane.

Section 10.

Written notice of non-reappointment of a person during the probationary period must be given:

a. not later than March 1 (September 1 for mid-year hires) of the first academic year of service, if the appointment expires at the end of that year, or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; or

b. not later than December 15 (June 15 for mid-year hires) of the second academic year of service, if the appointment expires at the end of that year, or, if an initial two-year
appointment terminates during an academic year, at least six months in advance of its termination; or

c. at least twelve months before the expiration of an appointment after the faculty member has served for two or more years at Tulane University.

Section 11.

If the faculty member is in the final year of probation and has not received notice of reappointment or non-reappointment, although the faculty member does not have tenure until completion of the final year of probation, he or she cannot be dismissed without academic due process as defined in Article VI.

Section 12.

Tenure and promotion ordinarily will occur the July 1 or December 31 (whichever is earlier) after approval by the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences and approval by the Board of Administrators.
Article IV  Continuous Regular Appointment with Tenure*

*[Approved by the Senate September 14, 2009; Faculty Handbook updated November 19, 2009.]*

Section 1.

An appointment with tenure is defined as meaning that a faculty member's services shall be terminated only for the following reasons as elaborated in Article V:

   a. Dismissal for adequate cause.

   b. Extraordinary circumstances caused by financial exigency or by bona fide discontinuance of a program or a department of instruction;

   c. Incapacity for a major and indefinitely continuing medical reason.

Section 2.

The terms and conditions of the latest consummated appointment shall not be modified without the consent of the faculty member except for extraordinary circumstances caused by financial exigency or by *bona fide* discontinuance of a program or a department of instruction or incapacity for a major and indefinitely continuing medical reason.

Section 3.

An appointment with tenure may be made with the first appointment to the faculty of Tulane University or it may follow a probationary appointment as defined in Article III.

Section 4.

Appointments to administrative positions, including departmental chair, dean, director, or general University administrative offices (such as the President and Provost) have no tenure in office. A faculty member who also holds an administrative position may be removed from the administrative position, but not from faculty membership, without reference to the principles of academic tenure.
Article V  Termination of Tenure

Section 1.

Termination for adequate cause shall only be effected in accordance with the dismissal procedures set forth in Article VI hereof. The term "adequate cause" shall mean unfitness as a teacher or researcher for reasons which include but are not limited to incompetence, continued inability to perform or gross negligence of professorial duty, lack of scholarly objectivity and integrity, serious misuse of the classroom or of academic prestige, interference with the academic freedom of others, or gross personal misconduct.

Section 2.

The Faculty is primarily responsible for realizing the core mission of the University, teaching and research. Accordingly, terminations of faculty due to a condition of financial exigency should be considered only as a last resort. Any terminations must be measured against the potential effects on the University's reputation and the subsequent impact on recruitment and retention of both students and faculty. Procedures for terminations must strive to protect tenure, a necessary condition of the academic freedom essential to the advancement of truth and unhindered creativity in teaching and research.

Ultimate authority for declaring a state of financial exigency and for the measures adopted to alleviate it rests with the Board of Administrators, based on its fiduciary responsibility. Stated below are procedures and policies to ensure faculty involvement in potential faculty terminations. The Board of Administrators, in consultation with the president and the Faculty Committee on Financial Exigency, may alter the deadlines for various actions set forth below.

A. Formation of a special Faculty Committee on Financial Exigency (FCFE). In anticipation of a state of financial exigency that might result in faculty dismissals, the President shall call together a special senate committee as a Faculty Committee on Financial Exigency (FCFE), consisting of the President's Faculty Advisory Committee and the non-administrative faculty members of the existing Senate Committee on Educational Policy and Budget Review Committee to represent the faculty in the decision-making process and consult on actions to deal with the situation.

B. President presents case for financial exigency to FCFE. At the outset of the crisis the President shall present to the FCFE explicit evidence of the severity of the financial condition of the University. The FCFE shall review the evidence and transmit to the Board as soon as possible but within 15 days from the date that the President has presented the above information to FCFE, either: 1) an endorsement of the President's assessment of the situation; or 2) its own assessment, explicitly stating its point(s) of disagreement with the President. The Board shall not make a determination on financial exigency until it has received the report from FCFE or the 15 days have elapsed. These proceedings and resulting document(s) shall be considered private unless the President and the FCFE both agree to make all or portions of them public.
C. President presents remedies to FCFE. In the event that the Board of Administrators declares a state of financial exigency, the President shall as soon as possible but within 15 days from that declaration, present to the FCFE a report on the administration's plan, covering the full range of cost-saving measures it proposes and an estimate, with as much specificity as possible under the circumstances, of the anticipated savings to be achieved through possible program or faculty terminations, if any. The FCFE shall review the administration's report and transmit to the Board within as soon as possible but within 15 days of receipt of the President’s report, either: 1) an endorsement of the administration's plan; or 2) its own assessment, explicitly stating its point(s) of disagreement with the plan. These proceedings and resulting documents shall be considered private unless the President and the FCFE both agree to make all or portions of them public.

D. President notifies FCFE and affected Schools. As soon as possible, but within 15 days of the adoption of a program by the Board, the President shall inform the FCFE and the School(s) in which terminations of faculty are to be made. Any affected School will have 30 days to respond with recommendations to the President as to other cost-saving options that may be available to it, short of faculty terminations. If the School does not respond within 30 days, the President shall be entitled to act. If the School does respond, the President shall consider the School’s recommendation before taking further action.

E. Whenever possible, dismissals should proceed from non-tenured to tenured faculty. However, consideration of program accreditation and integrity, mission criticality, and strategic priorities may affect specific terminations.

F. A tenured faculty member, who is terminated in the context of financial exigency, shall, during the notice period provided for in Article V, Section 3 of the Faculty Handbook, have the right to apply for any faculty position that is officially open. If, in the discretion of the Department or School in which the opening arises, the applying terminated tenured faculty member is deemed qualified for the open faculty position, the applying terminated tenured faculty member shall have a preference over any applicants for the position from outside the university. *

* [Approved by the Senate November 3, 2008. Faculty Handbook updated April 6, 2009.]

Section 3 2.

Where termination of appointment is based upon financial exigency or bona fide discontinuance of a program or department of instruction, Article VI shall not apply, but faculty members shall be able to have the issues reviewed by the faculty of the division in which they hold appointment, then by the Senate Committee on Faculty Tenure, Freedom and Responsibility, with ultimate review of all controverted issues by the Tulane Board of Administrators. In every case of financial exigency or discontinuance of a program or department of instruction, the faculty members concerned shall be given notice as soon as possible and never less than twelve months notice, or in lieu thereof they shall be given severance salary for twelve months. Before terminating an appointment because of the abandonment of a program or department of
instruction, the institution shall make every effort to place affected faculty members in other suitable positions. If an appointment is terminated before the end of the appointment period because of financial exigency or because of the discontinuance of a program of instruction, the terminated faculty member's place shall not be filled by a replacement within a period of two years following the effective date of termination, unless the terminated faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

Section 43.

Termination of a tenured appointment, or of a probationary or special appointment before the end of the appointment period, for medical reasons shall be based upon clear and convincing medical evidence for a major and indefinitely continuing medical reason which shall, if the faculty member so requests, be reviewed by the Senate Committee on Faculty Tenure, Freedom and Responsibility before a final decision is made by the Board of Administrators on the recommendation of the President.
Article VI   Dismissal Procedure

Section 1.

Adequate cause for a dismissal shall be related, directly and substantially, to the fitness of an individual in his or her professional capacities as a teacher, researcher, or faculty member. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights as American citizens.

Section 2.

If a faculty member is accused of misconduct which may lead to dismissal from a tenured position or from a non-tenured position before the end of the specified term, the following preliminary steps must be taken: (a) a discussion between the faculty member and appropriate administrative officers directed toward a mutually acceptable settlement (These procedures shall be followed prior to any department or school procedures relating to the same matter.); (b) informal inquiry by the executive committee of the division, or equivalent committee (preferably a committee composed of faculty members elected by the general faculty of the division), which may, failing to effect an acceptable settlement, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the President.

Section 3.

A dismissal proceeding for adequate cause shall be preceded by a statement of charges drawn up with reasonable particularity by the President or the President's designated representative. The faculty member concerned, upon written request made within twenty days following delivery of such statement of charges, shall have the right to be heard by a Hearing Committee composed of the members of the Senate Committee on Faculty Tenure, Freedom and Responsibility. If the faculty member waives his or her right to a hearing in writing or does not deny the charges in writing within said twenty-day period, the President will make recommendations to the Board for a disposition of the case on the basis of the evidence available. Members of the Hearing Committee will remove themselves from the case, either at the request of the accused, the complainant, or a representative of the President, or on their own initiative, if they deem themselves disqualified for reasons of bias or personal interest. The place of a member of the Committee shall remain vacant unless a substitute has been elected by the faculty of the division prior to the date fixed for the hearing as required by subsection (a) of this Section 3.

a. As soon as practicable after receipt of a written request for a hearing and in any event within twenty days, the Hearing Committee shall serve on the faculty member and the President or the President's designated representative a copy of the statement of charges and written notice of the place and date of the hearing. The hearing shall be fixed for a date not sooner than twenty days nor later than forty days after the delivery of the notice. The faculty member may waive a hearing in writing or may respond to the charges in writing at anytime before the hearing. The faculty member may also waive the hearing, but deny the charges or assert that the charges do not support a finding of adequate cause.
In any such event the Hearing Committee may investigate and shall evaluate all available evidence and make its findings and recommendations upon the evidence in the record before it.

b. The hearing shall be private, unless the Hearing Committee, the President or the President's designated representative, and the faculty member all agree that the hearing shall be public.

c. During the proceedings the faculty member shall be permitted to have legal counsel and an academic adviser of his or her own choice. The University shall have the same rights to have legal counsel and an academic adviser of its own choice.

d. At the request of either party or the Hearing Committee, a representative of a responsible educational association shall be permitted to attend the proceedings as an observer. Other representatives may be admitted or excluded at the discretion of the Hearing Committee.

e. A verbatim record of the hearing or hearings shall be taken and a typewritten copy shall be made available to the faculty member without cost.

f. The burden of proof that adequate cause exists rests with the University and shall be satisfied only by a clear preponderance of the evidence.

g. The Hearing Committee shall grant adjournments of reasonable periods of time, not to exceed ten days, to enable either party to investigate evidence about which a valid claim of surprise is made.

h. The faculty member shall be afforded an opportunity to present necessary witnesses in his or her defense and documentary or other evidence, and the University shall, insofar as it is possible, secure the cooperation of such witnesses and make available necessary documents and other evidence within the control of the University.

i. The faculty member and the representative of the University shall have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear, but the Committee determines that the interests of justice require admission of a statement, the Committee shall identify the witness, disclose the statement, and if possible provide for interrogatories.

j. In a hearing involving charges of incompetence, the testimony shall include that of qualified faculty members from Tulane or other institutions of higher education.

k. The Hearing Committee shall not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available.

l. As soon as practicable and in any event not later than fifteen days following receipt of the transcript of the hearing, the Hearing Committee will make explicit findings of fact and
arrive at conclusions based solely on the hearing record with respect to each of the charges contained in the statement of charges and shall give a concise statement of its reasons for so finding and concluding. The findings, conclusions and statement of its reasons shall be promptly delivered to the President or the President's designated representative and to the faculty member or the faculty member's representative.

m. As soon as practicable and in any event within fifteen days following receipt of the Hearing Committee's findings, conclusions, and statement of reasons, the President shall either accept or reject the Hearing Committee's report. If the President rejects all or any portion of the Hearing Committee's report, the President shall promptly notify the Hearing Committee and the faculty member involved, stating the reasons for such rejection in writing and allow fifteen days for response from the Hearing Committee before transmitting the case to the Board of Administrators.

n. Should questions involving procedure relating to the hearing arise before or during the hearing which are not covered by this statement, the Hearing Committee shall decide such questions.

o. Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by the faculty member or the faculty member's counsel, members of the Hearing Committee, administrative officers of the University, or members of the Board of Administrators, shall be avoided as far as possible until the proceedings, including consideration by the Board of Administrators of Tulane University, and appeal action, as provided in Article VII, if any, shall have been completed and communicated to the faculty member. The President and the faculty member will be notified of the decision in writing and will be given a transcript of the hearing.

p. Statements of charges, notices of hearings and all other notices or communications required or permitted by this Senate Statement shall have been correctly served if delivered by hand or sent certified mail to the faculty member or the faculty member's counsel and the President or the University's counsel.

Section 4.

In the event that after the hearing the Board disagrees with the findings and conclusions of the Hearing Committee, it will return the proceedings to the Hearing Committee with its findings and conclusions. The Committee shall within twenty days thereafter reconsider its findings and conclusions and may receive new evidence if the receipt of evidence is necessary and thereafter return the proceedings to the Board together with its report on the results of its reconsideration and such additional findings and conclusions as may be required by any new evidence received. The Board of Administrators shall make a final decision contrary to the report of the Committee on reconsideration only after a conference between the President or the President's designated representative, three members of the Board, and three members of the Hearing Committee convened for the purpose of attempting to reconcile the conflicting opinions.
Article VII    Action by the Board of Administrators of Tulane University

Section 1.

The faculty member shall have the right to a review of the finding for dismissal by the Board of Administrators or a committee appointed by it for this purpose. In the event that the faculty member desires the Board to review the matter, he or she shall within ten days of receipt of the final action by the President request such review in writing and send or deliver a copy of such request to the President. The President shall thereupon transmit the complete record of the proceedings, including the findings, conclusions and statement of reasons by the Hearing Committee and the action of the President with relation thereto, to the Board of Administrators. On or before thirty days following the date on which the faculty member filed a request for a review by the Board of Administrators, the faculty member or the faculty member's representative may submit a brief or memorandum in support of the faculty member's position setting forth reasons why the dismissal or other recommended penalty should not be imposed.

Section 2.

The Board of Administrators will set a time and place for argument by the faculty member and the President or their respective representatives. The Board's review will be based solely on the record of the proceeding before the Hearing Committee.
Article VIII  Suspensions

Until the final decision whether or not to terminate an appointment has been reached, the faculty member shall not be suspended or assigned to other duties in lieu of suspension, unless his or her dean recommends that immediate harm to the faculty member or others is threatened by his or her continuance. Such a determination is at the sole discretion of the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences. Salary shall continue during the period of suspension. Before suspending a faculty member, pending an ultimate determination of his or her status through the University's hearing procedures, the President of the University or the President's designated representative shall consult with the Senate Committee on Faculty Tenure, Freedom and Responsibility. Except as provided herein, suspension is an appropriate sanction only following a hearing. Termination of an appointment through suspension must follow termination guidelines.
Article IX Terminals Salary or Notice

If a faculty member's appointment is terminated, the faculty member shall receive salary or notice in accordance with the schedule of notice to which the faculty member is entitled under Article III, Section 10, or, if the faculty member has tenure, for at least one year. This provision for terminal notice or salary need not apply in the event that there has been a finding that the conduct which justified dismissal involved moral turpitude or the commission of a felony. On the recommendation of the Hearing Committee or the President, the Board in determining what, if any, payments shall be made beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member.
Article X    Academic Freedom and Responsibilities of Faculty

Section 1.

All members of the faculty, whether tenured or not, are entitled to academic freedom as set forth in this document.

Section 2.

Members of the Tulane University faculty are entitled to full freedom in inquiry and research and in the publication of the results thereof; they are entitled to complete freedom in discussing all aspects of their subjects in the classroom; they enjoy the same rights, privileges and prerogatives of citizenship as are enjoyed by all American citizens; and the full exercise of these freedoms, rights and privileges cannot serve as a basis for dismissal from their faculty positions.

Section 3.

The exercise of freedom entails responsibilities. Faculty members' responsibility to their students demands that they present their subjects accurately, adequately, and fairly, without narrow partisanship or bias. Their responsibility to their colleagues and to the University demands that they maintain a level of training and knowledge necessary to keep pace with developments in their own fields of specialization, and that their professional activities be conducted according to high standards of scholarship.

Section 4.

As individual citizens, faculty members are free to engage in political activities, including candidacy for public office. Where necessary, leaves of absence may be given for the duration of an election campaign or a term of office on timely application, and for a reasonable period of time. The terms of such leave of absence shall be set forth in writing, and the leave shall not affect the tenure status of a faculty member, except that time spent on such leave shall not count as probationary service unless otherwise agreed to.

There shall be no restraint upon the partisan political activity of a member of the Tulane faculty, provided that he or she is acting as a private citizen and scrupulously avoids giving the impression of representing the University. Members of the Faculty are reminded that, apart from incidental use, they are responsible for reimbursing Tulane University for all expenses incurred in using University facilities and equipment for personal, non-work-related purposes.

Section 5.

Academic freedom includes the obligation to respect the rights of others to freedom of speech, the right to be heard, freedom from personal force and violence, freedom of movement, and freedom from personal harassment of such a character as to constitute grave disrespect to an individual's dignity. Academic freedom does not include the right to interfere with the freedom of speech and actions of others. Any such interference must be regarded as a serious violation of
the personal rights upon which the community of Tulane University is based; such interference shall be regarded as an unacceptable obstruction of the essential processes of the University.
Article XI  Academic Freedom of Non-tenured Teachers

Any person in a faculty status serving the University in a teaching or research capacity who does not have tenure, whether full-time or part-time, who alleges that considerations violative of academic freedom contributed significantly to a decision not to reappoint him or her should direct his or her complaint to the executive committee of the division or equivalent committee (preferably a committee composed of faculty members elected by the faculty of the division), which shall seek to settle the matter by informal methods within a period of ten days after the complaint has been made to the executive committee or equivalent committee. The aggrieved person's allegation shall be accompanied by a statement that the faculty member agrees to the presentation, for the consideration of the faculty committee, of such reasons and evidence as the institution may allege in support of the decision not to reappoint him or her. If the complainant is dissatisfied at this stage, the complainant may appeal to the Senate Committee on Faculty Tenure, Freedom and Responsibility within a period of twenty days after the decision of the executive or equivalent committee of the division has been delivered. If the Senate Committee on Faculty Tenure, Freedom and Responsibility, having considered the division's faculty committee's report and having heard the complaint, decides there is reason to believe that the complainant's academic freedom may have been violated, the Senate Committee on Faculty, Tenure, Freedom and Responsibility will hear the matter in the manner set forth in Articles V and VI, except the complainant is responsible for stating the grounds upon which he or she bases his or her allegations and the burden of proof shall rest upon the complainant in the hearing.
Article XII    Research Associate, Teaching Assistants, etc.

A Research Associate is a professional person who ordinarily holds a Ph.D. or equivalent degree and is attracted to a university to expand research activities. Although a Research Associate's appointment may be full-time, none of the usual academic ranks such as Instructor, Assistant Professor, Associate Professor, or Professor, is to be made part of this title. (As exception, see Article II, Section 6.) The Research Associate engages primarily in research, and service in this position cannot lead to tenure; nevertheless, the Research Associate enjoys the full protection of academic freedom.

The following ranks are suggested for the Research Associate: Postdoctoral Fellow, Assistant Research Fellow, Associate Research Fellow, and Senior Research Fellow.

Graduate student teaching assistants, although their supervised teaching is a required part of their educational program for various master's and doctoral degrees, are entitled to protection of their academic freedom. The division faculty responsible for the educational program of the graduate student will institute procedures to protect the student's academic freedom. Should that faculty fail to institute such procedures, it shall be deemed to have adopted the procedures set forth in Article XI.

************
B. Academic Titles

1. Faculty Titles:

Emeritus Faculty:
A full-time faculty member who has served with distinction until retirement for at least 20 years, five of which have been at Tulane, may, upon recommendation of the department and the appropriate administrative officers and by action of the Board of Administrators, be awarded the title of Emeritus/Emerita. A faculty member who, at the time he or she retires, has accepted a full-time academic position at another university shall not be entitled to the emeritus appointment. In exceptional circumstances, a retired faculty member supported by the department may receive such title from the Board of Administrators upon recommendation of the president. Should a department not recommend a faculty member, that person shall have the right of appeal to the Board of Administrators.

University Professor:
Tulane University reserves the title of University Professor for faculty members of extraordinary achievement whose scholarly or creative accomplishments have earned them substantial recognition from their academic peers. The title is recognized as the University's most significant professional honor, and is awarded rarely and only in accordance with the criteria specified in this policy. The title is bestowed by the Trustees of the University, upon the recommendation of the University President, in recognition of a uniquely distinguished record of scholarship, research, or artistic achievement. It transcends departmental and disciplinary lines, allows the designated individual the greatest latitude in teaching, writing, and scholarly research or creative activity, and provides them with a university-wide platform for continued accomplishment.

1. Criteria

To be eligible for appointment as and continuation as a University Professor a faculty member must satisfy the following criteria:

a. Hold the rank of professor with tenure at Tulane University or have been recommended for tenure at that rank in accordance with the University's promotion and tenure policies and procedures.

b. Have an outstanding record of scholarly or creative accomplishment that establishes him or her at the front ranks of university faculty nationally and internationally

c. Be dedicated to the highest standards of professional excellence.

d. Demonstrate exemplary character and integrity reflecting great credit upon Tulane University.

2. Procedure

University Professors are appointed by the Board of Tulane University upon the recommendation of the President of the University. The President will make the appointment recommendation in consultation with the Senior Vice President for
Academic Affairs and Provost. The Provost will consult with relevant Deans, Center and Institute Directors, Department Chairs, and/or other faculty colleagues on proposed University Professor appointments.

1. Privileges of the Title

a. Within the constraints of available resources, individuals with the title of University Professor will be provided special financial support for their research or creative endeavors, and for their professional activities. University Professors will have the opportunity, through cross-departmental, cross-School, and/or University-wide lectures, symposia, exhibitions, performances, or other appropriate activities, to make unique contributions to the general artistic, intellectual, and/or scientific climate of the University.

b. The Senior Vice President for Academic Affairs and Provost, in consultation with the appropriate Dean or Deans, will insure that individuals holding this title will enjoy the greatest latitude in apportioning their time between teaching, writing, scholarship, research, and/or other creative activity consistent with pursuit of the University’s mission.

c. Appointment as a University Professor will not change the tenure of the faculty member. *

* [Approved by the Senate on April 6, 2009, Handbook updated April 9, 2009.]

Named Professorships:
Certain professorships are named by the Board of Administrators for a benefactor or for an individual important in Tulane history. Such names are usually applied to a full professorship but may be given at another rank.

Professor:
Appointment to the Rank of Professor is made not merely on the basis of length of service but in recognition of outstanding quality. The title signifies that the holder is a mature scholar of distinguished achievement who has won national or international standing in his or her field and a successful teacher with a record of service to the University.

Associate Professor:
Appointment to this rank is accorded to an individual who has attained scholarly distinction of high quality as demonstrated by teaching and by published scholarly work. Both areas of accomplishment are essential: high achievement in one cannot compensate for deficiencies in the other. Other service to the University will serve as strong support for the evidence of quality provided by the candidate’s teaching and publication record.

Assistant Professor:
The position of Assistant Professor is open to people who hold the Ph.D. or the terminal degree in their field. Qualifications for appointment take into account promise as a teacher and a scholar. The criteria for reappointment include success as a teacher, evidence of scholarly achievement and service to the University.
**Instructor:**
A category of non-tenure-track faculty, whose retention may be for an indefinite term beyond six years in the School of Law for instructors in the Law School clinics; and at the School of Architecture, School of Public Health and Tropical Medicine, and the Medical Center. In the last three divisions an Instructor is a non-tenure track Special appointment that can be full or part time. It requires a terminal degree. The appointment is normally for three years, renewable, with faculty review during the second year of each appointment period.

**Clinical Professor:**
Clinical Professor is a category of full-time faculty membership in the School of Medicine and the School of Public Health and Tropical Medicine established for professors whose primary responsibility is providing practical instruction and application of practical knowledge. For clinical appointments, the term "clinical" precedes the department of appointment, e.g. Professor of Clinical Surgery.

Clinical Professors do not receive tenure. Clinical faculty appointments may also be made at the part time level. In the School of Medicine, to differentiate part-time clinical appointments, the term "clinical" precedes the rank, e.g., Clinical Associate Professor of Medicine.

**Research Professor:**
Research Professor is a category of full time faculty membership whose primary assignment is research, and who is not expected to undertake regular service and teaching responsibilities. Research Professors do not receive tenure. The School of Medicine and the School of Public Health and Tropical Medicine use academic ranks and titles designated for persons engaged primarily in research, e.g., Research Associate Professor (Policies Concerning Faculty Appointment, Article III, Section 6) (Appointments – Part III, A, Article II, Section 6 of this Faculty Handbook)*

*[Approved by the Senate September 14, 2009; Faculty Handbook updated November 19, 2009.]

**Professor of the Practice:**
A member of the faculty whose primary assignment is instruction and activities related to instruction. Professors of the Practice hold a terminal degree in their field or have equivalent professional experience. Professors of the Practice do not receive and are not eligible for tenure. Upon appointment for a third term, Professors of the Practice shall be promoted to Senior Professors of the Practice.

**Lecturer:**
A member of the faculty whose primary assignment is instruction and activities related to instruction. Lecturers normally hold a terminal degree in their field or have equivalent professional experience. Lecturers do not receive and are not eligible for tenure. Upon reappointment for a third term, Lecturers shall be promoted to Senior Lecturer.

**Adjunct Faculty:**
This group is composed of persons whose primary careers are outside the University faculty, whether self-employed or with other institutions of higher education, business or government. Such persons may be appointed annually to part-time teaching status in the University while continuing their careers elsewhere. Their rank will be determined by the dean upon the
recommendation of the department. Appointment to adjunct faculty rank may also be used for academically qualified persons employed by the University for administrative duties or for faculty members whose primary appointments is in another department or school. Individuals may serve on the adjunct faculty for an unlimited time through successive reappointments so long as their teaching is part-time. The University does not insure continuity of appointment for any person in the adjunct faculty. In accord with Article II, Section 7 Appointments – Part III, A, Article II, Section 7 of this Faculty Handbook, there is a limit of four courses annually not to exceed two courses per semester.*
* [Approved by the Senate September 14, 2009; Faculty Handbook updated November 19, 2009.]

Visiting Faculty:
This category is confined to persons temporarily employed by the University while they have continuing academic appointments with another institution or have continuing associations with business or non-profit organizations or government agencies. A visiting faculty member is a full-time member of the University while on leave from the institution, organization or agency with which he or she is affiliated. Appointment to the visiting faculty is normally made for one year or less and is never for more than two consecutive years.

Postdoctoral Teaching Fellow:
A special limited term faculty appointment normally limited to holders of recently awarded terminal degrees. A Postdoctoral Teaching Fellow is assigned teaching duties and is not expected to undertake any service assignments. Initial appointments are normally for a three year term. Upon reappointment, Postdoctoral Teaching Fellows shall be promoted to Senior Postdoctoral Teaching Fellows.

2. Non-faculty Titles:

Research Associate:
All the schools of the University except the School of Medicine and the School of Public Health and Tropical Medicine appoint to this category qualified professional people who are attracted to the University to expand research activities. The ranks include: Postdoctoral Fellow, Assistant Research Fellow, Associate Research Fellow, and Senior Research Fellow. Part-time and full-time research appointments for which the salary is derived from grants or contracts from government or private agencies are made for a specified term or the duration of the project, whichever is shorter. Persons in this category do not have tenure, faculty rank or title but, if compensated, receive the benefits of full-time staff. Compensated research associates are eligible for life and health insurance.

Teaching Assistant, Research Assistant:
This category of appointment is limited to students registered in graduate or professional programs at the University.

Librarians:
Librarians are academic appointees with the titles of Librarian I, Librarian II, Librarian III, and Librarian IV. Librarians do not have tenure or faculty rank, but in other respects receive the protection and benefits of faculty members. The Library Department Handbook, as approved by
the University Senate, provides additional information on appointment policies, responsibilities, and benefits for librarians.

**Administrative Faculty:**
Administrative faculty are full-time administrators who ordinarily have the terminal degree in their field and continue to engage in faculty activities, specifically teaching, academic advising and research and publication. See section III, Article XII, C, 6 of this Faculty Handbook.*

*Approved by the Senate September 14, 2009; Faculty Handbook updated November 19, 2009.*
C. Procedures and Considerations for Certain* Appointments
*[Approved by the Senate September 14, 2009; Faculty Handbook updated November 19, 2009.]

1. Appointment to Administrative Office

When a member of the faculty is appointed to an administrative office, the faculty member retains full faculty status in his or her academic unit(s), even if he or she is entirely relieved of teaching duties. The rules of tenure continue to apply in regard to faculty status but not to the administrative position.

Promotion or salary increase in the administrative position is independent of faculty considerations; promotion in faculty rank will continue to depend on policies of the division in which the officer retains membership.

Full-time administrative officers with faculty status normally perform their duties on a twelve-month basis with vacation time accruing at the rate of two work days per month, or roughly one month per year. For faculty members with part-time administrative appointments, the schedule will depend upon the requirements of the assignment. Department chairs perform their duties on the same calendar schedules as the faculties in their departments.

A person from outside the University who is newly appointed to an administrative office, and who has qualifications for faculty status as shown by the appropriate process, may be given such status with or without tenure according to the established procedures of the appropriate academic unit regarding new faculty appointees of similar rank and experience.

2. Appointment of Department Chairs on the Uptown Campus

Department Chairs

a. The period of appointment shall normally be three years, subject to renewal. Prior to the renewal of an appointment the consultative procedure outlined in d. (below) shall be followed.

b. The chair of a department shall be appointed by the dean, following consultation with the members of the department. Departmental membership (for this purpose) should include those full-time faculty members of all ranks holding singular or joint membership in the department, regardless of the division of the University in which their basic faculty memberships reside. The dean will ask for written recommendations, which the faculty may choose to submit individually or jointly.

c. In addition to newly-appointed faculty, any full-time member of a department shall be considered eligible for appointment as chair.

d. The primary responsibilities of the departmental chair shall comprise (but not necessarily be limited to) the following functions:
1. Supervision of the graduate and undergraduate programs, including the curriculum.

2. Responsibility for the departmental program in University College and Summer School.

3. Supervision or execution of the following:

   (a) Recruitment of faculty personnel.

   (b) Recommendation for faculty promotions, salaries, teaching loads, tenure, election to the Graduate Faculty, and other matters of concern to the department.

   (c) Recommendations on annual budgets.

4. Establishment and maintenance of the department's annual budget and long-range plan.

3. Joint Appointments

University policy encourages the appointment of individuals to the faculties of two or more schools or departments concurrently when the appointee will make a significant contribution to the undergraduate or graduate programs by teaching, supervising dissertations, participating in research programs, or carrying administrative responsibilities on a regular basis in each of the schools or departments in which a joint appointment is made.

When a joint appointment of a new member of the faculty is anticipated, the initiating school or department must seek the participation of the proposed second school or department in the search for candidates. Joint appointments require approval through the normal appointment procedures of both schools or departments.

One school or department must take the primary responsibility for a joint appointee. The appointment document must state clearly the "home" school in which tenure may be held and primary responsibility rests for the individual's promotion, salary recommendation, teaching, research, and committee responsibilities. The appointment document must also specify the extent of the individual's responsibilities in the secondary school or department for such matters, the arrangement for consultation of the secondary department or school concerning the individual's assignments, and the percentage of the individual's salary that will be paid by the secondary school or department. When a significant portion of the faculty member's salary comes from the second school or department, yearly consultation on salary recommendations is appropriate. The faculty member's title in the home school will be Professor of "X". In the secondary school, the title will be Adjunct Professor of "Y".
This policy applies to all existing and future joint appointments. Determination of the home school for each joint appointee will be made by the deans in consultation with the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences.

Joint appointments should be terminated when their appropriateness ends.

4. Authorization for New Appointments to the Faculty

Before a formal search can begin for a person to fill the faculty position, authorization in writing must be obtained from the dean of the school and from the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences. A position is not authorized in a given department simply because a faculty member from that department has left. Authorization for a faculty position is terminated when the position is vacated or is not filled in the year in which it is budgeted. A position may be carried over to a new budget year only by specific authorization. All position authorizations, including renewal, must be determined in connection with school-wide and University-wide authorizations.

A nation-wide search is required for all new tenure track appointments to the Tulane faculty. At a minimum a regional search is required for non-tenure track appointments. When a department or school receives authorization from the dean and the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences to appoint a new faculty member, the department chair or dean should appoint an Ad Hoc Search Committee. The search committee must follow all procedures currently mandated by the Office of Personnel Services. In general, the committee should publicly advertise all new positions in addition to using other appropriate methods of candidate solicitation. Letters describing the position should be sent to those institutions of higher education or other sources that are likely to provide a suitable candidate. Letters describing the post should also be sent to appropriate professional societies and organizations including those representing minorities and women. In filling all faculty positions, as well as in all other University hiring, Tulane is an Equal Opportunity Employer. All employment and hiring practices must be in accord with relevant federal regulations and must follow the Affirmative Action Policy of Tulane University. Deans of the schools and the Equal Opportunity Officer have detailed information concerning the requirements for compliance.

The recommendation for hiring must be approved by the dean and the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences when deemed appropriate. The recommendation must describe the search that resulted in the recommendation for appointment (the method of soliciting applications, etc.). It should include the names of the members of the search committee and a list of all outside sources consulted for information. Resumes of the recommended candidate and of at least two other top candidates as well as the resumes of the leading woman and the leading minority candidates must be submitted (if women or minority candidates are not among the top three).

The recommendation must also include a list, in the order of priority, of all candidates seriously considered for the post and an explanation of the order of priority. If the recommended candidate is not the first choice, the recommendation should explain why higher choices are not being recommended. If the recommended candidate is not a woman or minority group member, the
recommendation should provide a comparison of the recommended candidate with the women and minority group candidates for the post.

For a regular appointment, the candidate must possess the terminal degree in the field. Ordinarily, candidates for special appointments will also be required to possess the terminal degree in the field.

5. Emeritus Appointments

Because Emeritus faculty can make important contributions to the University in research, teaching, and service, the University should make it possible for them to remain as participating members of the academic community. Accordingly, the University should provide Emeritus faculty with such amenities as a mail address, e-mail, listing in divisional and university-wide directories, library privileges, receipt of university publications, faculty dining room and parking privileges, and participation in Senate committees, convocations, and academic ceremonies and processions. Where possible, research facilities, office space, administration of grants, secretarial help, and other services should be made available to Emeritus faculty.

Continued teaching responsibilities of Emeritus faculty, and compensation thereof, shall, at the faculty member's discretion be determined by the appropriate department and divisional faculty and administrative bodies.

6. Administrative Faculty

a. to an Administrative Faculty position is made by the Dean of the unit with the approval of the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences. The dean consults with the appropriate faculty bodies (e.g., Department promotion and tenure committee, College promotion and tenure committee) to determine the eligibility of the candidate for Administrative Faculty and the rank to be accorded.

b. Faculty may be affiliated with a department, interdisciplinary center, or other academic unit of the University. Their principal responsibility is, however, their administrative duties. They typically have the terminal degree in their specialty, teach no more nor no less than one course a year, and carry on scholarly activity such as publication, participation in professional conferences, committee membership or officership in professional organizations, and academic advising.

c. Faculty normally perform their duties on a twelve-month basis with vacation time accruing at the rate of two work days per month. Sick leave accrues at the rate for staff employees. The position neither gives tenure nor is to be regarded as a probationary appointment that may lead to tenure.

d. Faculty status may be withdrawn by the dean of the unit if teaching, advising and scholarly activity is no longer in his or her opinion sufficient.
e. Faculty are entitled to academic freedom as set forth in Part III, A,* Article X of this Faculty Handbook.

*[Approved by the Senate September 14, 2009; Faculty Handbook updated November 19, 2009.]*

f. Faculty salary, responsibilities and other terms of appointment (including termination of appointment) will be determined in the same manner as that of others on full-time administrative appointments. Being non-tenured, holders of these positions can not only be dismissed for cause, but also for more general financial reasons, as can other administrative staff.

g. Following benefits apply to Administrative Faculty: tuition benefits as described in the Staff Handbook; eligibility to apply for research grant at the University; retirement, health insurance, life/disability, and death benefits as described in the Staff Handbook; salaries to be derived from the staff salary pool; faculty parking, and faculty library privileges.

h. Having this status are no required to keep time sheets. Sabbatical leave does not apply to these positions, nor do they have faculty voting rights.

i. Establishment of this new faculty category does no decrease the rights and privileges of anyone holding any other title.
D. Conflict of Interest

Conflict of Interest - Part A

Policy of Tulane University on Conflicts of Commitment and Interest

All terms in **Bold** are defined at the end of this Part A of the Policy.

**Principles**

Tulane University’s mission is to create, communicate, and conserve knowledge in order to enrich the capacity of individuals, organizations and communities to think, to learn and to act and lead with integrity and wisdom. Accordingly, the University recognizes that its Faculty and Staff participate in **Leadership Roles**, such as consulting, serving on boards of companies whether for-profit or non-profit and other **Secondary Commitments** that benefit the participant and the University, its students, patients and the public at large. The University, its Faculty and Staff have a shared interest in assuring the institutional integrity of the University as well as the personal and professional integrity of Faculty and Staff members. The University is committed to maintaining the highest standards of excellence in teaching, research, patient care and welfare. Because **Leadership Roles, Secondary Commitments** and **Financial Interests may** result in conflicts of interest and/or commitment, the University requires all Faculty and Staff to complete a Conflict of Interest and Conflict of Commitment Disclosure Form in accordance with this policy.

This policy provides guidelines and mechanisms for dealing with potential, actual or perceived conflicts of commitment and interest to ensure that the University and Faculty and Staff members conduct academic and administrative activities in a fair and unbiased manner. Thus, an integral part of this policy is disclosure by Faculty and Staff members of their commitments, financial interests and activities.

While this policy governs Conflicts of Interest and Conflicts of Commitment, it does not regulate disputes between two or more Faculty or Staff members, or disputes between one or more Faculty or Staff members and the University. Such disputes are to be resolved according to the University’s established dispute resolution procedures.

**Conflict of Commitment**

Faculty and Staff members owe their **Primary Commitment** to University activities and responsibilities, must act in the institution’s best interests, and must not permit any **Secondary Commitments** to an outside organization, entity or project jeopardize this **Primary Commitment**. A Conflict of Commitment occurs when these efforts for the University are compromised by one or more **Secondary Commitments**. For example, a Conflict of Commitment would occur if a Faculty member exceeded permitted time limits on outside
consulting, or if, as a result of a Leadership Role in an outside organization, entity or project, an individual’s primary professional loyalty were not to the University.

Conflict of Interest

A Conflict of Interest arises whenever the Faculty or Staff member’s Professional Interests, such as professional obligations or judgment owed to the University and its constituencies are compromised by, or could be perceived as being compromised by, his or her Leadership Roles, Secondary Commitments or Financial Interests. A Conflict of Interest depends on the situation and not on the character of the individual. For example, Faculty or Staff who make decisions about purchasing or contracting for goods or services received by the University should not have relationships with, or Financial Interests in, outside Vendors or suppliers that conflict with, or appear to conflict with, their duty to act in the University’s best interests when purchasing or contracting on behalf of the University. A Conflict of Interest can also occur when the academic work of a Faculty Member could affect a Financial Interest of the University, or of a Faculty or Staff member. Academic integrity is compromised when the Faculty member modifies his work to augment or shield that Financial Interest, such that the work product does not accurately reflect the Faculty member’s research, beliefs and opinions. For example, academic integrity may be compromised when a Faculty member prepares the content of a book, article, audit or other report, with knowledge that such content could reasonably be expected to affect a Financial Interest of that Faculty member, one or more other Faculty members, the University, or one or more University officials.

Process

1. Disclosure: All Faculty and Staff must complete on an annual basis (by January 31 of each year) a Conflict of Interest and Conflict of Commitment Disclosure Form A. This Form A requires the individual to report any and all Leadership Roles, Secondary Commitments and Financial Interests. In addition, this form requires the individual to report any and all Leadership Roles, Secondary Commitments and Financial Interests that the individual’s Immediate Family may have that could reasonably be expected to affect, or appear to affect, the professional judgment of a Faculty or Staff member. Faculty and Staff in academic units must submit completed disclosure forms to their department chair or the dean if the unit does not have a departmental chair structure. Staff in non-academic units must submit disclosure forms to their direct supervisor. Deans (in consultation with their department chairs where appropriate) and direct supervisors will review and forward (i) the completed Conflict of Interest and Conflict of Commitment Disclosure Form, (ii) a report that includes recommendations concerning the management of any disclosed conflicts, and (iii) a list of the names of individuals who fail to provide a disclosure form to the University’s Conflict of Interest Committee (the “COI Committee”). Deans and direct supervisors will also forward a copy of the report, and a copy of the list of names of individuals who have not provided the required Conflict of Interest and Conflict of Commitment Disclosure Form, to the Senior Vice President responsible for their unit. Newly hired or affiliated Faculty and Staff must submit a Conflict of Interest and Conflict of Commitment Disclosure Form within the
first three months of employment or affiliation, and must thereafter comply with the annual filing deadline of January 31.

2. Updating: If at any time over the course of the year one or more Leadership Roles, Secondary Commitments or Financial Interests of a Faculty or Staff member changes in any material way, the Faculty or Staff member must promptly provide an updated Conflict of Interest and Conflict of Commitment Disclosure Form in accordance with the procedures described in Paragraph (1).

3. Confidentiality: All financial and other confidential information disclosed by Faculty and Staff to the individuals described in Paragraph (1) will be maintained in strict confidence. The COI Committee may disclose such information only to other University administrators defined as Designated Officials to carry out the purpose of this Policy. No other uses or disclosures of the financial and other confidential information of a Faculty or Staff member will be permitted, unless required by law.

4. Review by the COI Committee: As promptly as practicable after the January 31 filing deadline, the COI Committee will review the disclosure forms and reports. The COI Committee may ask that a Faculty or Staff member who has a potential conflict provide additional information or discuss the matter with the COI Committee in person. The COI Committee will examine disclosed conflicts to assess the degree of risk they carry to Primary Commitments and Professional Interests. The COI Committee will endeavor to work with the Faculty or Staff member to manage, reduce or eliminate any identified conflicts. When necessary, the COI Committee will require that a Faculty or Staff member comply with a particular strategy for managing a conflict.

5. Compelling and Necessary Exceptions: The COI Committee may consider “compelling and necessary” exceptions that would allow Faculty or Staff members for whom an actual Conflict of Commitment or Conflict of Interest has been determined to exist to maintain their Leadership Role, Secondary Commitment or Financial Interest with appropriate oversight and controls to safeguard the reputations and integrity of the University and its Faculty and Staff members.

6. Management or Elimination of Conflicts of Commitment and Conflicts of Interest: The COI Committee’s management strategy will be based upon an assessment of the nature, scope and severity of the Conflict of Commitment or Conflict of Interest. The primary methods of controlling or managing Conflicts of Interest shall include:
   i. Modifying the University employment responsibilities of the conflicted Faculty or Staff member;
   ii. Disclosing the conflicting Leadership Role, Secondary Commitment or Financial Interest to the public, for example, during conference presentations and/or in journals and other publications;
   iii. Reducing the conflict by reducing or altering the Leadership Role, Secondary Commitment or Financial Interest (e.g., partial divestiture or sequestration of
one or more Financial Interests, reduction of time spent in furtherance of one or more Leadership Roles or Secondary Commitment);  

iv. Eliminating the conflict by eliminating the Leadership Role, Secondary Commitment or Financial Interest (e.g., total divestiture or sequestration of one or more Financial Interests, resignation from one or more Leadership Roles or Secondary Commitment).

**Appeal of COI Committee Decision:** A Faculty or Staff member who disagrees with the COI Committee’s findings or required management strategies may appeal in writing to the Senior Vice President responsible for that Faculty or Staff member’s unit. A copy of the appeal must be sent to the COI Committee. The applicable Senior Vice President may agree with the COI Committee’s findings and/or management strategy, or may amend such findings and/or strategy. The applicable Senior Vice President shall promptly notify the Faculty or Staff member and the COI Committee in writing of the conclusions of his or her review, including the actions that must be taken by the Faculty or Staff member to comply with this policy. Upon receipt of the applicable Senior Vice President’s written report, the Faculty or Staff member must promptly comply with the actions specified in that report.

**Audit and Sanctions for Non-Compliance**  
At the request of a Senior Officer of the University, a Faculty or Staff member may be audited for the purpose of verifying whether the individual truthfully and accurately disclosed his or her Leadership Roles, Secondary Commitments, and Financial Interests in the annual Conflict of Interest and Conflict of Commitment Disclosure Form (and in any updates thereto), and for the purpose of verifying whether the individual is complying with the actions, if any, that were specified in the written report of the COI Committee (or the applicable Senior Vice President where there has been an appeal). A Faculty or Staff member who fails to file a completed Conflict of Interest and Conflict of Commitment Disclosure Form with the COI Committee by the annual deadline, or who fails to comply with any other action specified by the COI Committee or applicable Senior Vice President, will be subject to potential sanctions in accordance with applicable University policy and procedures. These sanctions may include formal admonition or censure; suspension; non-renewal of appointment; and/or dismissal.

**Definitions & Descriptions Part A**

a. **Conflict of Interest Committee.** The COI Committee will be composed of at least nine (9) members with five (5) members constituting a quorum. The Committee members collectively should have knowledge in financial investments, legal issues, ethics, and human subjects research. These members may be drawn from within and outside of the University. All members of the COI Committee must undergo training in the assessment and management of Conflicts of Interest and Conflicts of Commitment. COI Committee members will be nominated by the Committee on Research and appointed by the President. The President shall appoint the Chair of the COI Committee.

The COI Committee shall meet monthly, unless the Chair of the COI Committee determines there is no issue to be considered. The COI Committee members may participate in a meeting of the COI Committee by means of conference telephone or
similar communications equipment if all persons participating in the meeting can hear each other at the same time. Such participation shall constitute presence in person at the meeting for purposes of a constituting a quorum and taking any action.

Appointment to the COI Committee is for a period of three (3) years and may be renewed indefinitely at the discretion of the President. A COI Committee member may be removed by a Senior Vice President of the University only for good cause, which must be fully documented for audit and grievance purposes. If a COI Committee member has or may have a Conflict of Interest with respect to any of his or her duties on the COI Committee, the COI Committee member will disclose such conflict and recuse himself or herself from such duty.

b. **Designated Officials:** The designated officials of the University for purposes of reviewing, administering and implementing Conflicts of Interest determinations shall be the President, the Senior Vice President for Academic Affairs and Provost, the Senior Vice President for the Health Sciences, the Deans of the Schools of Medicine, Public Health and Tropical Medicine, Architecture, Business, Engineering, Graduate School, Law, Liberal Arts and Sciences, Newcomb College, Social Work, Tulane College and University College, the Director of the Tulane National Primate Research Center, the Senior Vice President for Operations and Chief Financial Officer, the Senior Vice President for External Affairs and the General Counsel. Chairs of the IRB and other University administrators may be called upon, as needed, by the Senior Vice Presidents or by the COI Committee for specific purposes.

c. **Financial Interest:** Aggregate investments (whether in the form of debt, stock or other equity ownership, options or warrants to purchase stock or other securities or similar instruments) with a value exceeding $10,000 or representing a five (5%) percent or greater interest in any entity, enterprise or trust; royalties on any patent or other intellectual property interests with a value exceeding $10,000, unless paid by Tulane; or income, salary or remuneration in cash or in kind, emoluments, benefits, gifts, honoraria, travel expenses, goods or services with a value exceeding $10,000. **Financial Interest** does not include holdings in mutual funds or other equity funds in which the day-to-day control of investments is held by a person not subject to any Tulane University Conflict of Interest policy.

d. **Immediate Family:** Spouse or domestic partner, children (including adoptees) and other dependents. Because of strict conflict of interest rules required by federal and state law, the definition of **Immediate Family** for a member of the Tulane University Medical Group and for other healthcare providers is broader than the definition for other Faculty and Staff members. Members of the Tulane University Medical Group or other healthcare providers must refer to Part B of this Policy for the definition of **Immediate Family**.

e. **Leadership Role:** Employment, consulting in any administrative or executive capacity, or serving as (i) a member of a board of trustees, directors or administrators, (ii) an officer or (iii) a member of an advisory committee, advisory board or subcommittee of a board of trustees, directors or administrators, whether compensated or non-compensated.
f. **Professional Interests:** Academic, personal, professional and/or institutional integrity, patient safety and welfare, or any other interest that may be added to this policy from time to time.

g. **Primary Commitment.** The time, energy and loyalty that Faculty and Staff members are required to dedicate to the University.

h. **Secondary Commitment.** Activities that are not part of the **Primary Commitment**, which include but are not limited to employment, consulting or participation in outside businesses or organizations. The time, energy and loyalty that Faculty and Staff members dedicate to outside **Leadership Roles** and other compensated or non-compensated extramural activities. **Secondary Commitments** do not include personal activities conducted on holidays, vacations and weekends.

i. **Vendor:** Any individual, business, partnership, corporation or other entity that sells or conveys goods or services to the University, or that arranges for the purchase or sale of goods or services to, for or by the University.
Conflict of Interest - Part B

Policy of Tulane University on Conflicts of Commitment and Interest
For Members of the Tulane University Medical Group and Health Care Providers

This Addendum shall apply ONLY to members of the Tulane University Medical Group and other health care providers. For the purposes of this Addendum, a health care provider is a physician or other health care professional or Staff member who orders medical items, supplies (including for example pharmaceuticals) or services for patients or who refers patients to other health care providers or suppliers of medical items, supplies or services. A physician or other Staff member who performs no patient care services, directly or indirectly, and whose duties encompass no direct or indirect patient care is NOT covered by this Addendum.

By this Addendum, the Policy of Tulane University on Conflicts of Commitment and Interest incorporates federal and state laws requiring that persons making purchasing and/or patient referral decisions not receive any remuneration or payment for making such decisions (often referred to as “anti-kickback” laws) and other laws that prohibit physicians from referring patients to services and facilities in which those physicians and their families hold financial interests (often referred to as the “Stark” laws). As required by such laws, the definition of Immediate Family in this Addendum shall apply to members of the Tulane University Medical Group and health care providers in lieu of the definition included in the Policy to which this Part B is attached:

“e. Family. Spouse or domestic partner, children and other dependents, natural or adoptive parents, siblings, stepparent, stepchild, stepbrother or sister, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparent, grandchild, and spouse of grandparent or grandchild.”
Conflict of Interest - Part C

Policy of Tulane University on Conflicts of Commitment and Interest
For Investigators in Human Subjects Research

All terms in Bold are defined either at the end of the Tulane University Conflict of Commitment and Interest Policy or this Part C.

Applicability

This Part C of the Policy applies to Investigators in research involving human subjects.

Principles

Federal law and policy require that for federally financed research studies, the university hosting the research gather information related to each Investigator’s Research Financial Interests, as well as Financial Interests that may be affected by the research itself. Although these requirements originated in a concern for assuring the integrity of federally financed research data, Tulane University is also concerned, as are various professional organizations, with the possible influence of such Research Financial Interests on research integrity and on the safety and welfare of human subjects involved in research protocols, regardless of the source of research funding. The University’s policy in this regard is consistent with prevailing standards for professional conduct, which require that physicians and other licensed professionals not exercise undue influence over patients and clients and act at all times in the best interests of their patients and clients. The University is also concerned about Leadership Roles of Investigators in entities that sponsor research. The University’s policies therefore incorporate those concerns as well.

Consistent with federal laws and the ethical principles of human subjects research, Tulane University seeks to ensure that its Investigators can carry out their responsibilities to protect the rights and welfare of human subjects participating in research projects at the University. Since the University recognizes that real, potential and apparent Conflicts of Interest may occur during research, this policy is intended to assist Investigators in determining when they have Conflicts of Interest, and to guide them in disclosing all potential conflicts and in cooperating with the management or elimination of the conflicts, where necessary. While this policy governs the Conflicts of Interest of Investigators, it does not regulate disputes between two or more Investigators or between one or more Investigators and the University. Such disputes are to be resolved according to the University’s established dispute resolution procedures.

Process

1. Disclosure: All Investigators must complete Form C: Annual Research-Related Financial and Leadership Disclosures (hereinafter “Form C”) of the Conflict of Interest
and Conflict of Commitment Disclosure Form. This form must be submitted to the Investigator’s department chair or dean in accordance with the process described in the Tulane University Policy on Conflicts of Commitment and Interest and must be updated on an annual basis (by January 31 of each year) for as long as the Investigator continues to conduct any research at the University. Investigators who are newly hired by or affiliated with the University or who have not previously conducted research at the University may submit Form C of the Conflict of Interest and Conflict of Commitment Disclosure Form at any time during the year, provided that such Investigators may submit the form directly to the COI Committee in order to provide it at least three (3) weeks prior to the scheduled meeting date of the University’s Institutional Review Board (“IRB”), at which the IRB will review the Investigator’s research protocol. Newly hired or affiliated Investigators may not submit any research protocol for review by the IRB before they have submitted Form C to the COI Committee. Thereafter, such Investigators must comply with the January 31 filing deadline.

Investigators must indicate in Form C any and all Research Financial Interests and/or Leadership Roles they or their Immediate Family may have in any research or health care-related organization, including any not-for-profit or tax-exempt health care-related companies or foundations. Investigators must append to the Disclosure Form a copy of every report of their Research Financial Interests that they are required to submit to any Sponsor of research. Any report of Research Financial Interests that is sent to a Sponsor of research anytime after the January 31 filing deadline must also be sent without delay to the COI Committee.

2. Updating: If at any time over the course of the year one or more Research Financial Interests or Leadership Roles of an Investigator or an Investigator’s Immediate Family in any research or health care-related organization changes in any material way, the Investigator must promptly notify the COI Committee of that change by submitting a written statement detailing such change(s).

Investigators must also forward to the COI Committee without delay any amendments or changes that they make to any reports of Research Financial Interests that are submitted to any Sponsor of research.

---

1 As required by law, the term Immediate Family is defined differently for members of the Tulane University Medical Group and other health care providers. Such members and health care providers must refer to the definition of Immediate Family that can be found in Part B of the University’s Policy on Conflicts of Commitment and Conflicts of Interest regarding such definition. The applicable definition of Immediate Family for all other Faculty and Staff members can be found in the Definitions section of that Policy.

2 All Investigators currently conducting research must complete and file an initial Conflict of Interest and Conflict of Commitment Disclosure Form, including Form C. In the case of an Investigator’s receipt of Research Financial Interests from any research or health care-related organization, the University may request disclosure from such organization(s) to determine the source of Research Financial Interests.

3 This includes, but is not limited to, reports that must be made to Sponsors pursuant to regulations of the United States Food and Drug Administration.
3. **Confidentiality**: All financial and other confidential information disclosed by Investigators as described in Paragraph 1 above will be maintained in strict confidence. The COI committee may need to disclose information to other University administrators defined as Designated Officials in this Policy to carry out the purpose of this Policy. No other uses or disclosures of the financial and other confidential information of an Investigator will be permitted, unless required by law.

4. **IRB Application and Continuing Review Forms**: In the application for IRB approval of the research protocol, and at the time of continuing review of the protocol, each Investigator must attest using the Tulane University Investigator Conflict of Interest Attestation Form that he or she has supplied the COI Committee with a complete Conflict of Commitment and Conflict of Interest Disclosure Form, including Form C (and any required updates thereto), and must indicate whether the research he or she is conducting could be affected by any of his or her Research Financial Interests and/or Leadership Roles. The IRB staff may not process applications for IRB approval and may not commence continuing review of a protocol until each Investigator has provided this required information. If, at the time for continuing review of a study, all necessary information has not been provided, no new subjects shall be enrolled in the study. Unless the IRB determines that it is in the best interests of the previously enrolled subjects to continue the study and their participation, the study shall not be authorized to continue, and shall not be allowed to continue until such time as all information has been provided.

5. **Review by the COI Committee**: The COI Committee shall meet to consider whether any disclosed Research Financial Interests or Leadership Roles constitute an actual Conflict of Interest in regard to an Investigator’s research. For this purpose, the COI Committee may ask that the Investigator provide additional information or discuss the matter with the COI Committee in person. If one or more Conflicts of Interest are identified in this process, then the COI Committee shall examine those conflicts to assess the degree of risk they carry in regard to research integrity and the safety and welfare of human subjects. The greater the Research Financial Interest or Leadership Role of the Investigator in the research being conducted by that Investigator, the greater the potential risk that the conflicts may inappropriately influence research outcomes and/or subject safety and welfare. Whenever an Investigator indicates in an IRB or continuing review application that the research may be affected by one or more Research Financial Interests or Leadership Roles held by the Investigator and the Investigator has not disclosed the information to the COI Committee, the IRB will forward the Investigator’s response to the COI Committee for review and resolution.

6. **Compelling and Necessary Exceptions**: The COI Committee may consider “compelling and necessary” exceptions that would allow an Investigator with an actual Conflict of Interest related to Research Financial Interests or Leadership Roles to conduct research, with appropriate oversight, at the University. This may be allowed to occur, for example, in circumstances where the Investigator has special expertise regarding the particular drug, device or method under investigation that uniquely qualifies that Investigator to conduct the investigation; where the University has special facilities or equipment that are unavailable at most other institutions in the United States that allow or facilitate the proposed research; and/or where the Investigator or the University is
particularly well situated to enroll study subjects because of the patient population of University-affiliated health care providers or of that Investigator himself or herself.

7. Management or Elimination of Conflicts of Interest: The COI Committee’s findings and/or management strategy will be based upon an assessment of the seriousness of the Conflict of Interest, and the likelihood that the Conflict of Interest could in fact influence persons to make inappropriate, unfair or unwise decisions in their conduct or oversight of human subjects research. The primary methods of controlling or managing Conflicts of Interest shall include:

i. Eliminating the conflict by referring the study to non-conflicted Investigators at the University, by divesting or sequestering the conflicting Research Financial Interest or eliminating the Leadership Role, or by referring the study to another site at which Investigators are not conflicted;

ii. Requiring that investments posing a Conflict of Interest in a research study be “frozen” for a designated period of time lasting beyond the termination of the study, with the Investigator allowed neither to sell nor transfer those interests until the end of that time period, thus providing for a forced segregation of the research study and its results from the Investigator’s conflicting Research Financial Interest;

iii. Disclosing the conflicting Research Financial Interest or Leadership Role to Sponsors, research subjects (i.e., during the informed consent process) and/or journals and other publications;

iv. Providing independent monitoring of the subject recruitment and/or informed consent processes;

v. Requiring independent monitoring and oversight of subject-researcher interactions, data gathering, data analysis, and/or data reporting;

vi. Arranging for review of all adverse events, including review of subject records on a comprehensive, periodic or sampled basis to assure that reports of adverse events have been timely and properly made; and/or

vii. Adopting procedures for a routine periodic updating of information relating to the Conflict of Interest, if it appears that the Conflict of Interest might change in any appreciable way over the course of a research study.

8. Appeal of COI Decision: The COI Committee shall promptly notify the Investigator and the IRB of its finding(s) regarding whether the Research Financial Interest(s) and/or Leadership Role(s) of the Investigator constitutes a Conflict of Interest, and if so, regarding the method(s) it recommends for managing any such Conflict(s) of Interest. Investigators who disagree with the COI Committee’s findings and/or management strategy may appeal in writing to the Senior Vice President responsible for that
Investigator’s unit. A copy of the appeal must be sent to the COI Committee. The COI Committee will promptly notify the IRB of the appeal. The applicable Senior Vice President may agree with the COI Committee’s findings and/or management strategy, or may amend such findings and/or strategy by, for example, strengthening or weakening the management strategies. The applicable Senior Vice President shall promptly notify the Investigator and the COI Committee of the conclusions of his or her review. The COI Committee will forward to the IRB a revised copy of its findings and management strategy should these require amendment as a result of the appeal. The IRB shall suspend its ultimate determination regarding the study pending the resolution of the appeal.

9. IRB Review of the COI Committee’s and/or Senior Vice President’s Findings and Management Strategy: The IRB shall review the findings and management strategies of the COI Committee, and of the applicable Senior Vice President when there has been an appeal. The IRB may accept the management strategies, or may strengthen them. If the IRB elects to strengthen the management strategies, it must document its reasons for doing so and submit a copy of its written report to the COI committee and to the applicable Senior Vice President. The IRB must promptly notify the Investigator in writing of its determination regarding the Investigator’s real or perceived Conflict of Interest, who must comply with the management strategies as modified by the IRB.

10. Continuing Review: At each continuing review, the IRB shall consult with the COI Committee regarding any changes in the Research Financial Interests and/or Leadership Roles of the Investigator, and regarding any changes in management strategies recommended by the COI Committee.

Audits and Sanctions for Non-Compliance

At the request of a Senior Vice President of the University, an Investigator may be audited for the purpose of verifying whether the Investigator truthfully and accurately disclosed his or her Leadership Roles, Secondary Commitments, Financial Interests, including Research Financial Interests in the Annual Conflict of Commitment and Conflicts of Interest Disclosure Form, including Forms B and C (and in any updates thereto), and for the purpose of verifying whether the Investigator is complying with the actions, if any, that were specified in the written report of the COI Committee (or applicable Senior Vice President where there has been an appeal, or IRB where management strategies were strengthened). An Investigator who fails to file a completed Form C of the Conflict of Interest and Conflict of Commitment Disclosure Form with the COI Committee by the annual deadline, or who fails to comply with any other action specified by the COI Committee or applicable Senior Vice President (as modified by the IRB) will be subject to potential sanctions in accordance with applicable University policy and procedures. These sanctions may include formal admonition or censure; suspension or termination of the Investigator’s eligibility for grant applications and/or IRB approval; non-renewal of appointment; and/or dismissal.
Additional Definitions & Descriptions Part C

j. **Investigator**: Any professional research staff member involved in exercising independent judgment in research design, enrollment, data collection and gathering, data analysis and/or preparation for publication that requires **IRB** approval.

k. **IRB or Institutional Review Board**: Any board, committee, or other group formally designated by the University to review human subjects research, and which was established and which functions and operates in conformity with Part 46 of Title 45 and Part 56 of Title 21 of the Code of Federal Regulations. IRB Members are those who comprise the IRB.

l. **Research Financial Interest**: Any investments (whether in the form of debt, stock or other equity ownership, options or warrants to purchase stock or other securities or similar instruments) or interest in a **Sponsor**, research or healthcare related organization; royalties on any patent or other intellectual property interests, unless paid by Tulane; or income, salary or remuneration in cash or in kind, emoluments, benefits, gifts, honoraria, travel expenses, goods or services received from a **Sponsor** or research or healthcare related organization. **Research Financial Interest** does not include holdings in mutual funds or other equity funds in which day-to-day control of investments is held by a person not covered by any Tulane University Conflict of Interest policy. Please note that Research Financial Interest has no dollar or ownership thresholds; therefore, any interest related to a Sponsor or to the research must be disclosed, however small.

m. **Sponsor**: The entity that is sponsoring or funding the research and the entity’s affiliates and subsidiaries, and any entity that monitors research, collects or arranges data for research or otherwise performs any services related to or supporting research, including without limitation assisting in applications or responses to the United States Department of Health and Human Services and/or the United States Food and Drug Administration.
Conflict of Interest - Part D

Policy for Conflicts of Interest of Institutional Review Board Members 
and Research Oversight Officials

All terms in **Bold are** defined either at the end of the Tulane University Conflict of Commitment 
and Interest Policy or this Policy.

Applicability

This policy applies to **Research Oversight Officials**, which includes, but is not limited to, 
**Institutional Review Board** ("IRB") Members and members of other institutional bodies 
responsible for research oversight at Tulane University. This Policy defines Research Oversight 
Officials to include all personnel and staff of any institutional office or body at the University 
who perform research oversight functions in which they exercise professional or administrative-
level discretion

Principles

Federal law requires that **IRB Members** not have any conflicting interests in the research that 
they review. The University is concerned, as are various professional organizations, with the 
possible influence of such **Research Financial Interests** on research integrity and on the safety 
and welfare of human subjects involved in research protocols regardless of the source of research 
funding. The University is also concerned with any **Leadership Roles** that may be held by **IRB 
Members** in any entities that sponsor research, or that perform support, marketing, recruitment, 
data analysis or FDA liaison activities for research. The University’s policies therefore 
incorporate those concerns as well.

Consistent with federal laws and the ethical principles of human subjects research, Tulane 
University seeks to ensure that its **Research Oversight Officials** can carry out their 
responsibilities to protect the rights and welfare of human subjects participating in research 
projects at the University. Since the University recognizes that real, potential and apparent 
Conflicts of Interest may occur during research, this policy is intended to assist **IRB Members** 
as well as other **Research Oversight Officials** in determining when they have Conflicts of 
Interest in research and to guide them in disclosing all potential conflicts and then, as 
appropriate, cooperating in the management or elimination of the conflicts. While this policy 
governs the Conflicts of Interest of **IRB Members** and other **Research Oversight Officials** at 
the University, it does not regulate disputes between two or more individuals, nor disputes 
between one or more individuals and the University. Such disputes are to be resolved according 
to the University’s established dispute resolution procedures.
Because IRB Members and other Research Oversight Officials have primary responsibility for protecting the safety and welfare of human subjects participating in research at the University, it is the policy of the University that IRB Members and Research Oversight Officials, may not review any research protocol in which a decision to approve or disapprove the protocol could affect the IRB Member’s or Research Oversight Official’s or their Immediate Family’s \(^4\) Research Financial Interests. In particular, IRB Members and Research Oversight Officials may not have Research Financial Interests in any research sponsor or health-care related organization, nor any Leadership Roles in any research sponsor or research-related organization that could affect their review of research.

**Process**

1. **Disclosure:** All IRB Members and Research Oversight Officials must complete Form D of the Conflict of Interest and Conflict of Commitment Disclosure Form \(^5\). This form must be submitted to the member or official’s department chair or dean in accordance with the process described in the Tulane University Policy on Conflicts of Interest and Conflicts of Commitment and must be updated on an annual basis (by January 31 of each year) for as long as the IRB Member or Research Oversight Official continues to supervise research at the University. IRB Members and Research Oversight Officials who are newly hired by or affiliated with the University must submit Form D of the Form prior to beginning their research oversight duties, and must thereafter comply with the January 31 filing deadline. IRB Members and Research Oversight Officials must indicate upon the form any and all Research Financial Interests and/or Leadership Roles they or their Immediate Family may have in any research or health care-related organization, including any not-for-profit or tax exempt health care-related companies or foundations. IRB Members and Research Oversight Officials must also indicate whether any of their Leadership Roles could affect, or appear to affect, their review of any particular research projects.

2. **Updating:** If at any time over the course of the year one or more Research Financial Interests or Leadership Roles of an IRB Member or Research Oversight Official or their Immediate Family in any research or health care-related organization changes in any material way, the IRB Member or Research Oversight Official must promptly

---

\(^4\) As required by law, the term Immediate Family is defined differently for members of the Tulane University Medical Group and other health care providers. Such members and health care providers must refer to the definition of Immediate Family that can be found in the addendum to the University’s Policy on Conflicts of Commitment and Conflicts of Interest regarding such definition. The applicable definition of Immediate Family for all other Faculty and Staff members can be found in the Definitions section of that Policy.

\(^5\) IRB Members and other Research Oversight Officials who are also Investigators must complete Form C of the Annual Conflicts of Interest and Conflicts of Commitment Disclosure Form in their capacity as Investigator, and Form D in their capacity as a member of the University’s research oversight personnel. Please see Tulane’s Conflict of Interest Policy for Investigators.
notify the COI Committee of that change by submitting a written statement detailing such change(s).

3. Confidentiality: All financial and other confidential information disclosed by Faculty and Staff to the individuals described in Paragraph (1) will be maintained in strict confidence. The COI Committee may need to disclose information to other University administrators defined as Designated Officials in this Policy to carry out the purpose of this Policy. No other uses or disclosures of the financial and other confidential information of a Faculty and Staff member will be permitted, unless required by law.

4. Review by the COI Committee: As promptly as practicable after the January 31 filing deadline, the COI Committee will review Form D of the Disclosure Form of the IRB Member or Research Oversight Official to make certain that the IRB Member or Research Oversight Official does not possess any research or health care-related Research Financial Interests, or any Leadership Roles that could affect the Member’s or Official’s review of research. If the COI Committee concludes that the IRB Member or Research Oversight Official is devoid of any such Research Financial Interests and that the Member or Official does not possess any Leadership Roles that could affect the Member’s or Official’s review of research, then the matter will go no further. If, however, the COI Committee concludes that the IRB Member or Research Oversight Official possesses one or more Research Financial Interests, and/or that the Member or Official holds one or more Leadership Roles that could affect the Member’s or Official’s review of research, then the COI Committee will promptly inform the Member or Official in writing of its determination and of the remedies that must be taken by the Member or Official to fall into compliance. A Conflict of Interest will be deemed to exist per se if the IRB Member or Research Oversight Official is an inventor or co-inventor of a product or method in a study undergoing review or continuing review by that Member or Official, and/or where the IRB Member or Research Oversight Official is, or expects to be included as, an author on any publication relating to the study under review.

5. Management or Elimination of Conflicts of Interests: Where an IRB Member or Research Oversight Official is out of compliance with this policy due to one or more Research Financial Interests, the COI Committee will require that the Member or Official reduce every Research Financial Interest in any research Sponsor or health care-related organization to a de minimis level. The IRB Member or Research Oversight Official has the discretion of selecting how to accomplish this obligation (e.g., partial divestiture of the official’s Research Financial Interests, and/or partial divestiture of the Research Financial Interests of the official’s spouse or dependent children), but the time-frame in which divestiture must occur will be stipulated by the COI Committee, which ordinarily shall not be more than four weeks. Where an IRB Member or Research Oversight Official is out of compliance with this policy due to one or more Leadership Roles that could affect his or her review of research, the COI Committee will require that the Member or Official either terminate that Leadership Role or recuse himself or herself from the review of any research protocol that could be affected by that role. While an IRB Member or Research Oversight Official may not review a study that is being funded by a Sponsor in which he or she holds a Leadership
Role, Leadership Roles in other research-related organizations will be assessed on a case-by-case basis by the COI Committee. If a Conflict of Interest is deemed to exist based on the IRB Member’s or Research Oversight Official’s status as an inventor or co-inventor of a product or method in a study undergoing review or continuing review by that Member or Official, or is deemed to exist based on the IRB Member’s or Research Oversight Official’s existing or expected status as an author on any publication relating to the study under review, the remedy will be recusal.

6. Recusal: IRB Members and Research Oversight Officials must recuse themselves from reviewing a research protocol whenever they self-identify themselves as possessing a Conflict of Interest in relation to that protocol, and whenever they have been directed to do so by the COI Committee (or the Senior Vice President in the case of an appeal). In all cases, recusal must occur before the discussion of, and vote on, the research protocol in relation to which the IRB Member or Research Oversight Official has a Conflict of Interest. Nevertheless, the IRB Member or Research Oversight Official may remain in the room prior to the discussion or vote in order to provide information relating to the protocol, and may, if he or she is an inventor and/or serves as an Investigator on that protocol, present or assist in presenting the protocol to the IRB Members.

7. Appeal of COI Decision: An IRB Member or Research Oversight Official who disagrees with the COI Committee’s findings and/or management strategy may appeal in writing to the Senior Vice President responsible for the research. A copy of the appeal must be sent to the COI Committee. An appeal may lie in regard to whether the IRB Member’s or Research Oversight Official’s Leadership Role is likely to affect his or her review of research, but IRB Members and Research Oversight Officials may not contest the terms and conditions of this policy (e.g., they may not contest the prohibition on Research Financial Interests, nor the remedy for such interests). The applicable Senior Vice President may agree with the COI Committee’s findings and/or management strategy, or may amend such findings and/or management strategy, by for example, strengthening or weakening the management strategy. The applicable Senior Vice President shall promptly notify the IRB Member or Research Oversight Official and the COI Committee in writing of the conclusions of his or her review, including the actions that must be taken by the IRB Member or Research Oversight Official to comply with this policy. Upon receipt of the applicable Senior Vice President’s written report, the IRB Member or Research Oversight Official must promptly comply with the actions specified in that report.

Audits and Sanctions for Non-Compliance

If required by a Senior Vice President of the University, an IRB Member or Research Oversight Official may be audited for the purpose of verifying whether the IRB Member or Research Oversight Official truthfully and accurately disclosed his or her Leadership Roles, Secondary Commitments and Financial Interests, including Research Financial Interests in the Annual Research-Related Financial and Leadership Disclosure form (and in any updates thereto), and for the purpose of verifying whether the IRB Member or Research Oversight Official is complying with the actions, if any, that were specified in the written report of the COI Committee (or the Senior Vice President where there has been an appeal). An IRB
Member or Research Oversight Official who does not comply with the actions specified by the COI Committee or the Senior Vice President will be subject to potential sanctions in accordance with University policy and procedures. These sanctions may include: formal admonition or censure; suspension or removal from the IRB or other institutional research oversight body, and/or any other research oversight roles and responsibilities; non-renewal of appointment; and/or dismissal.

Additional Definitions

a. **Investigator**: Any professional research staff member involved in exercising independent judgment in research design, enrollment, data collection and gathering, data analysis and/or preparation for publication.

b. **IRB (“Institutional Review Board”)**: Any board, committee, or other group formally designated by the University to review human subjects research, and which was established and which functions and operates in conformity with Part 46 of Title 45 and Part 56 of Title 21 of the Code of Federal Regulations. IRB Members are those persons who comprise the IRB.

c. **Leadership Role**: Employment, consulting in any administrative or executive capacity, or serving as (i) a member of a board of trustees or board of directors, (ii) an officer, or (iii) a member of an advisory committee, advisory board or subcommittee of a board of trustees or a board of directors, whether remunerated or non-remunerated, in a research Sponsor or research-related organization.

d. **Research Financial Interest**: Any investments (whether in the form of debt, stock or other equity ownership; options or warrants to purchase stock or other securities or similar instruments) or any interest in a Sponsor, research or healthcare-related organization; royalties on any patent or intellectual property interests, unless paid by Tulane; or income, salary or remuneration in cash or kind, emoluments, benefits, gifts, honoraria, travel expenses, goods or services received from a Sponsor or research or healthcare related organization. Research Financial Interest does not include holdings in mutual funds or other equity funds in which day-to-day control of investments is held by a person not covered by any Tulane University Conflict of Interest policy.

e. **Research Oversight Official**: Personnel and staff of any institutional office or body at the University who perform research oversight functions in which they exercise professional or administrative-level discretion. All Designated Officials in the Policy of Tulane University on Conflicts of Commitment and Interest are also Research Oversight Officials.

f. **Sponsor**: The entity that is sponsoring or funding the research and the entity’s affiliates and subsidiaries, and any entity that monitors research, collects or arranges data for research or otherwise performs any services related to or supporting research, including assisting in applications or responses to the FDA.
E. Consulting and Other Extramural Activities

Every member of the faculty shall be given the opportunity to engage in private consulting work, professional or business activities within the restrictions specified by the division of the university in which the faculty member is appointed. As a general rule, the maximum expenditure of time on such outside activities should not exceed one day per seven-day week during the academic year. The faculty member is expected to inform the dean of the details of any extramural activity. No faculty member should accept employment or carry on professional or business activities that would bring the faculty member, as an expert or in any other capacity, into conflict with the interests of the university or would interfere with the performance of his or her primary responsibilities of teaching and research. At the end of each academic year, each full-time faculty member shall submit to the dean a report of extramural activities during the previous academic year, including:

1. Names of organizations for which such extramural activities have been conducted;
2. Names of business organizations in which the faculty member is an owner, partner, officer, director, or staff member.

The university assumes no responsibility for private consulting services, professional or business activities by faculty members. A faculty member must make it clear to private employers that consulting work is personal and not related to the university and that the name of the university is not to be connected with the service rendered or the results obtained.

A formal agreement must be made between the appropriate university representative and the sponsor for consulting projects requiring the use of university facilities.

Notwithstanding the above, faculty have the opportunity to accept a research assignment in another division or school for additional compensation upon consultation with the faculty member’s home department chair and dean.

A faculty member may not receive payment for consultation or other service performed for other departments or schools within the university unless such payment is an integral part of the faculty member's salary.
F. Photocopying Policy of Copyrighted Materials

The guidelines set forth in the Appendix* are to be used to determine whether or not the prior permission of the copyright owner is to be sought for photocopying for research and classroom use. If the proposed photocopying is not permitted under the guidelines, permission to copy is to be sought. An explanation of how permissions may be sought follows the guidelines. After permission has been sought, copying should be undertaken only if permission has been granted, and in accordance with the terms of the permission except as provided in the next paragraph.

The Doctrine of Fair Use may now or hereafter permit specific photocopying in certain situations, within limitations, beyond those specified in the guidelines in the Appendix or those that might be agreed to by the copyright owner. In order to preserve the ability of individual faculty members to utilize the doctrine of fair use in appropriate circumstances without incurring the risk of having personally to defend an action by a copyright owner who may disagree as to the limits of fair use, a faculty member who has sought permission to photocopy and has not received such permission (or has received permission contingent upon conditions that the faculty member considers inappropriate) may request a review of the matter by University Counsel. If upon review the University Counsel determines that some or all of the proposed photocopying is permitted by the copyright law, the University Counsel will so advise the faculty member. In that event, should any such photocopying by the faculty member thereafter give rise to a claim of copyright infringement, the University will defend and indemnify the faculty member against any such claim.

In the absence of the determination and advice of the University Counsel referred to above, or in the event that permission has not been first requested by the faculty member, no defense or indemnification by the University shall be provided to a faculty member whose photocopying gives rise to a claim of copyright infringement.

* The Guidelines in the Appendix were negotiated by education, author, and publishing representatives in 1976 and were incorporated in the House of Representatives report accompanying the copyright Act of 1976. The introductory explanation of the guidelines in the House report describes their relationship to the doctrine of fair use as reprinted in the Appendix.
G. Employment

1. Equal Opportunity and Affirmative Action Policy

Tulane University is an educational institution committed to affirmative action and equal employment opportunity, as stated in the Tulane University Mission Statement, adopted by the Board of Administrators on April 25, 1988, which includes the following principle:

"Tulane is strongly committed to policies of non-discrimination and affirmative action in student admission and in employment."

To accomplish this goal, Tulane's personnel actions, such as, but not limited to, recruitment, employment, compensation, and promotion, do not discriminate on the basis of race, color, religion, sex, national/ethnic origin, age, citizenship, marital status, sexual orientation, disability, or veterans status.

Further, Tulane University is committed to a program of affirmative action that is in accordance with federal, state, and local acts and regulations. Every good faith effort will be made to employ and advance individuals according to merit and to avoid any underutilization of minorities and women.

By adopting the principles outlined in this statement, the Tulane University Board of Administrators reaffirms its commitment to quality education embracing the continuation of an inclusive and culturally diverse campus community and enhancing mutual respect among our university community members. We continue to recognize our responsibility to prepare our students for active roles in a multi-cultural, multi-ethnic world. These are enduring goals of Tulane University, and we continue to encourage the work of those persons who are committed to multi-cultural and multi-ethnic participation in the University community.

Finally, the Board of Administrators reaffirms that quality education has always been and will continue to be the highest priority of this University, and that under this guiding principle the Board of Administrators will conscientiously adhere to the goals recited in this policy statement. Steps taken to implement this policy shall continue to follow the usual procedure of approval by the University Senate, with final approval by the Board of Administrators.

2. Grievance Procedures in Cases of Alleged Discrimination

Grievance procedures are available to all faculty members who allege discrimination in employment based on race, sex, color, religion, national/ethnic origin, age, handicap, marital status, sexual orientation, or veteran status. Any faculty member has the right to express a grievance without fear of loss of position or status. Any inquiries regarding possible discriminatory practices should be made to the Equal Opportunity Officer.

Any faculty member who is alleging discrimination should be sure to keep the Equal Opportunity Officer informed at each level of the grievance procedure. The Equal Opportunity Officer will participate as mediator and advisor in all cases involving complaints about possible
violations of affirmative action/equal employment opportunity in the University. As part of the monitoring responsibility of that office, the Equal Opportunity Officer will keep detailed written records of all transactions during a grievance case.

Any faculty member who alleges discrimination should first discuss in confidence his/her complaint with that individual most directly concerned with the alleged discrimination, or alternatively with the Equal Opportunity Officer. If the grievance is not resolved within five (5) working days or the complainant is still dissatisfied, the faculty member should discuss the grievance with the dean/director of the respective school/division.

If no satisfactory resolution is achieved by any of the parties including the Equal Opportunity Officer within ten (10) working days of the original complaint, the complainant and/or the dean/director should submit a written statement of the grievance to the grievance committee of the school/division, or equivalent elected committee composed of faculty of all ranks. The complaint shall be accompanied by the statement that the complainant agrees to the presentation for the consideration of the faculty committee of such reasons and evidence as may be alleged in opposition to the positions taken by the complainant. The committee shall seek to settle the matter by informal methods within a period of ten (10) working days after receipt of the complaint.

If the complainant is dissatisfied with the decision of the grievance (or equivalent executive) committee within a period of five (5) working days after its receipt, he or she may file a written petition of appeal with the Faculty Tenure, Freedom and Responsibility Committee of the University Senate. The petition shall set forth in detail the nature of the grievance and shall contain any data which the petitioner deems pertinent to the case. Based on the petition and the report from the executive (or equivalent) committee, the Senate Committee, or its chair, will arrange for a hearing before an Ad Hoc Hearing Board consisting of four persons, chosen in the following manner:

a. a faculty member submitting the grievance will choose one person who shall be a member of the faculty of the University;

b. the person charged with discrimination will choose a second person who shall be a member of the faculty of the University;

c. these two chosen persons will select a third person who shall be a member of the Faculty Tenure, Freedom and Responsibility Committee of the University Senate; the fourth person will be a faculty member selected from the Senate Committee on Affirmative Action by the members of that committee. This fourth person will serve on the Ad Hoc Hearing Board, and all subsequent Hearing Boards or Committees for that particular case. This Ad Hoc Hearing Board will seek to bring about a settlement satisfactory to all involved parties within ten (10) workings days from its receipt of the appeal, or else show cause for an extension of that deadline. At any time the representative of the Senate Committee on Affirmative Action disagrees with the conclusions or recommendations of the respective Hearing Board or Committee he or she will be entitled to write a minority report, and submit it directly to the President of the University.
If a mutually satisfactory settlement is not reached through the assistance of the Ad Hoc Hearing Board, the petitioner may then request a hearing before the full Committee on Faculty Tenure, Freedom and Responsibility. This hearing, the recommendation, and the consultation with the President and the Board of Administrators will take place under the regular procedures of the Committee.

3. Appeals of Promotion or Tenure Decisions on Grounds of Discrimination

If a faculty member appeals a promotion or tenure decision upon the grounds of discrimination, he/she has the right to designate a member of the Tulane University faculty to appear in an advocate position before the grievance committee at the divisional level and before the Committee on Faculty Tenure, Freedom and Responsibility at the University-wide level. This policy ensures representation of the faculty member's interest in order to mitigate against possible discrimination in the promotion/tenure decision process.

4. Multiple Family Members

University policy permits the employment of more than one member of a family (as husband, wife, son or daughter), whether or not the employed are in the same department when the members are appointed on the basis of their capabilities and qualifications. However, a member of the same family should neither initiate nor participate in institutional decisions involving a direct benefit (initial appointment, retention, promotion, salary, leave, etc.) affecting a member of his or her family.

5. Foreign Nationals

Deans and department chairs are urged to consult with the International Student Center about immigration regulations and visas before inviting international faculty and researchers to Tulane. The Center will process all applications to the Immigration Service for the employment of faculty and staff who are coming to the University in a non-immigrant status.

Administrators should be advised that immigration and labor regulations for foreign faculty are complicated and require an extended period of time to be fulfilled. Thus, it is recommended that six months lead time be given when offering temporary positions. Applications for permanent residence must be initiated and carried through by the individual faculty member in consultation with the General Counsel's Office.
H. Research Misconduct**

1. Introduction/Purpose*

It is the responsibility of all researchers to conduct their professional activities according to high standards of scholarship. Their responsibility to the community at large demands that they be honestly and sincerely devoted to the ideals of discovery and dissemination of truth and knowledge. Research misconduct undermines the academic enterprise. Institutions engaged in research have a responsibility, not only to provide an environment that promotes integrity, but also to establish and enforce policies and procedures that deal effectively and expeditiously with allegations or evidence of misconduct.

In dealing with the problem of research misconduct, it is important not to create an atmosphere that might discourage openness and creativity. Good and innovative research cannot flourish in an atmosphere of oppressive regulation. Moreover, it is particularly important to distinguish fraud from the honest error and the ambiguities of interpretation that are inherent in the scientific process and are normally corrected by further research.

This policy applies to all employees, students or other persons within the organizational control of Tulane University at the time of the performance of the research in question. The primary goal of this policy is to assure professional and humane handling of allegations regarding research misconduct.

The federal Office of Science and Technology Policy (OSTP) issued a final federal research misconduct policy on December 6, 2000. That policy consists of a definition of research misconduct and basic guidelines to help federal agencies and federally-funded research institutions respond to allegations of research misconduct. This policy incorporates the definitions and guidelines of the OSTP research misconduct policy.

This policy is not designed to fully implement the National Science Foundation (NSF) or federal Public Health Service (PHS) research misconduct regulations as contained in 45 CFR Part 689 and 42 CFR Part 93, respectively. The Associate Senior Vice President for Research (ASVPR) administers separate policies and procedures which fully implement the NSF and PHS research misconduct regulations. The ASVPR policies will be followed whenever an allegation arises which involves research sponsored by NSF or PHS. These policies may be found on the University Research Compliance officer’s website located at http://asvpr.tulane.edu/research_compliance.htm

If there is conflict between the policy provisions contained herein and the policy of the federal funding agency for the research in question, the policy of the federal funding agency will be followed. If more than one federal agency policy is applicable, each agency will be kept apprised of the status of the investigation as required by the agency. If a conflict exists between federal agency provisions, the most restrictive applicable policy provision will be followed.

The procedures defined in this policy involve four stages:

a. An inquiry to determine which allegations or related issues warrant further investigation;
b. If warranted after such inquiry, an investigation to collect and thoroughly examine evidence;

c. A formal finding; and

d. Appropriate disposition of the matter.

This policy is not intended to override or supplant, but rather to be consistent with existing Tulane policies for employment and academic conduct. (See Dismissal Procedure, Art. VI.) In cases involving students alone, the Graduate School Student Honor Code will be followed unless it involves research covered by a separate sponsor- required misconduct policy. If a case involves both students and faculty or staff, all parties will be investigated under this policy (or the appropriate, sponsor-required misconduct policy). With regard to the institutional review process for dealing with allegations of misconduct, Tulane is committed to:

1. Ensuring that the process used to resolve allegations of misconduct not damage the research process.

2. Investigating and resolving all charges. All respondents to allegations of research misconduct must cooperate with the division, Dean, or chief administrator undertaking inquiries or investigations into allegations of research misconduct. Even if the respondent leaves Tulane before the case is resolved, Tulane shall continue examination of the allegations and reach a conclusion. Further, Tulane shall cooperate with the processes of other involved institutions to resolve such problems.

3. Treating all parties with justice and fairness and being sensitive to their reputations and vulnerabilities. The Dean shall provide confidentiality for the individual who comes forward with an allegation of misconduct and shall take appropriate steps to protect the complainant against retaliation. Any individuals engaging in acts of malice or of retaliation shall be disciplined in accordance with appropriate institutional policies. The Dean shall work to assure that allegations of research misconduct have been brought in good faith and are not motivated by malicious intent.

4. Preserving the highest attainable degree of confidentiality compatible with an effective and efficient response. Strict confidentiality shall be maintained of all information gathered in an inquiry or investigation. This may include seeking assurances of the confidential treatment of such information prior to notifying sponsors of research. If confidentiality is breached, the Dean responsible for the inquiry or investigation shall take reasonable steps to minimize damage to reputations that may result from inaccurate reports.

5. Maintaining the integrity of the process by painstaking avoidance of real or apparent conflict of interest. The Dean in charge of each stage of the process shall be responsible for assuring no real or apparent conflict of interest, bearing on the case in question, is possessed by individuals chosen to assist in the inquiry and investigative process.

6. Resolving charges in as expeditious a manner as possible.

7. Documenting the pertinent facts and actions at each stage of the process.

8. After resolving allegations, discharging its responsibilities both internally – to all involved individuals – and externally – to the public, the sponsors of research, the scientific literature, and the scientific community, to the extent that it is appropriate and allowable. When allegations are not confirmed, the University shall undertake diligent efforts to restore the reputations of persons alleged to have engaged in this conduct, as
well as to protect the positions and reputations of those who, in good faith, made such allegations.

2. Definition of Research Misconduct

Research misconduct is a form of misconduct involving fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the academic research community for proposing, conducting or reporting research. It does not include honest error or honest differences in interpretation or judgments of data.

Furthermore, when allegations are made, difficulties can often arise in determining where – along the spectrum from error to fraud – a particular case will lie. The definition of research misconduct covered by this policy is as follows:

a. Falsification of data – ranging from fabrication to deceptive selective reporting, including the purposeful omission of conflicting data with the intent to falsify results;

b. Plagiarism – representation of another's work as one's own;

c. Violation of Federal Regulations – material failure to comply with federal requirements that uniquely relate to the conduct of research.

3. Process for Handling Allegations of Research Misconduct

a. Initiation of an Inquiry

All allegations of research misconduct should be reported to the Dean or chief administrator of the division in which the respondent researcher resides. The Dean shall take immediate and appropriate action as soon as misconduct has been alleged or is suspected. The Dean shall take interim administrative actions, as appropriate, to protect Federal funds and ensure that the purposes of the Federal financial assistance are carried out. Pursuit of the allegations should include discussion with the individual or individuals who made the allegation as well as with the researcher whose practices have been questioned. The researcher should be informed at the outset of the potential seriousness of the allegation and that he/she may wish to seek the advice of outside counsel.

If the Dean determines that the allegation is properly addressed through these policies and procedures designed to deal with research misconduct, inquiry procedures shall be discussed with the individual who has raised questions about the integrity of a research project. If this individual chooses not to make a formal allegation, but the Dean believes there is sufficient cause to warrant an inquiry, the matter shall be pursued under these policies and procedures.

b. Inquiry

1. Structure - The Dean or chief administrator of the division in which the respondent researcher resides is the official responsible for conducting inquiries into allegations of research misconduct. The Dean may appoint a small ad hoc committee to provide advice relevant to the inquiry stage. Such a committee shall include individuals who have the necessary expertise to evaluate the evidence and
issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry. It is the responsibility of the Dean to ensure that the inquiry is conducted in a fair and just manner. The Dean may delegate the responsibility for collecting part or all of the information to a member of his/her staff.

2. **Purpose** - The purpose of the inquiry will be, expeditiously, to gather and review factual information to determine if reasonable cause for investigation of the charge exists. The inquiry stage is not considered to be a formal hearing, but is designed to separate allegations deserving of further investigation from frivolous, unjustified, or clearly mistaken allegations.

3. **Process** - Upon initiation of an inquiry, the Dean is responsible for notifying the respondent within a reasonable time of the charges and the process that will follow. The Dean shall be responsible for disseminating information on the inquiry to appropriate individuals to include the Senior Vice President for Academic Affairs and Provost, the Office of the University Counsel, and the Associate Senior Vice President for Research. Notification should be made in writing and copies filed in the Dean's office. The safety and security of all documents must be assured. An inquiry conducted pursuant to this policy, but not otherwise subject to federal regulations or a separate sponsor required policy, must be completed within 60 days of the initial written notification of the respondent. If it is anticipated that the established deadline cannot be met, a report providing the reasons for the delay and progress to date should be submitted, for the record, and to the respondent and appropriately involved individuals.

4. **Findings** - The inquiry phase will be completed when the Dean determines whether or not reasonable cause for investigation exists. A report shall be written that summarizes the process (including the evidence reviewed and interviews conducted) and state the conclusion of the inquiry. The respondent shall be given a copy of the written report and shall be informed by the Dean as to whether or not there will be further investigation. Comments on the report by the respondent may be made part of the record of the inquiry. The complainant shall be given the report, along with the respondent's comments. If the complainant chooses to renew the complaint, he/she shall prepare it in reasonable detail with the assistance of the University Counsel. The report shall be forwarded promptly to the Senior Vice President for Academic Affairs and Provost. The Senior Vice President for Academic Affairs and Provost will work with the Associate Senior Vice President for Research to notify sponsoring agencies as required by applicable statutes and/or contractual agreements.

c. **Investigation**

1. **Purpose** - When a Dean finds that investigation is warranted, the purpose of the investigation shall be to explore further the allegations and determine where misconduct has been committed. The investigation should focus on accusations of misconduct as defined previously and examine the factual materials of each case. The institution’s decision to initiate an investigation must be reported to the appropriate oversight officials, if federally required to do so. At a minimum, the notification should include the name of the person(s) against whom the allegations have been made, the general nature of the allegation as it related to the
funding entity’s definition of scientific misconduct, and identifying information for the pending or awarded grant. In the course of the investigation, broadening the scope of the investigation beyond the initial allegations may occur, if additional information emerges that justifies such action. The respondent shall be informed when significant new directions in the investigation are undertaken and shall be given adequate time to prepare a defense, if new developments so require. At any time during an investigation, The Dean shall take interim administrative actions, as appropriate, to protect the external funds and ensure that the purposes of the external financial assistance are carried out.

2. **Structure** - When a Dean finds that an investigation is warranted, the Dean will immediately notify the Senior Vice President for Academic Affairs and Provost and the Associate Senior Vice President for Research of his/her decision to initiate it. The Grievance Committee of the school in which the respondent researcher has his/her primary appointment shall be responsible for investigation of research misconduct allegations. The Dean will refer the matter to the Grievance Committee within thirty (30) days of determining that an investigation is warranted. Necessary and appropriate expertise shall be secured to carry out a thorough and authoritative evaluation by the committee. If additional technical expertise is needed, the Grievance Committee, in consultation with the Dean, shall appoint one to three additional members from the University community to provide such expertise. Outside researchers may be consulted as expert witnesses, but may not serve as members of the Grievance Committee. The Dean will also take precautions against real or apparent conflicts of interest on the part of members of the Grievance Committee. Such conflicts of interest may include: administrative dependency, close personal relationships, collaborative relationships, financial interest, and/or scientific bias. The committee members will be expected to state in writing that they have no conflicts of interest. Any member of the Grievance Committee with a real or apparent conflict of interest shall recuse him/herself from the committee for the particular investigation.

3. **Process** - Upon receipt of the inquiry findings that an investigation is warranted, and within 30 days of completion of an inquiry, the school Grievance Committee shall initiate a formal investigation and so notify the Dean, the Senior Vice President for Academic Affairs and Provost, Associate Senior Vice President for Research, the Office of the University Counsel, the complainant and the respondent. The researcher concerned, upon written request made within 10 working days following delivery of such notification, shall have the right to be heard by the school Grievance Committee. If a researcher does not request a hearing or deny the charges within said 10-working day period, the school Grievance Committee must make recommendations for a disposition of the case on the basis of the evidence that it gathers. The accused is required to cooperate with the investigation and failure to cooperate may be taken into consideration by the committee. Members of the Grievance Committee must remove themselves from the case, if they deem themselves disqualified for reasons of bias or personal interest. Any members removed for this reason shall be replaced by the Chair of
the Grievance Committee. The Office of the University Counsel shall be used in an advisory role throughout the process.

As soon as practicable, in any event no later than 10 days from the deadline for the respondent's request for a hearing, the Dean shall serve on the respondent a copy of the statement of charges and, if a hearing is requested by the respondent or determined to be necessary by the committee, written notice of the place and day of the hearing by the Grievance Committee. The hearing shall be fixed for a date not sooner than 20 working days nor later than 40 working days after delivery of the notice. The respondent may waive a hearing or may respond to the charges in writing at any time before the hearing. The respondent may also waive a hearing, but deny the charges or assert that the charges do not support a finding of research misconduct. In any such event, the school Grievance Committee shall investigate and evaluate all available evidence and make its findings and recommendations upon the evidence in the record before it. Normally, evidence will include, but not necessarily be limited to, relevant research data and proposals, publications, correspondence, and memoranda of telephone calls. Whenever possible, interviews should be conducted of all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations; complete summaries of these interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file.

Hearings shall be private, unless the Grievance Committee, the Dean and the respondent all agree that the hearing shall be public. During the proceedings, the respondent and the complainant shall have the right to have legal counsel present for the purpose of observation and advice, but outside counsel shall not be allowed to address the committee directly. Whenever an outside counsel is present, University counsel must also be present. A verbatim record of the hearing(s) shall be made available to the respondent without cost.

The burden of proof rests with the University and should be based upon a preponderance of the evidence. The Grievance Committee shall grant adjournments of reasonable periods of time, not to exceed 10 days, to enable either party to investigate evidence about which a valid claim of surprise is made. The respondent shall be afforded an opportunity to present necessary witnesses in his/her defense and documentary of other evidence and the University shall, so far as this is possible, secure the cooperation of such witnesses and make available necessary documents and other evidence within the control of the University. The respondent, members of the Grievance Committee, and the Dean shall have the right to confront and cross-examine all witnesses. Where a witness cannot or will not appear, but the committee determines that the interest of justice requires admission of a statement, the committee shall identify the witness, and disclose the statement. The Grievance Committee shall not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available.
Investigations should be completed within a reasonable time period, or within any time period required by the funding source. A reasonable time is defined as within 180 days from the initial meeting of the investigation committee, unless the reasons for delay are documented and approved by the ASVPR. This includes conducting the investigation, preparing the report of findings, making the draft report available to the subject of the investigation for comment, and submitting the report to the Senior Vice President for Academic Affairs and Provost for approval. It is recognized that the ability to complete an investigation within the applicable period will depend heavily upon factors such as the volume and nature of research reviewed and the degree of cooperation being offered by the subject of the investigation.

A request for an extension of the time period for completing the investigation for externally-funded research shall follow the policies and/or regulations of the funding source. If no externally funded research is involved, then requests for extension should be made to the Senior Vice President for Academic Affairs and Provost.

Investigations into allegations of research misconduct may result in various outcomes including:

(a) A finding of misconduct;
(b) A finding of serious scientific wrongdoing short of fraud;
(c) A finding that no scientific misconduct was committed, but serious scientific errors were discovered;
(d) A finding that no fraud, misconduct or serious error was committed.

4. Findings - The Committee shall submit a draft of its findings and its recommendation concerning the nature and severity of the disciplinary action in writing to the respondent for comment and rebuttal. The respondent will be allowed five (5) calendar days to review and comment on the draft report. The respondent’s comments will be attached to the final report. The findings of the final report should take into account the respondent’s comments in addition to all the other evidence. As promptly as practicable following receipt of the respondent’s comments or expiration of the five day period set forth above, the Committee shall submit its findings and recommendation concerning the nature and severity of the disciplinary action in writing to the Senior Vice President for Academic Affairs and Provost who will be responsible for deciding what will be the outcome of the investigation, following the lapse of time necessary to allow an appeal, if one is filed. The Dean, Associate Senior Vice President for Research and respondent shall receive copies of the full report of the investigation. When there is more than one respondent, each shall receive all those parts that are pertinent to his/her role.

d. Appeal
If the Grievance Committee recommends the dismissal of a faculty member, the Senior Vice President for Academic Affairs and Provost will refer the case to the Senate Committee on Faculty Tenure, Freedom, and Responsibility for the initiation of dismissal proceedings as described herein. In all other cases, the respondent to the allegation of research misconduct may appeal the decision of the Grievance Committee to the Senate Committee on Faculty, Tenure, Freedom and Responsibility (FTFR), within 10 working days after a recommendation is rendered by the Grievance Committee. Appeals shall be restricted to the body of evidence already presented. To correct procedural errors or to consider the submission of new evidence, the case shall be remanded by the FTFR to the Grievance Committee. The two committees shall meet to discuss whatever differences may exist in their judgment of the case. If the disagreement cannot be resolved, separate recommendations shall be sent to the proper administrative officers. The Senate Committee on Faculty Tenure, Freedom and Responsibility shall complete its review and submit its recommendation within 40 days to the Senior Vice President for Academic Affairs and Provost the Dean, the Associate Senior Vice President for Research, and the researcher(s) concerned.

e. Disposition

1. **Discipline** - In cases in which the researcher has been judged guilty by the Grievance Committee, the Senior Vice President for Academic Affairs and Provost shall be responsible for determining the nature and severity of the disciplinary action. If dismissal of the researcher is recommended, such recommendation shall use normal dismissal procedures as described herein or in the Tulane Staff Handbook. Examples of disciplinary actions that may be taken by the Senior Vice President for Academic Affairs and Provost or the as a result of a finding of research misconduct include the following:

   (a) Removal from the particular project;
   (b) Letter of reprimand;
   (c) Special monitoring of future work;
   (d) Suspension or exclusion of a graduate student;
   (e) Termination of employment of a staff member;
   (f) Referral to the Senate Committee on Faculty Tenure, Freedom, and Responsibility for dismissal proceedings against a faculty member.

2. **Notification of Concerned Parties and Sponsoring Agencies** - The Associate Senior Vice President for Research will promptly notify the federal agencies, sponsors, or other entities initially informed of the findings of the investigation. If the institution plans to terminate an inquiry or investigation for any reason without completing all relevant requirements of the applicable PHS regulations, the Associate Senior Vice President for Research will submit a report of the planned termination to the PHS Office of Research Integrity, including a description of the reasons for the proposed termination. (Full details concerning PHS research misconduct sponsor notification procedures are contained in the Tulane PHS Policy.) If the institution plans to terminate an inquiry or investigation for any reason without completing all relevant requirements of the
applicable NSF regulations, the institution will provide such information to the NSF OIG as is necessary to demonstrate that the termination of the inquiry or investigation is justified. (Full details concerning NSF research misconduct sponsor notification procedures are contained in the Tulane NSF policy). The Associate Senior Vice President for Research shall retain the findings of the investigation in a confidential and secure file. The report will include the actual text or an accurate summary of the views of any individual(s) found to have engaged in misconduct as well as a description of any sanctions imposed and administrative actions taken by the institution.

In addition to notifying concerned parties and sponsoring agencies, the Senior Vice President for Academic Affairs and Provost may also choose to notify:

(a) Co-authors, co-investigators, collaborators;
(b) Editors of journals in which fraudulent research was published;
(c) Professional licensing boards;
(d) Editors of journals or other publications, other institutions, sponsoring agencies, and funding sources with which the individual has been affiliated;
(e) Professional societies; and
(f) Where appropriate, criminal authorities.

3. Record Retention - After completion of a case and all ensuing related actions, the Associate Senior Vice President for Research will prepare a complete file, including the records of any inquiry or investigation and copies of all documents and other materials related to such inquiry or investigation. The Associate Senior Vice President will keep the file for a minimum of three years after completion of the case to permit later assessment of the case or for the retention period required by the funding entity, whichever is longer. Federally authorized personnel will be given access to the records upon request and as required by federal regulations.

* This policy statement is based on and draws heavily from the language of the report "Framework for Institutional Policies and Procedures to Deal with Fraud in Research," authored by the Association of American Universities and the National Association of State Universities and Land-Grant Colleges.

**[approved by Senate November 3, 2008; revisions made to Handbook November 19, 2008]

H. Fraud in Research**

1. Introduction/Purpose*

It is the responsibility of all researchers to conduct their professional activities according to high standards of scholarship. Their responsibility to the community at large demands that they be honestly and sincerely devoted to the ideals of discovery and dissemination of truth and knowledge. Fraud in research undermines the academic enterprise. Institutions engaged in
research have a responsibility, not only to provide an environment that promotes integrity, but also to establish and enforce policies and procedures that deal effectively and expeditiously with allegations or evidence of fraud.

In dealing with the problem of research fraud, it is important not to create an atmosphere that might discourage openness and creativity. Good and innovative research cannot flourish in an atmosphere of oppressive regulation. Moreover, it is particularly important to distinguish fraud from the honest error and the ambiguities of interpretation that are inherent in the scientific process and are normally corrected by further research.

This policy applies to all employees, students or other persons within the organizational control of Tulane University at the time of the performance of the research in question. The primary goal of this policy is to assure professional and humane handling of allegations regarding fraud in research. This policy has taken into consideration the 1989 Public Health Service (PHS) regulations, "Responsibility of PHS Awardees and Applicant Institutions for Dealing with and Reporting Possible Misconduct in Science," and the 1987 Regulations issued by the National Science Foundation (NSF), "Misconduct in Science and Engineering Research." If, at any stage in the process for dealing with research fraud, there is reasonable indication of possible criminal violation on the part of a PHS grant holder or applicant, or facts are disclosed which may affect current or potential Department of Health and Human Service's funding for the individual(s) under investigation or that the PHS needs to know to ensure appropriate use of federal funds and otherwise protect the public interest, the PHS Office of Scientific Integrity must be informed within twenty-four hours. The Office of Scientific Integrity must also be informed if an inquiry or investigation involving a PHS grantee or grant applicant is terminated prior to completion.

The procedures defined in this document involve four stages:

a. An inquiry to determine which allegations or related issues warrant further investigation;

b. If warranted after such inquiry, an investigation to collect and thoroughly examine evidence;

c. A formal finding; and

d. Appropriate disposition of the matter.

This policy is not intended to override or supplant, but rather to be consistent with existing Tulane policies for employment and academic conduct. (See Dismissal Procedure, Art. VI.) In cases involving students alone, the Graduate School student Honor Code will be followed. If a case involves both students and faculty or staff, all parties will be investigated under the Policies and Procedures to Deal with Fraud in Research. With regard to the institutional review process for dealing with allegations of fraud, Tulane is committed to:

1. Ensuring that the process used to resolve allegations of fraud not damage the research process.
2. Investigating and resolving all charges. All respondents to allegations of research fraud must cooperate with the division, Dean or chief administrator undertaking inquiries or investigations into allegations of research fraud. Even if the respondent leaves Tulane before the case is resolved, Tulane shall continue examination of the allegations and reach a conclusion. Further, Tulane shall cooperate with the processes of other involved institutions to resolve such problems.

3. Treating all parties with justice and fairness and being sensitive to their reputations and vulnerabilities. The Dean shall provide confidentiality for the individual who comes forward with an allegation of fraud and shall take appropriate steps to protect the complainant against retaliation. Any individuals engaging in acts of malice or of retaliation shall be disciplined in accordance with appropriate institutional policies. The Dean shall work to assure that allegations of research fraud have been brought in good faith and are not motivated by malicious intent.

4. Preserving the highest attainable degree of confidentiality compatible with an effective and efficient response. Strict confidentiality shall be maintained of all information gathered in an inquiry or investigation. This may include seeking assurances of the confidential treatment of such information prior to notifying sponsors of research. If confidentiality is breached, the Dean responsible for the inquiry or investigation shall take reasonable steps to minimize damage to reputations that may result from inaccurate reports.

5. Maintaining the integrity of the process by painstaking avoidance of real or apparent conflict of interest. The Dean in charge of each stage of the process shall be responsible for assuring no real or apparent conflict of interest, bearing on the case in question, is possessed by individuals chosen to assist in the inquiry and investigative process.

6. Resolving charges in as expeditious a manner as possible.

7. Documenting the pertinent facts and actions at each stage of the process.

8. After resolving allegations, discharging its responsibilities both internally --to all involved individuals -- and externally -- to the public, the sponsors of research, the scientific literature, and the scientific community, to the extent that it is appropriate and allowable. When allegations are not confirmed, the University shall undertake diligent efforts to restore the reputations of persons alleged to have engaged in this conduct, as well as to protect the positions and reputations of those who, in good faith, made such allegations.

2. Definition of Fraud in Research

Research fraud is a form of misconduct involving fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the academic research community for proposing, conducting or reporting research. It does not include honest error or honest differences in interpretation or judgments of data.

Furthermore, when allegations are made, difficulties can often arise in determining where -- along the spectrum from error to fraud - a particular case will lie. The primary focus of this policy will be:
a. Falsification of data - ranging from fabrication to deceptive selective reporting, including the purposeful omission of conflicting data with the intent to falsify results;

b. Plagiarism - representation of another's work as one's own;

c. Violation of Federal Regulations - material failure to comply with federal requirements that uniquely relate to the conduct of research.

3. Process for Handling Allegations of Research Fraud

a. Initiation of an Inquiry
All allegations of research fraud should be reported to the Dean or chief administrator of the division in which the respondent researcher resides. The Dean shall take immediate and appropriate action as soon as misconduct has been alleged or is suspected. Pursuit of the allegations should include discussion with the individual or individuals who made the allegation as well as with the researcher whose practices have been questioned. The researcher should be informed at the outset of the potential seriousness of the allegation and that he/she may wish to seek the advice of outside counsel.

If the Dean determines that the allegation is properly addressed through these policies and procedures designed to deal with fraud in research, inquiry procedures shall be discussed with the individual who has raised questions about the integrity of a research project. If this individual chooses not to make a formal allegation, but the Dean believes there is sufficient cause to warrant an inquiry, the matter shall be pursued under these policies and procedures.

b. Inquiry

1. Structure
The Dean or chief administrator of the division in which the respondent researcher resides is the official responsible for conducting inquiries into allegations of research fraud. The Dean may appoint a small ad hoc committee to provide advice relevant to the inquiry stage. It is the responsibility of the Dean to insure that the inquiry is conducted in a fair and just manner. The Dean may delegate the responsibility for collecting part or all of the information to a member of his/her staff.

2. Purpose
The purpose of the inquiry will be, expeditiously, to gather and review factual information to determine if reasonable cause for investigation of the charge exists. The inquiry stage is not considered to be a formal hearing, but is designed to separate allegations deserving of further investigation from frivolous, unjustified, or clearly mistaken allegations.

3. Process
Upon initiation of an inquiry, the Dean is responsible for notifying the respondent within a reasonable time of the charges and the process that will follow. The Dean shall be responsible for disseminating information on the inquiry to appropriate
individuals to include the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences, the Office of the University Counsel, and the Vice President for Research. Notification should be made in writing and copies filed in the Dean's office. The safety and security of all documents must be assured. The inquiry phase should be completed within 60 days of the initial written notification of the respondent. If it is anticipated that the established deadline cannot be met, a report providing the reasons for the delay and progress to date should be submitted, for the record, and to the respondent and appropriately involved individuals. (If the respondent has a PHS grant or grant application pending, the NIH Office of Scientific Integrity must be so informed.)

4. Findings
The inquiry phase will be completed when the Dean determines whether or not reasonable cause for investigation exists. A report shall be written that summarizes the process (including the evidence reviewed and interviews conducted) and state the conclusion of the inquiry. The respondent shall be given a copy of the written report and shall be informed by the Dean as to whether or not there will be further investigation. Comments on the report by the respondent may be made part of the record of the inquiry. The complainant shall be given the report, along with the respondent's comments. If the complainant chooses to renew the complaint, he/she shall prepare it in reasonable detail with the assistance of the University Counsel. The report shall be forwarded promptly to the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences, depending on the primary appointment of the individual against whom the allegation of fraud has been made. The Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences will work with the office responsible for administering the research funding agreement to provide a copy of the notice to any federal agencies sponsoring research of the individual under investigation. (If the respondent has a PHS grant or grant application pending, the NIH Office of Scientific Integrity shall be informed of the pending investigation.) (1/97)

c. Investigation

1. Purpose
When a Dean finds that investigation is warranted, the purpose of the investigation shall be to explore further the allegations and determine where fraud has been committed. The investigation should focus on accusations of fraud as defined previously and examine the factual materials of each case. In the course of the investigation, broadening the scope of the investigation beyond the initial allegations may occur, if additional information emerges that justifies such action. The respondent shall be informed when significant new directions in the investigation are undertaken and shall be given adequate time to prepare a defense, if new developments so require.

2. Structure
The Grievance Committee of the college in which the respondent researcher has
his/her primary appointment shall be responsible for investigation of research fraud allegations. Necessary and appropriate expertise shall be secured to carry out a thorough and authoritative evaluation. If additional technical expertise is needed, the Grievance Committee in consultation with the Dean shall appoint one to three additional members from the University community to provide such expertise. Outside researchers may be consulted as expert witnesses, but may not serve as members of the Grievance Committee.

3. **Process**

   Upon receipt of the inquiry findings that an investigation is warranted, and within 30 days of completion of an inquiry, the college Grievance Committee shall initiate a formal investigation and so notify the Dean, the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences, Vice President for Research, the Office of the University Counsel, the complainant and the respondent. The researcher concerned, upon written request made within 10 working days following delivery of such notification, shall have the right to be heard by the College Grievance Committee. If a researcher does not request a hearing or deny the charges within said 10-working day period, the College Grievance Committee must make recommendations for a disposition of the case on the basis of the evidence that it gathers. The accused is required to cooperate with the investigation and failure to cooperate may be taken into consideration by the committee. Members of the Grievance Committee must remove themselves from the case, if they deem themselves disqualified for reasons of bias or personal interest. Any members removed for this reason shall be replaced by the Chair of the Grievance Committee. The Office of the University Counsel shall be used in an advisory role throughout the process. (1/97)

As soon as practicable, in any event no later than 10 days from the deadline for the respondent’s request for a hearing, the Dean shall serve on the respondent a copy of the statement of charges and, if a hearing is requested by the respondent or determined to be necessary by the committee, written notice of the place and day of the hearing by the Grievance Committee. The hearing shall be fixed for a date not sooner than 20 working days nor later than 40 working days after delivery of the notice. The respondent may waive a hearing or may respond to the charges in writing at any time before the hearing. The respondent may also waive a hearing, but deny the charges or assert that the charges do not support a finding of research fraud. In any such event, the College Grievance Committee shall investigate and evaluate all available evidence and make its findings and recommendations upon the evidence in the record before it. Normally, evidence will include, but not necessarily be limited to, relevant research data and proposals, publications, correspondence, and memoranda of telephone calls. Whenever possible, interviews should be conducted of all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations; complete summaries of these interviews should be prepared, provided...
to the interviewed party for comment or revision, and included as part of the investigatory file.

Hearings shall be private, unless the Grievance Committee, the Dean and the respondent all agree that the hearing shall be public. During the proceedings, the respondent and the complainant shall have the right to have legal counsel present for the purpose of observation and advice, but outside counsel shall not be allowed to address the committee directly. Whenever an outside counsel is present, University counsel must also be present. A verbatim record of the hearing(s) shall be made available to the respondent without cost.

The burden of proof rests with the University and should be based upon a preponderance of the evidence. The Grievance Committee shall grant adjournments of reasonable periods of time, not to exceed 10 days, to enable either party to investigate evidence about which a valid claim of surprise is made. The respondent shall be afforded an opportunity to present necessary witnesses in his/her defense and documentary of other evidence and the University shall, so far as this is possible, secure the cooperation of such witnesses and make available necessary documents and other evidence within the control of the University. The respondent, members of the Grievance Committee, and the Dean shall have the right to confront and cross-examine all witnesses. Where a witness cannot or will not appear, but the committee determines that the interest of justice requires admission of a statement, the committee shall identify the witness, and disclose the statement. The Grievance Committee shall not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available.

Investigations should be completed within 120 days. However, due to the nature of some cases, this time period may be extended. It is also recognized that the ability to complete an investigation within the 120-day period will depend heavily upon factors such as the volume and nature of research reviewed and the degree of cooperation being offered by the subject of the investigation. If the 120-day time period cannot be met, an interim report describing the progress of the investigation shall be submitted to the Dean.

Investigations into allegations of research fraud may result in various outcomes including:

(a) A finding of fraud;

(b) A finding of serious scientific misconduct short of fraud;

(c) A finding that no scientific misconduct was committed, but serious scientific errors were discovered;
(d) A finding that no fraud, misconduct or serious error was committed.

1. Findings
   The Committee shall submit its findings and its recommendation concerning the nature and severity of the disciplinary action in writing to the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences, who will be responsible for deciding what will be the outcome of the investigation, following the lapse of time necessary to allow an appeal, if one is filed. The Dean, Vice President for Research and respondent shall receive copies of the full report of the investigation. When there is more than one respondent, each shall receive all those parts that are pertinent to his/her role.

d. Appeal
   If the Grievance Committee recommends the dismissal of a faculty member, the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences will refer the case to the Senate Committee on Faculty Tenure, Freedom, and Responsibility for the initiation of dismissal proceedings as described herein. In all other cases, the respondent to the allegation of research fraud may appeal the decision of the Grievance Committee to the Senate Committee on Faculty, Tenure, Freedom and Responsibility (FTFR), within 10 working days after a recommendation is rendered by the Grievance Committee. Appeals shall be restricted to the body of evidence already presented. To correct procedural errors or to consider the submission of new evidence, the case shall be remanded by the FTFR to the Grievance Committee. The two committees shall meet to discuss whatever differences may exist in their judgment of the case. If the disagreement cannot be resolved, separate recommendations shall be sent to the proper administrative officers. The Senate Committee on Faculty Tenure, Freedom and Responsibility shall complete its review and submit its recommendation within 40 days to the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences, the Dean, the Vice President for Research, and the researcher(s) concerned.

e. Disposition
   1. Discipline
      In cases in which the researcher has been judged guilty by the Grievance Committee, the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences shall be responsible for determining the nature and severity of the disciplinary action. If dismissal of the researcher is recommended, such recommendation shall use normal dismissal procedures as described herein or in the Tulane Staff Handbook. Examples of disciplinary actions that may be taken by the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences as a result of a finding of research fraud include the following:

      (a) Removal from the particular project;
(b) Letter of reprimand;

(c) Special monitoring of future work;

(d) Suspension or exclusion of a graduate student;

(e) Termination of employment of a staff member;

(f) Referral to the Senate Committee on Faculty Tenure, Freedom, and Responsibility for dismissal proceedings against a faculty member.

1. Notification of Concerned Parties and Sponsoring Agencies
The Vice President for Research will promptly notify the federal agencies, sponsors, or other entities initially informed of the findings of the investigation. The institution shall retain the findings of the investigation in a confidential and secure file. (If the respondent has a PHS grant or grant application pending, a copy shall also be sent to the NIH Office of Scientific Inquiry.)

In addition to notifying concerned parties and sponsoring agencies, the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences may also choose to notify:

(a) Co-authors, co-investigators, collaborators;

(b) Editors of journals in which fraudulent research was published;

(c) Professional licensing boards;

(d) Editors of journals or other publications, other institutions, sponsoring agencies, and funding sources with which the individual has been affiliated;

(e) Professional societies; and

(f) Where appropriate, criminal authorities.

* This policy statement is based on and draws heavily from the language of the report "Framework for Institutional Policies and Procedures to Deal with Fraud in Research," authored by the Association of American Universities and the National Association of State Universities and Land-Grant Colleges.

**[deleted by Senate November 3, 2008; revisions made to Handbook November 19, 2008]
I. Intellectual Property Policy and Procedures

1. Introduction

The creativity of human beings is manifested in fields as diverse as science and technology, literature and the humanities, and the fine and applied arts. Intellectual property comprises the legal vehicles that make possible the ownership and control of some of the fruits of this creativity, providing an incentive both to be creative and to make such fruits public. As a result of recent changes in the laws governing intellectual property and in the conditions governing federal grants and contracts, and of increased cooperation in research and development between universities and business, the volume of intellectual property being created in universities has increased significantly. This increase has made apparent the complexity of the issues related to the ownership, control and use of such property. This policy is designed to achieve the following objectives:

a) Encourage the creative endeavors of all members of the Tulane University community;

b) Safeguard the rights and interests of all relevant parties (including the University itself) in the creative products of those associate with the University;

c) Facilitate the dissemination and use of the findings of academic research so as to benefit the public at the earliest possible time;

d) Provide machinery by which the significance of the findings of academic research may be determined and, when appropriate, their public use facilitated;

e) Assist in the negotiation and preparation of contracts with outside sponsors, collaborators and licensees, and support the fulfillment of the terms of those contracts;

f) Provide for the equitable distribution of benefits resulting from intellectual property among the various parties with interests in it.

2. Definitions

Throughout this document, words and phrases shall be deemed to have their customary meanings. Notwithstanding this, and by way of illustration only, the following list of definitions is provided. This list is not intended to be exhaustive.

2.01 COPYRIGHT: is the set of exclusive legal rights, as defined by law, that subsist in relation to an original work of authorship.

2.02 EMPLOYEES: means all full-time and part-time employees of Tulane University, whether faculty members, staff or students.
2.03 FACULTY: means all employees who meet the definition of "faculty members" contained in the most recent version of Tulane University's Faculty Handbook.

2.04 INTELLECTUAL PROPERTY: means property in intangibles that are developed or chiefly guided by the intellect of their creators. It includes, but is not limited to, patents, trade secrets, copyrights, mask work rights, trademarks, and rights in tangible research materials.

2.05 MASK WORK RIGHTS: are the exclusive legal rights, as defined by law, that subsist in relation to a mask work fixed in a semiconductor chip product.

2.06 MEDICAL CENTER: includes the schools, clinics, institutes, divisions, or other organization components of Tulane University that are under the administrative authority of the Senior Vice President for Health Sciences of Tulane University.

This includes, as examples, the School of Medicine, School of Public Health and Tropical Medicine, Student Health Services on either campus, and the Tulane National Primate Research Center.

2.07 PATENT: means a patent issued by the United States Government or by any foreign government securing to an inventor for a limited time a set of exclusive legal rights in relation to his invention; it includes applications for patents, divisionals, reissued patents, continuations, and continuations-in-part of patents and applications therefore.

2.08 STAFF: means all employees of Tulane University who are not faculty members or students.

2.09 STUDENTS: means all persons enrolled in a course of study, full-time or part-time, in any division of Tulane University, its schools or colleges. A "COVERED STUDENT" means a student to whom this policy applies, as defined by Section 3b.

2.10 TANGIBLE RESEARCH MATERIALS: means tangible items produced in the course of research projects (such as a cell line or a radioimmunoassay), but not any information embodied in such items. It does not include tangible items that embody information as to which the University has no ownership rights, or as to which it waives and releases its ownership rights under Section 6.02.

2.11 TRADE SECRETS: means information, whether patentable or not, and including a formula, pattern, compilation, program, device, method, technique, process or know-how, that is protected by law.

2.12 UNIVERSITY: The Administrators of the Tulane Educational Fund is the corporate entity of Tulane University. "University" shall refer to Tulane University, its component divisions, centers and institutes, or its officers.
2.13 UNIVERSITY FACILITIES: means any facility including funding, equipment, and material, available to a person as a direct result of that person's affiliation with the University, which would not be available to a non-University person on the same basis.

2.14 UNIVERSITY OFFICIAL: means any officer of the University who is designated by the President to perform any task in relation to this policy on behalf of the University.

2.15 UPTOWN CAMPUS: includes all components of Tulane University other than the Medical Center.

3. Applicability

This policy applies to:

a. all University employees, whether faculty members, staff or students;

b. all graduate students (i.e., post-baccalaureate) enrolled at the University, in respect only of their activities as such;

c. all Residents and Fellows of the University;

d. any person, other than an employee, a student, a Resident, or a Fellow of the University, who is aided by University facilities or staff, or by funds administered by the University, subject always to Section 11, below; and

e. any person, other than an employee, a student, a Resident, or a Fellow of the University, who is working at the University by virtue of a grant form, or a contract with an outside body, whether governmental or private, subject always to Section 11, below.

Upon prior written agreement with the University, this policy may also be applied to persons who do not fall into any of the above categories.

3.01 Condition of Employment, Enrollment and Support

This policy, as amended from time to time, shall become a part of the conditions of employment of every employee, and of the conditions of enrollment and attendance of every covered student, whether such employee or student was employed or enrolled, as the case may be, before or after its adoption.

3.02 Existing Intellectual Property

This policy shall be applied only to intellectual property coming into existence on or after the date of its adoption. Intellectual property coming into existence prior to the adoption of the revision on April 2, 2001 shall however continue (a) to be subject to any definition of "net income" previously applicable to it, and (b) to be governed by any applicable agreements in force among the University, its personnel, the external sponsors of its research programs, or any
two or more of them. In any such case, however, the persons concerned may avail themselves of the benefits of this policy by notification to the Senior Vice President for Health Sciences, the Senior Vice President for Academic Affairs, or their respective designee(s), as appropriate.

4. Intellectual Property in General

In general, and without prejudice to any of the specific provisions contained herein, the University, and every person to whom this policy applies, agree that all intellectual property that is created by an employee within the scope of his or her employment, or by a covered student or a Resident or a Fellow within the scope of his or her activities as such, or by any other person who is aided by University facilities or staff, or by funds administered by the University, or is working at the University by virtue of a grant from, or a contract with, an outside body, whether government or private (subject always to Section 11, below), shall be the property of the University. A condition of employment, enrollment, and attendance or support shall be that the ownership rights in every such intellectual property shall, where necessary, be assigned by the individual creator to the University in consideration of the University agreeing to share the net income actually received from such property in accordance with Section 9, below, and to deal with such property in accordance with Section 10, below. This assignment shall be made in a manner determined by the University in accordance with this policy. The University shall have no ownership rights in respect of intellectual property that does not fall within the definition given above; however, the creator may, if he or she so desires, offer such intellectual property to the University. If accepted, it shall be treated in the same way, and be subject to the same procedures, as intellectual property owned by the University, unless otherwise agreed upon.

Every person to whom this policy applies shall disclose to the University, in accordance with the procedures set out in Section 10.01, below, any intellectual property created by him or her.

5. Patents

The area of scientific and technological inventions and discoveries presents, in an especially acute form, many of the difficulties that arise in connection with creative works of all kinds produced by members of the Tulane University community. The disproportionate expenditure of common University resources on the research leading to inventions and discoveries, the potential for their significant commercial exploitation, and the frequent involvement of outside governmental and private sponsors who wish to impose conditions to safeguard their own interests, are such that the University has an important interest, academic as well as economic, in coordinated the activities of faculty members and other employees in this area. In recognition of this interest, and of the interests of those conducting scientific research as well as of those who are their departmental colleagues, the University, and every person to whom this policy applies, agrees that the ownership rights to inventions and discoveries shall be dealt with in the manner described below.

5.01 Ownership Rights

Every invention or discovery or part thereof that is made by an employee within the scope of his or her employment, or by a covered student or a Resident or a Fellow with the scope of his or her
activities as such, or by any other person who is aided by University facilities or staff, or by funds administered by the University, or is working at the University by virtue of a grant from, or a contract with, an outside body, whether governmental or private (subject always to Section 11, below) shall be the property of the University. A condition of employment, enrollment, and attendance or support shall be that the ownership rights in every such invention or discovery shall be assigned by the individual inventor or discoverer to the University in consideration of the University agreeing to share the net income actually received from such invention or discovery in accordance with Section 9, below, and to deal with such invention or discovery in accordance with Section 10, below. This assignment shall be made in a manner determined by the University in accordance with this policy. The University shall have no ownership rights in respect of an invention or discovery that does not fall within the definition given above; however, the inventor or discoverer may, if he or she so desires, offer such an invention or discovery to the University. If accepted, it shall be treated in the same way, and be subject to the same procedures, as an invention or discovery owned by the University, unless otherwise agreed upon.

5.02 Waiver and Release of Ownership Rights

The University, where it is free to do so and after consultation with the individual inventor or discoverer, may in its discretion and upon such terms as it deems fit, cause its ownership rights in an invention or discovery to be waived and released to the inventor or discoverer, subject always to its retention of income rights as set out in Section 9.02 below. The University shall, in such a case, execute all documents necessary to enable the individual concerned to undertake protective measures and to make arrangements for the development and commercial exploitation of the invention or discovery.

5.03 Disclosure

Every person to whom this policy applies shall disclose to the University, in accordance with the procedures set out in Section 10.01, below, every invention or discovery made by him or her.

6. Copyrights

Creative works that are protectable by copyright belong, under the general law, to an employer if they are created by an employee within the scope of his or her employment. In common with universities generally, however, Tulane does not regard itself as holding ownership rights in respect of books and articles written by faculty members. This tradition rests predominantly upon the view that scholars should have unfettered freedom to communicate with others and to convey information to them, whether in the form of research findings, ideas, opinions, advice, or instruction, for any purpose of their choosing. Therefore, for works created after April 7, 2003 the University, where it is free to do so, shall treat a faculty member as the owner of the copyright in a book or article written by that faculty member, subject to section 6.02.

In recent years, the kinds of work that are copyrightable, as well as the number of media in which any copyrightable work can be created, have increased greatly, so as to include, for example, all kinds of video and audio tapes, microfilms, and computer programs. In many cases, a work created in a new medium is the same, in all essentials, as a book or article of the
traditional kind, in that its primary concern is communication with others, and appropriately, such a work should be treated in the same way as books and articles have always been treated.

But in many other cases, a copyrightable work in a new medium is not primarily concerned with the communication of the information in that work, but is instead primarily utilitarian or functional, such as a computer program that controls the operation of an industrial or commercial process. With respect to this latter kind of work, the considerations that have historically justified the University's refusal to assert its ownership rights do not exist. Such a work is much more closely akin to a scientific or technological invention or discovery, and shall be dealt with by this policy in an analogous manner.

6.01 Ownership Rights

Every copyrightable work or part thereof that is created by an employee within the scope of his or her employment, other than works covered under section 6.02(a), or by a covered student or a Resident or a Fellow within the scope of his or her activities as such, or by any other person who is aided by University facilities or staff, or by funds administered by the University, or is working at the University by virtue of a grant from, or a contract with, an outside body, whether governmental or private (subject always to Section 11, below), shall be the property of the University. A condition of employment, enrollment, attendance or support shall be that the ownership rights in every such work shall, where necessary, be assigned by the individual creator to the University in consideration of the University agreeing to share the net income actually received from such work in accordance with Section 9, below, and to deal with such work in accordance with Section 10, below. This assignment shall be made in a manner determined by the University in accordance with this policy. The University shall have no ownership rights in respect of a copyrightable work that does not fall within the definition given above; however, the individual creator may, if he or she so desires, offer such a work to the University. If accepted, it shall be treated in the same way, and be subject to the same procedures, as a work owned by the University, unless otherwise agreed upon.

6.02 Acknowledgement, Waiver and Release of Ownership Rights

a. University, in all cases where it is free to do so, acknowledges a faculty member's ownership rights and unconditionally waives and releases any claim that it might have to ownership in respect of any copyrightable work that is concerned primarily with the communication of the scholarly or artistic information in that work, or that is a musical composition or a work of fine art; provided, however, that if the creation of such copyrightable work involves the extraordinary use of University resources or facilities, the University shall have (1) a non-exclusive, royalty-free license to use, reproduce, exploit, and distribute the work by any means, including electronic media, in connection with its research and teaching activities, (2) the same right to income as that in section 9.02, below, and (3) any other rights as may be agreed with the author.

b. The University may, where it is free to do so and after consultation with the individual creator, entirely in its discretion and upon such terms as it deems fit, cause its ownership rights in respect of any other kind of copyrightable work to be waived and released to the
individual creator, subject always to its retention of income rights, as set out in Section 9.02, below. In particular, the University may, as a condition of the release of its ownership rights, require the grant to it of a non-exclusive, royalty-free license to use the work in connection with its research and teaching activities.

c. The University shall, in every case in which it waives and releases its ownership rights in a copyrightable work, execute all documents necessary to enable the individual creator to undertake protective measures and to make arrangements for the development and exploitation of the work.

6.03 Disclosure

Every person to whom this policy applies shall disclose to the University, in accordance with the procedures set out in Section 10.01 below, every work created by him or her (except works that are books, articles, musical compositions, or works of fine art and do not involve the extraordinary use of University resources or facilities), whatever its subject matter and whatever the medium in which it has been created.

7. Tangible Research Materials

All tangible research materials that are produced in the course of research carried on at, by, or with the support of the University, shall (subject always to Section 11, below) be the property of the University. All such tangible research materials shall be disclosed to the University in a manner analogous to the procedure set out in Section 10.01, below.

8. Trademarks

Trademarks, service marks, trade names or other identifiers relating to the University, its activities and its products, and whether registered or unregistered, shall be the exclusive property of the University. No steps may be taken to secure any of them to any other person, whether by use or registration, without the approval of a University officer.

9. Distribution of Income from Intellectual Property

The income derived from all intellectual property created by persons to whom this policy applies shall be distributed in the manner set out below. This distribution gives due recognition to the creative contributions of the individuals concerned, to the claims of their closest academic colleagues, and to the interests of the wider University community by which they have been nurtured and supported.

9.01 Intellectual Property Retained by the University

a. In every case in which the University does not waive and release its ownership rights to intellectual property, it shall share the net income actually received by it from such property equally with the individual creator of that property. The creator, or the estate of
the creator, shall continue to be entitled to this one-half share, notwithstanding his or her
death or the termination of his or her employment at Tulane.

b. Net income from a particular intellectual property is defined as gross income proceeds
from that intellectual property less allowable deductions.

Gross proceeds from intellectual property means gross royalties, licensing fees or similar
payments actually received from the sale, assignment, licensing or other exploitation of
the intellectual property concerned, including equity participation in a company, but
excluding research funding specifically earmarked for the furtherance of research
activities or research programs at the University.

Allowable deductions comprise: 1) all direct expenditures made for the purpose of
protecting or exploiting that property and 2) 15% of remaining gross proceeds from
intellectual property, after deduction of 1), above, for the support of the Office of
Technology Development.

c. The allowable deduction for the support of the Office of Technology Development shall
be used for the following purposes, in order of priority:

   i. pay for any current and accumulated liabilities incurred on behalf of the Office of
      Technology Development;

   ii. pay the annual operating expenses of the Office of Technology Development; and

   iii. support a seed research fund under the direction of the Committee on Research.

d. The University's one-half share shall be distributed to the Uptown campus or to the
Medical Center, depending on where the individual creator of the intellectual property
has his or her appointment and/or employment, and the distribution shall be dedicated in
the manner set out below. If the individual creator has an appointment and/or is
employed at both campuses, the University's share shall be distributed between the two
campuses in proportion to their respective contributions to the individual creator's salary,
and the distributions shall be dedicated in the manner set out below. If the intellectual
property concerned has been jointly created by individuals appointed and/or employed at
different campuses, the University’s share shall be distributed between the two campuses
in the same proportion as the one-half share of the joint creators, as set forth in a revenue
sharing agreement to which the University and each of the joint creators shall be party,
and the distribution shall be dedicated in the manner set out below.

   i. Seventy percent of each distribution to a campus shall be retained by that campus
or by such appropriate sub-unit of that campus as is established under any
decentralized management center adopted at that campus, unrestricted as to use.

   ii. The balance (thirty percent) of each distribution to a campus shall be made
available to the department, section, or research activities of the individual creator
or creators appointed and/or employed on that campus or on that sub-unit, as the case may be, according to their particular needs and circumstances as determined by the Senior Vice President for Academic Affairs and/or the Senior Vice President for Health Sciences in consultation with the individual creator(s) and the appropriate dean(s) or director(s).

9.02 Intellectual Property Not Retained by the University

In every case in which the University is free to, and does, waive and release its ownership rights to intellectual property, the individual creator shall be its owner and may take appropriate measures for its protection or exploitation. The University shall execute all documents necessary to enable the creator to proceed. Where the creation of the work has not involved the extraordinary use of the University's resources or facilities and, therefore, the University acknowledges a faculty member's ownership and waives and releases rights unconditionally, in accordance with Section 6.02(a) above, it shall not be entitled to any share of the income derived from the released intellectual property of the faculty member. But where the University waives and releases its rights as a matter of discretion, in accordance with Sections 5.02 or 6.02(b) above, or where the creation of the work has involved the extraordinary use of the University's resources or facilities, in accordance with section 6.02(a) above, it shall be entitled to a share of the income derived from the released property as follows, unless some other distribution is agreed with the individual creator:

a. The University shall not be entitled to any share of the first $10,000 of net income (as defined in Section 9.01 above) derived from the creator’s share of the released property.

b. The University shall be entitled to fifteen percent of all net income in excess of $10,000 derived from the creator’s share of the released property.

The University's share of the net income from released intellectual property shall be distributed to the two campuses in the same way as its share of the net income from intellectual property that has not been released, as set out in Section 9.01(d) above. Each such distribution to a campus shall be retained by that campus, unrestricted as to use.

10. Procedures and Administration of Policy

The Senior Vice President for Health Sciences, the Senior Vice President for Academic Affairs, or their respective designee(s), as appropriate, shall be responsible for the implementation and administration of this policy. In cooperation with the University Counsel and the Senate Subcommittee on Patents, these offices shall develop, disseminate and implement policies and procedures relating to intellectual property. In addition, they shall, in relation to intellectual property owned and retained by the University, and may, in relation to other intellectual property:

a. Assist in the identification of protectable intellectual property.
b. Coordinate the process of seeking appropriate protection of intellectual property, and assist faculty and staff in this regard.

c. Respect the interests of the individual creator of intellectual property, and insure that he or she shall be a working partner in the process of obtaining protection, and carrying out the exploitation or development of the intellectual property.

10.01 Disclosure Procedures

a. Every person to whom this policy applies shall (as required by Sections 5.03 and 6.03 above) report promptly to the Office of Technology Development any invention, discovery or other creative work made by him or her that is subject to the obligation of disclosure. This disclosure shall be made on confidential disclosure forms, which are available upon request. If additional information is required, the Office of Technology Development shall so notify the individual creator, and shall specify the type of information it requires. Upon the receipt of sufficient information, or upon the expiration of ninety (90) days from the date of an inquiry as to sufficiency by the creator to which there has been no response by the Office of Technology Development, whichever is earlier, the disclosure shall be deemed complete.

b. The Office of Technology Development shall notify the individual creator whether it wishes to retain the intellectual property in the disclosure or whether the University is obliged (under Section 6.02(a), above) or voluntarily wishes (under Sections 5.02 and 6.02(b), above), to waive and release its ownership rights. Such notification may be demanded by the individual creator at any time after the receipt of a complete disclosure, and if so demanded, shall be given no later than ninety (90) days after the making of the demand.

10.02 Procedures for the Protection, Development and Exploitation of Intellectual Property

The University shall, in respect of intellectual property owned and retained by it, take all appropriate and reasonable measures to protect the property and exploit or otherwise develop it, and shall, upon request provide the individual creator with a written report describing the measures it has taken. In the event that the University decides subsequently not to take such measures, and to abandon the property, it shall notify the individual creator promptly of its decision. In respect of intellectual property not owned by the University, or owned by it but not retained by it, or owned and retained but subsequently abandoned by it, the University may assist the individual creator in taking, at his or her own expense, the measures necessary for the protection, exploitation and development of the property.

10.03 Resolution of Disputes

Any disputes arising under this policy, between the University and any person to whom this policy applies, shall in the first instance be referred to, and considered by, the Senior Vice President for Academic Affairs or the Senior Vice President for Health Sciences, or their
respective designee(s), as appropriate. If the dispute is not resolved thereby, it shall be referred to, and considered by, the Senate Subcommittee on Patents, which shall report its findings and recommendations to the President or the President's designee.

11. Agreements with Outside Bodies

Nothing in this policy shall affect the validity or operation of any grant or sponsored research and/or publication agreement between an outside body (whether governmental or private) on the one hand, and the University, or any person to whom this policy applies, on the other. In particular, this policy shall not in any way affect any provisions in such a grant or agreement relating to the ownership, control, and administration of intellectual property resulting from the performance of the grant or agreement.
J. Off-Campus Speaking

A University professor enjoys the same civil rights as every citizen, including the right to speak according to his or her conscience in public and private.

When members of the Tulane faculty speak as experts, i.e., within their own professional areas, they are entitled to identify themselves as members of the University. When they speak as laymen, they should not use their University associations.

When speaking as individuals, as either experts or laymen, they are expected to avoid giving any impression that they are representing the University.
K. Research and Scholarship

1. Introduction

All tenured and tenure-track faculty members are required to engage in research, scholarship or creative efforts in the field of their specialty and to present the results of their endeavors in publications or other appropriate forms. The spirit of research permeates all genuine University teaching. (Note also pertinent provisions in Statement on Academic Freedom, Tenure and Responsibilities, e.g., Article X, Sections 2 and 3.)

2. Research Oversight

a. Associate Senior Vice President for Research. The Associate Senior Vice President for Research (ASVPR) serves as the senior research officer for Tulane University. The mission of the ASVPR is to enhance the level of scholarly accomplishment, intellectual environment and national reputation of Tulane University by fostering excellence in research, scholarship and creative endeavor. The objectives of the ASVPR are to provide leadership for advancing the research goals of the university, to expand the base of nationally competitive research activity in a manner compliant with government regulation, and to elevate the national visibility and reputation of Tulane University faculty for excellence in scholarly and creative accomplishment.

b. University Research Compliance Officer. On behalf of the ASVPR, the University Research Compliance Officer acts to oversee and ensure research compliance with regulations applicable to the use of human and animal subjects, biological safety, pre-award grants administration, and export controls for research projects. In this capacity, the University Research Compliance Officer ensures that all research conducted at the University adheres to the applicable federal and state regulations, as well as accreditation standards.

c. Office of Research Administration. The Office of Research Administration assists faculty in identifying sponsors from which research support can be obtained; provides advice on the development of proposals; assists in preparing budgets; serves as the Authorized Organizational Representative for both paper and electronic proposal submissions; and develops and implements policies involving the financial and administrative aspects of sponsored projects.

Routing Proposals for Extramural Funding. Projects should be undertaken according to the concern and competence of the project director (Principal Investigator) and the judgment of peers. To assure that all extramurally funded projects are consistent with the University's mission and that all resource commitments required of the University are appropriate, proposals for extramural funding must be routed in accordance with the current policy using the Proposal Routing Form. The Proposal Routing Form contains assurances, as required by federal regulations, including debarment and project-specific conflicts of interest and must be signed by the Principal Investigator.
Investigator’s Manual. The Office of Research Administration has prepared the Investigator’s Manual to guide investigators in managing their awards and identifying special issues related to sponsored research. When Tulane University accepts a sponsored project it assumes certain obligations imposed by the sponsor, or by government regulation, such as the fiscal management and accountability of research awards, and the ethical treatment of research subjects. The Investigator’s Manual provides information for administering awarded sponsored projects in accordance with both the practices and policies of Tulane and the regulations of the sponsoring organizations.

d. Office of Human Research Protection. The Tulane University Office of Human Research Protection is charged with protecting the rights and welfare of human research participants. The Office of Human Research Protection works together with the Institutional Review Boards (IRB) to ensure that Tulane University is compliant in its efforts to protect the safety and well being of human research participants according to federal guidelines and regulations. The Office assists investigators with IRB processes designed to guarantee that all research activities are compliant with regulation and responsive to good research practices.

Institutional Review Boards (IRB). The Tulane University Biomedical IRB and Social/Behavioral IRB are charged with a two-fold mission:

- To ascertain and certify that all research studies reviewed by the IRB conform to the regulations and policies set forth by the U.S. Department of Health and Human Services (DHHS) and/or U.S. Food and Drug Administration (FDA) regarding the health, welfare, safety, rights, and privileges of human research subjects.

- To assist investigators in conducting research that complies with ethical standards and principles set forth by the DHHS and/or FDA in a way that permits successful completion of research involving human subjects.

e. Institutional Animal Care and Use Committee (IACUC). The charge of the IACUC, mandated by Office of Laboratory Animal Welfare of the National Institutes of Health and by the U.S. Department of Agriculture, is to ensure the humane care and use of animals in research in a manner compliant with government guidelines and regulations. In compliance with federal law, an IACUC has been established for each Tulane University campus. Guided by the goal of assuring humane care and use of animals used in research, Committees review new and continuing animal use protocols, inspect facilities and laboratories, and monitor veterinary care, training and occupational health and safety programs at Tulane University. The IACUC provides assistance to investigators with the planning and conducting of animal experiments in accordance with the highest scientific, humane and ethical principles.

f. Office of Biosafety. The Office of Biosafety is charged with ensuring the safety of personnel and facilities engaged in research involving biological materials at Tulane University. The objective of the Office of Biosafety is to minimize the health risk to those involved in research utilizing recombinant DNA, infectious agents, and biological toxins, and in turn to protect the greater Tulane University community, the general
public, and the environment. The Office of Biosafety, in cooperation with the Institutional Biosafety Committee, is charged with oversight of regulatory compliance at Tulane University regarding the use and storage of hazardous biological materials. The office assists Principal Investigators in registering their research with the Institutional Biosafety Committee, in developing safe research protocols, and by facilitating the acquisition of all required regulatory approvals and permits.

3. The Committee on Research

a. **Function** The Committee on Research is composed of six faculty members chosen by the Senate Committee on Committees and is chaired by the Associate Senior Vice President for Research. Its function is to promote an active research environment and to provide guidance in the conduct of research through enlightened research administration policies. The Committee on Research performs some functions through two subcommittees as follows.

b. **Subcommittees of the Committee on Research**

1. **Patents:** A policy on intellectual property precedes this section on research and scholarship. Members are appointed by the Committee on Research.

2. **Research Fellowships:** The Subcommittee on Research Fellowships conducts an annual, merit-based competition to award research fellowships to faculty. It also conducts regular competitions to award funds in support of international travel in conjunction with faculty professional development activities. Members are appointed by the Committee on Committees.

4. Restrictions on Publications

The primary mission of the University is the growth and transmission of knowledge. Toward this end, the right of faculty members to pursue their chosen path of inquiry and to disseminate the results freely is aggressively protected. In turn, faculty members are strongly encouraged to make the results of their research freely available to students, colleagues, and the public. It is realized that undertaking certain types of research may require entering into nondisclosure agreements. However, faculty are urged to avoid involvement in projects, especially classified projects, that restrict academic communication. Generally, the University will not approve grants or contracts that restrict publication of research results, except for a brief period of time to obtain a copyright or patent, or where a decisive case is made that the proposed contractual restrictions will promote the discovery and transmission of knowledge to a significantly greater extent than the absence of such restrictions. Exceptional cases will be referred to the Committee on Research for a review. The Committee on Research has executive authority on the question of restrictions on publication. *

* [Approved by the Senate on April 6, 2009. Handbook updated April 13, 2009.]
1. Introduction

All tenure track faculty members are required to engage in research, scholarship or creative efforts in the field of their specialty and to present the results of their endeavors in publications or other appropriate forms. The spirit of research permeates all genuine University teaching. (Note also pertinent provisions in Statement on Academic Freedom, Tenure and Responsibilities, e.g., Article X, Sections 2 and 3.)

2. The Office of Research

a. **Function**—Significant research often requires additional resources in the form of specialized laboratories, equipment, assistants, travel money, summer salary, and other support. The mission of the Office of Research on the uptown campus, and of the Development Office in the Medical Center is to help faculty acquire these resources. To this end, these offices assist faculty in identifying agencies, federal, foundation and commercial, from which research support can be obtained; provide advice on the development of proposals; assist in preparing grant and contract budgets and administering projects; and develop and monitor policies involving research administration.

b. **Routing Grant and Contract Proposals for Extramural Funding**—Projects funded by external sponsors should represent the sphere of interests, talents, and plans of faculty and students. Projects should be undertaken according to the concern and competence of the project director and the judgment of peers.

No project should be accepted merely because it is of value to an outside agency. Neither should a project be avoided because it may have practical application. To assure that all extramurally funded projects are consistent with the University's mission and that all resource commitments required of the University are appropriate, proposals for extramural funding are reviewed by chairpersons, deans, the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences and the Controller's Office. The policy describing this review process, which is coordinated by the Office of Research on the uptown campus and in the Medical Center by its Business Office, is described in Tulane's Research, Development and Training Grants and Contract Manual. All grant or contract proposals for extramural funding should be routed in accordance with this policy.

3. The Committee on Research

a. **Function** The Committee on Research is composed of six faculty members chosen by the Senate Committee on Committees and led by the Dean of the Graduate School. Its function is to promote an active research environment and to provide guidance in the conduct of research through enlightened research administration policies. The Committee works through five subcommittees. The Committee on Research appoints these subcommittees unless otherwise mandated by law or regulation. Where law or regulation
require it, appointments are made by the designated official in consultation with the Committee on Research and subject to its ratification.

b. **Subcommittees and Policies** The conduct of research often raises ethical issues. The academic community is obligated to deal with these issues in response to federal regulations and, more importantly, in discharging its moral responsibilities. These policies, alluded to below, are published in Tulane's Research, Development and Training Grants and Contracts Manual and should be carefully reviewed by all researchers whether undertaking sponsored or unsponsored research.

3. **Human Subjects:** The rights of human subjects of research must be respected. Care should be taken, for example, to protect confidential data of a personal nature. Potential benefits to be gained must clearly outweigh any risks brought about by a research project. To assure proper treatment, the Subcommittee on Human Subjects reviews all uptown/downtown campus research projects, whether sponsored or unsponsored, that utilize humans as experimental subjects. The equivalent function is carried out by the Committee on the Use of Human Subjects at the Medical Center.

2. **Animal Care:** Research involving animals must provide humane care and treatment. Appropriate quarters and veterinary services must be provided. On the uptown campus, the Animal Care Subcommittee, with the campus veterinarian, inspects animal quarters to assure compliance with National Institutes of Health, U.S. Department of Agriculture, and American Accreditation of Laboratory Animal Care requirements. It also reviews research projects involving animals to assure proper treatment. At the Medical Center, these functions are carried out by the Advisory Committee for Animal Resources.

3. **Laboratory Wastes and Safety:** As a responsible member of the New Orleans community, the University must insure that hazardous substances used in research are disposed of in an environmentally sound manner. We are also obliged to maintain a safe environment in our research laboratories. In cooperation with the Office of Environmental Health and Safety, the Hazardous Waste Subcommittee on the uptown campus and the Radiation Safety Committee at the Medical Center promote laboratory safety and develop and monitor policies to comply with state and federal regulations related to waste disposal.

4. **Patents:** A policy on intellectual property precedes this section on research and scholarship.

5. **Summer Fellowships:** The Subcommittee on Summer Fellowships offers summer research fellowships each year to faculty. It also provides funds in modest amounts for such purposes as foreign travel and the purchase of reprints.

4. **Restrictions on Publications**
The primary mission of the University is the growth and transmission of knowledge. Toward this end, the right of faculty members to pursue their chosen path of inquiry and to disseminate the results freely is aggressively protected. In turn, faculty members are strongly encouraged to make the results of their research freely available to students, colleagues, and the public. It is realized that undertaking certain types of research may require entering into nondisclosure agreements. However, faculty are urged to avoid involvement in projects, especially classified projects, that restrict academic communication. Generally, the University will not approve grants or contracts that restrict publication of research results, except for a brief period of time to obtain a copyright or patent, or where a decisive case is made that the proposed contractual restrictions will promote the discovery and transmission of knowledge to a significantly greater extent than the absence of such restrictions. Exceptional cases will be referred to the Committee on Research for a review.
L. Students

1. Confidentiality of Student Records

**Buckley Amendment**—Confidentiality of student records is comprehensively governed by the Family Educational Rights and Privacy Act of 1974, commonly known as the Buckley Amendment. Accordingly, the United States Department of Education has produced clarifying guidelines which are binding on the University. In addition, the Tulane Board of Administrators has adopted a policy that covers institutional matters. Generally speaking, faculty members are not denied access to educationally related information concerning students provided there is a legitimate educational need to know. However, the confidentiality of the information must be maintained. Further, the faculty member is obligated to maintain the confidentiality of certain information routinely generated within the class, e.g., grades. Instructors are cautioned not to release information found in school records except where it is necessary in writing recommendations which have been requested by the student. Specific details regarding confidentiality are available at the deans' offices or the Office of the Registrar.

**Office of the Registrar**—The several types of information stored in the Office of the Registrar may be divided into two general categories: information that is a matter of public record and information considered confidential.

Information of public record includes the dates of a student's enrollment; the division in which enrolled; and information concerning any degree earned, such as the name of the degree, the date granted, the major, and any associated honors.

However, under federal statute a student may direct that this type of information, as well as data heretofore considered proper for publication in directories, be withheld from dissemination without his or her consent. To determine if a student has requested that information of this kind be withheld, faculty members are cautioned to check with the Office of the Registrar before giving out any information.

Records considered confidential include:

- **a.** The student's academic record. Copies may not be released to either institutions or individuals except at the express request of the student. The record is available to faculty members who have a need to know, in the respective dean's office at the dean's discretion, and in the Office of the Registrar subject to the discretion of the director of that office.

- **b.** University disciplinary actions taken against a student. Indications of disciplinary action are made on a student's permanent record only if the action results in suspension or expulsion. No supporting facts are kept in the Office of the Registrar.

- **c.** Personal information such as religion is considered confidential, with release being made only by the student's authorization. Racial data is collected as required by law so that
anonymous statistics can be compiled. The individual information is then destroyed. It is understood that discriminatory use of such data is forbidden by law.

d. "Directory Information," if a student has specified that he or she does not wish it released without his or her consent. This includes the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

**Offices of Admissions.** Much information contained in a student's admission folder is confidential. Requests by faculty and others must be channeled to the director of the office at whose discretion they may be examined.

2. Retention of Exams

A 1975 resolution passed by the University Senate provided that all examinations and assigned written work which are used by an instructor in arriving at an academic evaluation and which are not returned to the student be kept by the instructor for a period of six months from the conclusion of the semester.
M. Teaching Load, Overloads, Office Hours, and Other Teaching-Related Faculty Responsibilities

Because of differences among the divisions in methods, schedules, and requirements of instruction, policies on these matters are subject to variation. Information should be obtained from the appropriate dean or department chair.

Notwithstanding the above, faculty have the opportunity to accept a teaching assignment in another division or school for additional compensation upon consultation with the faculty member’s home department chair and dean.

Each full-time faculty member may voluntarily teach one course per year during the regular academic year in addition to his or her regular teaching responsibilities as defined by that members' dean. The faculty member would be paid for that service at a rate to be negotiated with the dean of the division in which the class is to be taught. Faculty members may not teach at another institution during the academic year.
N. Scheduling and Class Absences Related to University Sponsored Events or Activities

It is the policy of Tulane University to take all reasonable steps to minimize the number of classes that students miss as a result of representing the University at University-sponsored events or activities. The responsibility for complying with this policy falls on persons scheduling these events or activities and on students who wish to take courses that conflict with these events or activities. To this end, it is the responsibility of faculty members to make clear their absence rules as they relate to University-sponsored events or activities. The following rules implement this policy:

1. Persons responsible for scheduling such events or activities shall attempt to schedule them so that such events or activities interfere with the fewest possible number of classes. Any student who is aware at the commencement of a semester that he or she will miss classes in a particular course that he or she wishes to take, because of representing the University at University-sponsored events or activities, shall discuss this situation with the course instructor no later than the end of the first week of classes. Special attention should be paid to the timing of examinations and critical assignments. If the expected absences would exceed the instructor's articulated limit on absences, the student must obtain the instructor's permission to enroll or remain in the class. The number of excused absences that an instructor may permit is within the absolute control of the instructor. If the student is granted permission to enroll in the course, the student is, of course, responsible for making up all work and assignments he or she misses. The student and the instructor should come to an express understanding as to what this will entail. Failure by the student to discuss these expected absences with the instructor shall result in such absences being treated as an absence other than because of representing the University in a University-sponsored event or activity.

2. If unanticipated absences due to representing the University at a University-sponsored event or activity arise during the semester, students must inform the instructor of such absence in advance of the event. Failure to do so shall result in such absences being treated as an absence other than because of representing the University in a University-sponsored event or activity.

3. If an instructor chooses to impose a penalty for failure to attend a certain number of classes (whether that penalty is the imposition of a failing grade or a reduction in the final grade) and/or is not willing to reschedule examinations or critical assignments missed as a result of an absence due to representing the University at a University-sponsored event or activity during the semester, the instructor must announce this policy during the first week of classes and give students written notice of the policy in the course syllabus or in some other fashion during the first week of classes. Failure to do so will preclude the instructor from imposing a penalty or from refusing to reschedule an examination or critical assignment resulting from an absence due to representing the University at a University-sponsored event or activity during the semester. The nature and type of such examination is at the sole discretion of the instructor.
PART IV. FACULTY SALARIES AND BENEFITS

A. Salaries

1. Payment of Salaries

Salary checks are issued on the last business day of each month. Salary is paid in twelve installments per year.

Faculty with dual appointments or with both teaching and administrative assignments receive single monthly checks covering all compensation.

Payment for Summer School teaching is normally made separately, usually with a single check on the last day of the session.

   a. Deposit of Check. The University will deposit a faculty member's check in a New Orleans bank each month if the faculty member so requests. (See Benefits -- Check Cashing and Depositing, Part VII, D.)

   b. Payroll Deductions

      1. Taxes
      Federal and state personal income taxes and social security (FICA) taxes are required by law to be deducted from pay checks. Income taxes are deducted in even monthly amounts according to formulas based on amount of salary and number of exemptions and dependents. Upon request of the individual, larger amounts will be deducted to reduce the direct payments that he or she may be required to make to the Internal Revenue Service quarterly or annually. FICA deductions are made in even amounts until the maximum required by current legislation has been reached.

      The necessary forms for these deductions are to be completed at the Office of Personnel Services.

      2. Insurance
      The individual's share of the various forms of group insurance available to faculty members is paid through payroll deductions. The Office of Personnel Services has application forms for the coverages.

      3. Other Deductions

      A faculty member may authorize payroll deductions for other purposes including accounts receivables, parking charges or contributions to the United Way or to the University.
An unpaid fine assessed for a campus traffic violation will be deducted from the paycheck.

c. Rectification of Errors If any discrepancy appears on a pay check the dean's office should be contacted immediately.

2. Salary Supplements

The Dean may recommend a salary supplement for a faculty member who was a participant in a retirement plan immediately prior to his/her employment with Tulane. The supplemental salary may only continue for a maximum of two years at which time that faculty member will become eligible for the retirement plan. This supplemental salary will not be included in the base salary for calculating other benefits.

3. Leaves of Absence with Pay

a. Sabbaticals

Sabbatical leaves are considered to be a privilege, not a right, and will be granted only when the University is assured that the leave will not have adverse effects on departmental teaching, administrative responsibilities, or research, including the supervision of dissertations.

Sabbatical leaves may be granted "for the primary purpose of enhancing the value of the recipient's further service to the University and his or her profession through the media of study, research or publication undertaken to improve pedagogical techniques, solve administrative problems, broaden the scope of one's knowledge in his or her chosen field." In no case will a sabbatical be granted for the purpose of acquiring an advanced degree.

Applications for sabbatical leave should be accompanied by a detailed description of the work to be accomplished during the leave, the applicant's curriculum vitae, and a supporting statement from the applicant's chair, stating how teaching duties are to be covered during the leave. The dean will ordinarily require that the faculty member applying for a sabbatical submit an acceptable project proposal and that the faculty member granted a sabbatical submit a report at its end. All requests for sabbatical must be submitted to the Senior Vice President for Academic Affairs and Provost for final approval.

A faculty member may receive a one-semester leave with full salary, provided that no replacement for teaching services be made, or leave for one academic year at half-salary. In certain instances, with the approval of the dean and of the Senior Vice President for Academic Affairs and Provost, the department may use the other half of the annual salary to support a one-semester teaching replacement.
Eligible members include persons in the rank of assistant professor or above or librarians who have completed twelve semesters of full-time service in residence at Tulane prior to the leave.

Sabbatical leave is granted only if there will be the opportunity for at least one full year of University service upon return. Because a sabbatical leave is intended to provide the recipient uninterrupted time for research, extramural remuneration for employment during the period of leave is restricted. For a one-semester leave, income from regular employment (e.g., teaching or salaried post in government or private business) shall be deducted from the full-time salary of the leave recipients. For a two-semester leave, income from regular employment shall not exceed one-half of the regular full-time salary of the leave recipient. Sabbatical time does not accumulate if the period between such leaves should be more than six years; e.g., after ten years without a sabbatical, a faculty member remains eligible for no more than one year at half pay or one semester at full salary. On rare occasions when, at the specific request of the dean, a faculty member postpones sabbatical leave for the convenience of the department, an agreement with the dean may be made to bank time toward a future sabbatical. This mutual agreement in writing must be sought by the faculty member before the time is to be banked.

b. **Illness or Other Incapacities of Short Duration**

Tulane has no stated policy on sick leave for faculty members. Each case is considered individually by the appropriate department chair and dean. Customarily, when a faculty member must be absent from his or her duties because of illness or incapacity of short duration, other members of the faculty, with the knowledge of the department or division chair and the dean, assume his or her duties on a temporary basis. If the illness becomes extended so that this is no longer feasible, other arrangements are made by the department chair in consultation with the dean and the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences of the Tulane Medical Center. Absences due to illness or incapacity associated with pregnancy and childbirth are treated in the same manner as other incapacities of short duration with the exception noted in 3.c. If the condition is prolonged because of complications, then it will be treated as absences for extended illness.

Prolonged incapacitating illness may be covered by the University's disability insurance policy, which applies to all compensated faculty (other than physicians who are members of the Tulane Practice Plan) who work 50% or more of full time.

c. **Childbirth Leave**

The University will grant faculty members a 6-week paid leave of absence from all duties following childbirth. The faculty member should notify her Department Chair/Dean as far in advance as possible, but no less than 4 months prior to the beginning of leave. If a faculty member's six-week leave for childbirth occurs at such time that there would be significant overlap between that leave and an academic term in which she would otherwise have classroom responsibilities, the faculty member should request and be granted from the Department Chair/Dean special relief from all such responsibilities during that term. The special relief which would carry full pay will not apply to non-
classroom duties which should be performed as usual. In most cases, significant overlap would be defined as four weeks or more of the term.

Faculty members who are unable to return to work at the end of the pregnancy leave may apply for an extended leave of absence as described in the Faculty Handbook under Leaves of Absence Without Pay.

4. Leaves of Absence without Pay

a. Fellowship, Visiting Professorship, Temporary Employment

Leave of absence for an academic year or less may be granted to a faculty member to accept a fellowship, visiting professorship, or other temporary appointment. Each case is considered individually. A faculty member granted leave is expected to return to the University for at least one full year of service. Ordinarily, no leave of absence for employment elsewhere will exceed one year. The maximum period of such a leave is two successive years. Faculty members who wish to maintain health insurance, group life insurance, and other benefits, including TIAA/CREF payments, should contact the Office of Personnel Services to arrange for payments. Such payments are the responsibility of the individual. When a faculty member is successful in obtaining salary support for a semester or a year of scholarly research from funds not administered by Tulane, the University will continue to pay the faculty member's health insurance and group life insurance benefits. A leave of absence is not credited as service toward sabbatical leave.

b. Family and Medical Leave

Faculty who have worked for Tulane for a minimum of one year, and have worked 975 hours or more during the 12 months prior to requesting leave, are eligible for family and medical leave. Faculty with permanent full-time and permanent part-time appointments will be presumed to have completed 975 hours in a calendar year.

Eligible faculty will be allowed up to one semester of unpaid leave per year for birth or adoption of a child, to provide either physical or psychological care for a child, spouse (husband or wife), or parent with a serious health condition, or to care for their own serious health condition.

In general, a serious health condition means an illness, injury, impairment or physical or mental condition which requires (a) inpatient care in a hospital, hospice or residential medical care facility; or (b) continuing treatment by a health care provider. For purposes of this policy, child means a biological, adopted or foster child, a stepchild, a legal ward or a child for whom the employee acts as a parent. The child must be (a) under 18 years old; or (b) over 18 years old and incapable of self-care due to mental or physical disability.

Intermittent or Reduced Leave: In the case of a faculty member's own serious health condition or that of a family member, the faculty member may take leave intermittently or on a reduced work schedule, if medically necessary. Intermittent leave is limited to a maximum of twelve weeks.
Job Restoration: Unless otherwise provided for by law or regulation, when the faculty member returns from FMLA leave, he or she will be reinstated to the same position held prior to the leave, or one that is equivalent in pay, benefits, and other terms and conditions of employment.

Employee Benefits: The University will continue to provide health and life insurance during the FMLA leave. The faculty member will continue to be responsible for the portion of the premium which he or she was currently paying. Premiums for other group insurance, such as long-term disability, AD&D, etc., must be paid by the faculty member for coverage to continue. Personnel Services will advise the faculty member of the payment due dates and amounts. If the faculty member chooses not to return from leave, under certain circumstances, he or she will be required to repay the total cost of health and life insurance premiums paid on his or her behalf during his or her leave.

Notification: The faculty member must provide his or her Dean/Chair with 30 days written notice of his or her need for leave by submitting a completed "Request for Family and Medical Leave of Absence" form. The form may be obtained from the faculty member's supervisor. If emergency conditions prevent such notice, he or she must notify his or her supervisor and submit the form as soon as possible. The faculty member's supervisor may require the faculty member to periodically report on his or her status during the leave period.

Certification: Certification of the need for leave to care for the faculty member's illness or that of a family member is required. He or she must provide his or her supervisor with a completed "Certification of Health Care Provider" form.

It is the University's policy not to discharge or discriminate against any employee exercising his or her rights under the federal Family and Medical Leave Act. If any faculty member thinks he or she has been treated unfairly, please contact the Office of Personnel Services.

For more information about Family and Medical Leave of Absence please contact the Office of Personnel Services.

c. Personal Reasons
A faculty member who has served the University for at least one year may request a leave for personal reasons, including pregnancy or child care. Such leaves should not usually extend beyond one year. Requests will be considered on an individual basis, taking into account the possible adverse effects on departmental teaching, administration, and research. The request should be submitted to the departmental chair (or dean, in divisions where there is no departmental organization) as far in advance of the proposed absence as possible so that neither instruction nor research programs will be interrupted. The request will be reviewed by the dean and the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences.
Requests to stop the tenure clock for a one-year period for circumstances relating to the faculty member's health or responsibilities toward others may be granted. All such requests for an extension of the probationary period must be made by the faculty member in writing and should be submitted prior to the tenure review. The request must state clearly the special circumstances in the faculty member's situation that might justify an extended probationary period. The letter must also state that the faculty member making the request understand that he or she will not enjoy an entitlement or stronger claim to tenure by virtue of a continued membership on the faculty beyond the customary probationary period. The request is to be forwarded (in most cases via the department chair) to the division dean. If the division dean supports the request, the request, along with the dean's formal endorsement, is then sent to the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences for further review. If the school dean does not support the request, the faculty member will be notified and will be free to seek further review of the request by the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences. In all cases, a decision to extend the probationary period will be made by the Senior Vice President for Academic Affairs and Provost or the Senior Vice President for the Health Sciences.

Faculty members must notify the Office of Personnel Services in advance if they wish benefits to continue and, if so, make arrangements to pay for them.

d. Pre-Retirement Leave
Employees age 62 with more than 15 years of service are eligible for leave for 18 months which, in conjunction with COBRA, allows continuous health insurance coverage, at the employee's expense, until age 65. For more information, contact the Office of Personnel Services.
B. Benefits

1. Insurance

   a. Accidental Death and Dismemberment
   Faculty members who work 50% or more of full-time for seven (7) months or more are eligible for this plan. Coverage for both the employee and eligible dependents is available at the employee's expense. Complete details concerning this coverage are provided in the booklet available in the Office of Personnel Services.

   b. Business Travel Insurance Plan
   Faculty members traveling on University business to a destination outside the corporate limits of town or city where they regularly work or reside are covered for a $50,000 accidental death benefit. The plan also provides benefits in case of accidental dismemberment. Complete plan details and policy provisions are contained in the Summary Plan Description available in the Office of Personnel Services.

   c. Death Benefit
   Upon the death of a compensated faculty member working 50% or more of full-time for seven (7) months or more, the University will pay one month's salary to the beneficiary named on the employee's group life insurance.

   d. Disability Insurance Plan
   The long term total disability insurance plan is underwritten by Teachers Insurance and Annuity Association. Faculty members who work at least 50% of full-time on a permanent basis are covered by this plan. The employee pays for this coverage by payroll deduction. Complete details concerning this plan are contained in the certificate of coverage available from the Office of Personnel Services.

   e. Health Insurance
   Faculty members who are appointed for at least 50% of full time for seven (7) months or more are covered by the University's comprehensive health insurance plan. Employee coverage is provided by the University although a small monthly sharing of the premium may be required. Coverage for spouse and eligible dependents is available at the employee's expense. Employees may choose either a traditional health insurance plan or pre-paid health care provided by a Health Maintenance Organization (HMO). Booklets describing these coverages and information concerning these plans may be obtained from the Office of Personnel Services.

   Elections of health insurance coverage for the employee and dependents must be made within 31 days of date of hire. Otherwise, the employee may lose options and the dependents may not be eligible until the next open enrollment period.

   f. Life Insurance
   Faculty members appointed for 50% or more of full time for seven (7) months or more are covered by the group term life insurance plan. This coverage is provided by the
University and is effective immediately for both the faculty member and eligible dependents. Complete details of this coverage are provided in the plan certificate booklet available in the Office of Personnel Services. The employee's coverage is 1-1/2 times annual salary including retirement plan/contributions with a $50,000 maximum benefit. Spouse and dependent children are covered for $2,000 each.

g. **Personal Property Insurance**
University property is insured for losses due to fire, windstorm, malicious mischief, and flood damage. However, this coverage is subject to a deductible of $1 million ($25,000 for the Medical Center).

Faculty-owned personal property is not covered under the University property insurance; and, therefore, faculty members must confer with their own insurance advisers on ways and means of protecting their personal property including books, equipment, etc.

h. **Professional Liability**
Faculty members of Tulane University are covered while acting within the scope of their employment under Tulane University's liability policy. Contact the Insurance Risk Manager for details.

2. **Retirement:**

a. **Retirement Plan**
The University's Faculty Retirement Plan is a defined contribution plan. For faculty members earning more than $80,000, the University contributes 10%, and the faculty member is required to contribute 2% of salary. For faculty members earning less than $80,000, the University contributes 8%. The faculty member can voluntarily contribute up to 2% of salary and the University will match up to 2%.

These contributions may be invested with Teachers Insurance and Annuity Association (TIAA) and the companion organization, College Retirement Equities Fund (CREF), or with Fidelity Investments, a mutual fund company.

Faculty members and librarians with the rank of Librarian 1 and above will begin participation in the plan on the first day of the next pay period after completing two years of service without a break in service. A complete description of the Faculty Retirement Plan, including eligibility, is available in the Office of Personnel Services.

b. **Social Security**
Faculty members are covered by the provisions of the Federal Income Contribution Act (FICA) also known as the Social Security Act. Payroll deductions are made from each paycheck in compliance with the Act. The University pays an amount equal to that which the employee pays.

Benefits are provided in case of death, disability, and retirement. Questions concerning benefits should be directed to the Social Security Office.
c. **Tax Deferral Annuity Plan**

Faculty members may arrange to make tax-deferred contributions to TIAA-CREF or Fidelity investments within the limitations of Sections 403(b) and 415 of the Internal Revenue Code.

A complete description of the tax deferral plan is available in the Office of Personnel Services.

3. **Health Insurance Premium Conversion**

The employee must elect to pay the health insurance premium on either a before-taxes or after-taxes basis. The premium is not subject to state, federal or social security taxes if the before-taxes basis is selected. If the after-taxes basis is selected, the premium is subject to taxes.

4. **Flexible Spending Account**

This plan allows the employee to set aside a limited amount of pre-tax earnings to pay for the following expenses:

a. Medical and dental expenses which are not covered by the health plan such as deductibles, dental care, and vision and hearing care.

b. Dependent care expenses for children under age 13 and other qualifying dependents.

5. **Tuition Waivers**

a. Subject to the limitation described in paragraph d. below, full-time members of the compensated faculty on regular appointment with the rank and title of professor, associate professor, assistant professor or instructor; officers of administration; librarians, officers of the ROTC units, and University chaplains are entitled to receive exemption from the payment of tuition, but not University fees, for credit courses. The spouse and dependent children of eligible employees described in this paragraph are entitled to receive exemption from the payment of tuition, but not University fees, for credit courses for education below the graduate level. Faculty members on leave of absence will continue to be eligible for tuition waivers.

b. Subject to the limitation described in paragraph d. below, members of the full-time compensated academic staff with the title of fellow, lecturer, research associate, research assistant, and teaching assistant (other than graduate student), are entitled to receive exemption from the payment of tuition, but not University fees, for credit courses they themselves take.

c. Subject to the limitation described in paragraph d. below, persons with special appointment, as defined in Article II, Section 5 of the Policies Concerning Faculty are entitled to receive exemption from the payment of tuition, but not University fees, for credit courses they themselves take.
d. The University allows employees to receive a tuition waiver for a maximum of two (2) courses or six (6) hours, whichever is greater and regardless of sessions, for the summer, as in Fall and Spring. Any of the summer sessions are considered a semester. This limitation does not apply to eligible spouses and dependent children.

e. Part-time compensated academic staff as defined in paragraph b. above will not be granted exemption from payment of tuition and fees.

f. Tuition waivers are granted for college-level work taken for credit and do not include workshops or non-credit seminars. Tuition waivers are not granted for the following programs: The Executive Master of Business Administration, Concurrent Enrollment, Gifted and Talented, Project Tulane, Tulane Junior Summer Lyric Theatre, Freeman Summer School Abroad, the Master of Liberal Arts, the Executive Masters of Health and Administration, the Civic and Cultural Management Program and the Master of Pharmacology.

g. Under no circumstances will a waiver be granted to any eligible person for taking previously completed courses a second time. In the event an eligible person drops a course subsequent to the deadline for drop/add, the employee will be charged a $50.00 per class Drop Fee.

h. For purposes of this policy, dependent children means the biological, adopted, or stepchildren of the employee who are claimed as dependents for federal income tax purposes on the employee’s income tax return. A copy of the employee’s federal income tax return may be required. The spouse of an employee is defined as the person to whom the employee is currently and legally married. Spouse does not include divorced and legally separated spouses.

i. Spouses and dependent children of employees who are themselves employees of Tulane University shall have their eligibility for tuition waivers determined exclusively on the basis of their employment.

j. A Tuition Waiver Application form must be completed each semester in which enrollment is requested. This form must be returned to Personnel Services on or before the last day of late registration. Eligibility for tuition waivers is determined when an Application for Tuition Waiver is submitted.

k. If the person enrolled in Tulane on a tuition waiver basis becomes ineligible for tuition waiver during a semester, the ineligible person will be allowed to complete the semester in which he or she is enrolled. However, if the person enrolled becomes ineligible for the tuition waiver as a result of such employee's voluntary termination of employment at any time during the semester, the former employee will be charged for the full tuition amount for that semester.

l. These benefits are contingent upon the University's admission guidelines.
m. Tuition waivers for undergraduate study are treated as non-taxable scholarships. Graduate-level tuition waivers for university employees can be provided on a tax-free basis up to $5250.00 annually.

6. Tuition Exchange Program

Tulane participates in a Tuition Exchange program with approximately 200 other schools for undergraduate dependent children's study. Tulane's continued participation in this program depends upon maintenance of an overall balance between the number of students offered Tuition Exchange at Tulane and the number of Tulane dependents who receive Tuition Exchange scholarships at other schools. Because of the necessity of maintaining this balance, Tuition Exchange is not a guaranteed benefit.

In order for a dependent to take advantage of the program, three conditions must be realized:

   a. the dependent must be accepted at the receiving school to pursue full-time undergraduate study toward a degree;

   b. the receiving school must give the dependent a waiver;

   c. the dependent must be approved for the tuition exchange by the Office of the Provost at Tulane.

Tulane has no control over the first two conditions.

When, as is very often the case, there are more requests for tuition assistance coming from the Tulane community than we have credits in the program, the following priorities will be used in determining which faculty or staff member may use the program.

1. the duration of regular full-time employment at Tulane by the parent or legal guardian. Where both parents/guardians are employed at Tulane, only one parent's/guardian's seniority may be used. However, the other parent's/guardian's seniority may be used for other dependents.

2. The accrued time may only be used once. After the use of the program by the first dependent, the Tulane employee may use subsequent regular full-time employment for future dependents.

3. When multiple dependents begin their college career simultaneously, the employee's accrued time will be applicable for only one dependent.

4. In the event of ties, a lottery will be used.

5. The implementation and interpretation of these rules are the responsibility of the Provost.

Dependents who have already used eight semesters of tuition exchange are given the lowest priority.

It is important that those interested in this program obtain from the Office of Financial Aid a list of participating institutions, application forms, information on deadlines, and associated material.
(definition of "dependent", "full-time regular employment", etc.) at least eighteen months before the anticipated date of enrollment. The Office of Financial Aid can provide lists of participating schools, applications, and deadlines.

7. Extended Tuition Waivers

a. Eligibility

The Extended Waiver Benefit is provided to the following individuals:

i. Employees

1. Retirees with at least 25 years of full-time service at Tulane who completely sever his or her employment relationship with Tulane;

2. Employees who have been approved and accepted as disabled under the Tulane Long Term Disability Plan and have at least 5 years of full-time service at Tulane at the time of the disability;

3. Employees who have been approved and accepted as disabled under the Tulane Long Term Disability Plan, have less than 5 years of full-time service at Tulane and are enrolled on tuition waiver basis at the time of the disability.

4. Faculty members whose tenures are terminated under extraordinary circumstances caused by financial exigencies or by a bona fide discontinuance of a program on a department of instruction.

ii. Spouses and Dependent Children

1. The Spouse and Dependent Children of a Retired Employee as defined in subparagraph i.1. above;

2. The Spouse and Dependent Children of a Disabled Employee as defined in subparagraph i.2. above;

3. If enrolled on a tuition waiver basis at the time of an employee's death or disability, the Spouse and/or Dependent Child(ren) of a Disabled Employee described in subparagraph i.3. above or an employee who dies before completing 5 years of full-time service at Tulane;

4. Spouse and Dependent Children of an employee who has at least 5 years of full-time service at Tulane and separates from service by reason of death.

iii. Dependent children
1. The dependent children of tenured full-time faculty members whose tenures are terminated under extraordinary circumstances caused by financial exigencies or by a bona fide discontinuance of a program on a department of instruction.

For purposes of this policy, "spouse" is defined as the person to whom the employee is currently and legally married. Spouse does not include divorced and legally separated spouses. The spouse of a deceased employee becomes ineligible for an extended tuition waiver when he or she remarries.

For purposes of this policy, "dependent children" means the biological, adopted, or stepchildren of the employee who are claimed as dependents for federal income tax purposes on the employee's income tax return. A copy of the employee's federal income tax return may be required. In the case of biological, adopted or stepchildren of a deceased employee, dependent children shall mean children who were claimed as dependents for federal income tax purposes on the employee's federal income tax return in the year of death or the year immediately preceding the employee's death.

b. Benefit

i. Except as provided in ii. below, the total number of Annual Tuition Waivers available to an eligible employee, spouse and dependent children as a group is equal to the number of years of full-time service by the Employee, including the academic year in which the retirement, disability or death occurs;

ii. Employees described in sub-paragraph a.i.3., the Spouse and/or Dependent Child(ren) described in sub-paragraph a.ii.3. shall be eligible to receive a total of five Annual Tuition Waivers. If more than one eligible individual is enrolled on a tuition waiver basis at the time of an Employee's death or disability, the enrolled individuals as a group shall be entitled to receive a total of five Annual Tuition Waivers.

iii. Annual Tuition Waivers are defined as exemption from the payment of tuition to the extent available for active employees under the Tuition Waiver Policy at the time the application for tuition waiver is submitted, but not University fees, for credit courses during an academic year (August to August: fall, spring and summer sessions).

iv. Annual Tuition Waivers are not granted for some programs, including but limited to: The Executive Master of Business Administration, Concurrent Enrollment, Gifted and Talented, Project Talent, Tulane Junior Summer Lyric Theatre, Master of Liberal Arts, the Executive Masters of Health and Administration, Civic and Cultural Management, and Master of Pharmacology. Contact the Office of Human Resources to determine whether a program is covered by this policy.

v. Under no circumstances will a waiver be granted to any eligible person for taking previously completed courses a second time.

c. Procedures
i. The University requires a copy of the employee's federal income tax return if the tuition waiver claimed is for a dependent child.

ii. If the spouse or dependent child is enrolled in Tulane on a tuition waiver basis and becomes ineligible for the tuition waiver during a semester, the ineligible person will be allowed to complete the semester in which he or she is enrolled.

iii. The use of a tuition waiver by an individual at any time during the academic year is counted as the use of one Annual Tuition Waiver. This means that if the former employee, spouse or dependent child uses a tuition waiver to take only one course during an entire academic year, it counts as the use of one Annual Tuition Waiver. By the same token, the former employee, spouse or dependent child could take a full course load all three semesters and that would still only count as the use of one Annual Tuition Waiver. However, if the former employee, spouse and dependent child each take one course during an entire academic year or a full course load all three semesters, it counts as the use of three Annual Tuition Waivers.

iv. These benefits are contingent upon the University's admission guidelines.
C. Other Benefits and Services

1. Admission to Intercollegiate Events

Faculty members may receive tickets for athletic events at either a reduced rate or gratis. Admission to events in some sports is free to faculty members with the presentation of ID cards.

2. Bookstore Discount

Faculty members and their dependents are entitled to a 10% discount on most articles purchased from the University Bookstores.

3. Health Services

   a. TUMC (Tulane University Medical Center) Clinic (1415 Tulane Avenue). This private, multi-specialty clinic composed of physicians who are full-time members of the faculty of the Tulane University School of Medicine offers a full range of medical services to outpatients and is fully associated with the Tulane University Hospital. The charges for professional, laboratory, and diagnostic services are similar to those of other private practitioners in the New Orleans area. These services are available to all members of the University faculty, staff, and their families. Information about the Tulane Preferred Health Plan may be obtained from the Insurance Office or the Office of Personnel Services.

   b. TUMC Uptown Campus Clinic (Reily Center, Ben Weiner Drive). Uptown campus faculty, staff, and their families -- particularly members of the Tulane Preferred Health Plan often find this location of TUMC most convenient. The physicians at this clinic are also full-time faculty members of the Tulane University School of Medicine. They maintain regular medical practice at this location, assuring continuity of care. The clinic has its own basic laboratory and x-ray capabilities, with additional immediate access to the diagnostic and treatment facilities of the Tulane University Medical Center. The charges for professional, laboratory, and diagnostic services are similar to those of other private practitioners in the New Orleans area.

   c. The University Student Health Center provides convenient prescription pharmacy services to faculty, staff, students, and their families at costs competitive with other such services in the New Orleans area.

4. Identification Cards

The Card Services Office, located in Bruff Commons issues a photo identification card to current and emeritus faculty members.

ID cards for dependents may be obtained upon application and must be renewed every five years. Application forms are available in the Office of Personnel Services.
5. Purchasing Department Discount

University policy permits the Purchasing Department to assist full-time faculty members by purchasing for them appliances, furniture, or other high-cost items where substantial savings can be realized. Such purchases are made by requisition giving all necessary information including model number, size, color, etc. The full amount of the purchase, including sales tax, must be paid by check or money order at the Purchasing Department before the purchase order will be released.

6. Reimbursement for Travel and Other Business Expenses

DOMESTIC TRAVEL: Reimbursement from University funds for domestic travel will be made on the basis of reasonable actual expenses. Original receipts are required for all reimbursable expenses (i.e., lodging, meals, taxis, registration) claimed. The employee may, however, choose to be reimbursed on a per diem basis using the CONUS (Continental United States) Per Diem Rates and may elect one of the following:

a. Reimbursement for actual lodging expense and CONUS Per Diem for meals/incidentals. In this instance proof of travel and lodging is required, but receipts for meals/incidentals are not. Incidentals are defined as taxes, service charges and customary tips. All other approved trip related expenses (ground transportation, registration, etc.) are reimbursable with receipts.

b. Reimbursement utilizing CONUS Per Diem for both lodging and meals/incidentals. Proof of travel and lodging is required even though per diem is requested. Receipts, however, are not required for meals/incidentals. In no instance shall reimbursement for lodging exceed the actual lodging cost. All other approved trip related expenses are reimbursable with receipts.

In certain instances, grants and contracts have specific limitations, which may be more restrictive than university policy. In these cases, the terms and conditions of the grant or contract must be followed.

FOREIGN TRAVEL: Reimbursement for foreign travel funded from government grants and contracts, will be made on the basis of U.S. Department of State Foreign Travel Per Diem. These rates are kept current for every foreign country, and are available from the University accounting office and the Medical Center Office of Grants and Contracts. For foreign travel on University funds, all approved costs will be reimbursed. Original receipts are required for all reimbursable expenses (i.e., lodging, meals, taxis, registration) claimed. The employee may however, choose to be reimbursed on a per diem basis using the U.S. Department of State Foreign Travel Per Diem Rates, and may elect on of the following:

a. Reimbursement for actual lodging expenses and per diem for meals/incidentals. In this instance proof of travel and lodging is required, but receipts for meals/incidentals are not. Incidentals are defined as taxes, service charges and customary tips. All other approved trip related expenses (ground transportation, registration, etc.) are reimbursable with receipts.
b. Reimbursement utilizing U.S. Department of State Foreign Travel Per Diem for both lodging and meals/incidentals. Proof of travel and lodging is required even though per diem is requested, however, receipts are not required for meals/incidentals. In no instance shall reimbursement for lodging exceed the actual lodging cost. All other approved trip related expenses are reimbursable with receipts.

In certain instances, grants and contracts (especially governmental) have specific limitations, such as per diem allowances, which may be more restrictive than University policy. In these cases, the terms and conditions of the grant or contract must be followed.

Several divisions and administrative areas have additional rules concerning reimbursement of expenses incurred when attending professional meetings. In such circumstances, it is required that the faculty member contact the dean's office and that administrative personnel contact the person to whom they report for prior approval. University personnel are required to make every effort to use the lowest available air fare. The cost of transportation tickets may be charged to the employee's Tulane business card, personal credit card, or charged directly to the department. The original airplane ticket stub should be submitted with the travel voucher, irrespective of whether the travel voucher includes a reimbursement request for airfare. In instances where the traveler utilizes an airline that does not issue a passenger ticket, it is the responsibility of the traveler to obtain from the airline an original receipt or itinerary which documents the dates of travel, destinations, and fare. Reimbursed personal phone calls should be limited one per day. As a general rule, where a private vehicle is used as transportation, reimbursement will be made based upon mileage at a specified rate per mile multiplied by the number of business miles substantiated, or tourist air fare, whichever is less. The current mileage reimbursement rate is available from the University Accounting Office and the Medical Center Business Office. Reimbursement ordinarily will not be made for overnight lodging or meals enroute on the assumption that the traveler can reach his or her destination by air in one day. Exceptions will be made when it can be documented that group travel by automobile results in a lower total cost to the University.

Some examples of expenses which are NOT reimbursable are:

- Laundry and valet service
- Personal entertainment
- Fees for traveler's checks for domestic travel
- Flight insurance
- Credit card fees

ADVANCES. Travel advances are only issued for foreign travel. If an advance of funds is needed, a request for the advance must be submitted and approved by the University. Cash advances are discouraged and should be requested only in unusual circumstances. To comply with the Internal Revenue Service regulations, faculty and staff members receiving advances on their personal Accounts Receivable must substantiate expenses incurred for each advance by submitting an accounting of each separate expenditure and supporting receipts within a reasonable period of time. The faculty or staff member shall submit the accounting and receipts no later than 30 days from the date of his or her return to the University. Individuals who fail to
comply with this requirement may have the unsubstantiated advance balance deducted from their payroll checks. If an advance was obtained for travel or other business function in excess of the actual expenses (other than an advance charged to a personal Tulane business card), the employee's personal check (or copy of bursar receipt showing deposit of unused advances to the employee's personal account) must accompany the reimbursement voucher.

The University will calculate a reasonable amount for foreign travel advances needed to conduct a University related project based upon the individual's anticipated expenditures. Foreign travel advances for a brief conference or research project will be based on per diem rates for the estimated time outside the continental United States. Advances for foreign travel may be made for a maximum period of 3 months. In cases of foreign travel for more than 3 months, the individual must comply with the accounting and substantiation requirements, and then request an additional advance from his or her foreign post for the remaining days or months of travel. To comply with the Internal Revenue Service regulations, employees receiving advances for foreign travel for 3 months or less shall submit the travel voucher and receipts no later than 30 days from the date of his or her return to the United States. In cases of foreign travel for more than 3 months, the faculty or staff member shall submit the travel voucher and receipts no later than 4 months from the date of the advance, regardless of whether such individual has returned to the United States. Individuals who fail to comply with this requirement may have the unsubstantiated advance balance deducted from their payroll checks.

APPROVAL. There should be written approval for all reimbursements by the person to whom the traveler/payee reports. All academic departments' business expense reimbursement vouchers, including travel reimbursement, should be signed by the traveler/payee and approved (i.e., signed) by the department chair, or by the dean if the traveler/payee is the chair of the department. Similarly, all requests for business expense reimbursement by deans and directors should be signed by the individual, and approved (i.e., signed) by the applicable Senior Officer to whom such individual reports relative to the purpose of the business expense. All administrative departments' business expense reimbursement vouchers, including travel reimbursement, should be signed by the traveler/payee and approved (i.e., signed) by the budget head, or by the person to whom they report if the traveler/payee is the budget head. Similarly, all requests for business expense reimbursement by Vice Presidents should be approved (i.e., signed) by the appropriate Senior Officer.
PART V. PHYSICAL FACILITIES

A. Athletic Plant

Avron Fogelman Arena is located in the Central Building on the northwest corner of Freret Street and McAlister Drive and has a seating capacity of 3,600. The men's and women's basketball teams play their home games in this facility as well as the women's volleyball team.

Football Practice Field, situated just to the southwest of the James W. Wilson, Jr. Center, is a grass practice area used exclusively for intercollegiate athletics, primarily football and track. Home football games are played in the Louisiana Superdome. There is another grass field west of the Wilson Complex.

Kent McWilliams Track Complex, situated to the west of the James W. Wilson, Jr. Center surrounding the football practice field, is a quarter-mile track for use by Tulane's intercollegiate track and cross-country teams as well as for intramural and recreational use by faculty, staff and students (except when the football team is holding practice sessions).

Turchin Baseball Stadium, located south of the Rosen House Apartments on the north end of the Uptown Campus on Ben Weiner Drive, is used by the intercollegiate baseball program with a seating capacity of 3000. The facility has lights for night baseball games.

Goldring Tennis Center for varsity tennis located on Ben Weiner Drive, south of the Wilson Center. Recreational tennis courts are located just to the south of the Reily Student Recreation Center. There are six hard surface courts for faculty, staff and students for intramural and recreational purposes through the department of campus recreation.

James W. Wilson, Jr. Center, situated one block south of South Claiborne Avenue on Ben Weiner Drive, houses the administrative offices of the Division of Athletics as well as offices of all sports, training facilities, athletic equipment room, varsity locker rooms, weight room, and the Hall of Fame.
B. Libraries

Tulane's libraries consist of nine units with combined holdings of over 2,000,000 bound volumes and twice that number of non-book items. Some 16,000 periodicals and serials are received regularly.

The Howard-Tilton Memorial Library is the general library of the University, containing about 75% of the University's holdings in bound volumes and a larger proportion of the non-book items.

Housed elsewhere are:

Architecture Library
Law Library
Lillian A. and Robert L. Turchin Library, in the A.B. Freeman School of Business
Mathematics Research Library
Meade Natural History Library
Nadine R. Vorhoff Library of the Newcomb College Center for Research on Women
Rudolph Matas Medical Library
Tulane Primate Research Library

The Architecture Library, located in the Richardson Memorial Building, is a small library primarily serving the needs of the students and faculty in the School of Architecture also housed in the building. It contains about 10,000 volumes.

The William Ransom Hogan Jazz Archive, in Jones Hall, was established in 1958 to collect and preserve interviews, oral histories, phonodiscs and tapes concerning the development of this native art form. Its holdings include more than 40,000 phonograph records, 1,300 piano rolls, more than 40,000 pieces of sheet music, 4,100 tape recordings, 150 motion picture reels, 8,000 photographs, 10,000 reference items, and 25,000 archival items.

Originally known as The Tulane Archive of New Orleans Jazz, it was renamed in 1974 in memory of Professor William Ransom Hogan, who was responsible for its establishment.

The Howard-Tilton Memorial Library was formed in 1941 by the merger of three separately established libraries: the Howard Memorial Library (a privately-endowed reference collection situated at Lee Circle and open to the general public), the Tilton Memorial Library (until 1941 the library of Tulane University), and the Newcomb College Library (a smaller library, situated on the Newcomb campus).
Howard-Tilton primarily serves faculty and students of the University. Its shelves include more than 1,700,000 bound volumes and over 2,200,000 non-book items such as letters, manuscripts, diaries, documents, microforms, tape recordings, and other materials. About 10,000 periodicals from many countries are received.

The collections are housed in a five-story building with seating for 1,386 users. There are 700 carrels for general use, 186 studies for graduate students working on dissertations, and 94 faculty studies.

Materials are arranged according to subjects. The Science-Engineering Division is on the first floor, together with the library's technical services, reference, and circulation. The Humanities-Fine Arts collection and the library's administrative offices are on the second floor. The Social Sciences collection is on the third floor, along with the Selley Social Science Reading Room, and newspapers and microforms.

On the fourth floor is the Latin American Library and on the lower level are the Music Library and U.S. Government Documents.

**The Latin American Library** contains about 180,000 volumes and extensive collections of manuscripts, newspapers, and pamphlets. It was formerly the library of Tulane's Middle American Research Institute, and therefore is particularly strong in history, anthropology, and archaeology of Mexico and Central America. It continues to be strengthened by acquisitions from Honduras, Guatemala, El Salvador, Costa Rica, and Nicaragua. There are unique runs of Central American newspapers, documents (1493-1850) related to New Spain, and other special holdings.

Since the Howard-Tilton Memorial Library assumed the administration of these collections several years ago, particular efforts have been made to build strength in South America. An outstanding collection of Brazilian materials is worthy of note. Of special interest is the collection of Maya monument rubbings, made by Merle Greene Robertson, the gift of the Stern Family Fund. The recently established Photographic Archive contains photographs of historic interest from several areas of Latin America.

**The Law Library.** The School of Law has one of the largest and most carefully selected collections of legal materials in its region.

This collection numbers some 215,000 volumes and is increasing by about 5,000 volumes per year. It contains the reports of the courts of last resort of all the states, the United States Supreme Court reports, the federal reports, the reports of the intermediate appellate courts of the several states, and the British reports including the Scottish, Irish, and Canadian.

The library is well equipped with French, Spanish, Italian, German, Latin American, Australian, New Zealand, and Roman law units. The leading French, Spanish, Italian, and Latin American legal periodicals and codes are included as well as the works of the various French commentators.
This library contains also all of the more significant compilations of selected and annotated cases. In the important sets of reports and other works, multiple copies of sets are available. The statutes of the several states and federal statutes and codes are present, in addition to all the commonly used digests, the complete National Reporter System, and the various sets of annotated series. All of the important textbooks on every branch of the law are represented, as are legal periodicals, encyclopedias, and citators. Also available to students and faculty is the Law Library of the Louisiana Supreme Court Building in downtown New Orleans.

The Mathematics Research Library, in Gibson Hall, has some 12,000 books and 8,500 bound volumes of periodicals and receives approximately 350 serials. This collection is strong in most areas of pure and applied mathematics. Its use is restricted to faculty and graduate students.

The Rudolph Matas Medical Library. Founded in 1844, the library of the Tulane Medical Center is named in honor of the distinguished surgeon, alumnus, and benefactor of the School of Medicine. It serves as the primary resource library for the Schools of Medicine and Public Health and the University Hospital.

The library is located on the second floor of the Burthe-Cottam and Hutchinson buildings on the downtown campus. The collections total in excess of 150,000 volumes, covering the basic biomedical sciences, clinical medicine, surgery, and psychiatry, and public health. Approximately 1,300 medical and scientific journals are under subscription.

The library is especially rich in historical materials: local medical history, biography, and portraiture; medical Americana; war surgery; and women in medicine. The library also houses the archives of the School of Medicine.

The Leon Ryder Maxwell Music Library contains more than 40,000 books, scores, periodicals, recordings and phonotapes, including all published collected works of standard composers and available critical editions of early composers, also including editions of the various DenkmŠler and historical documents of the Western countries.

The Meade Natural History Library was established in 1953 by a gift from Dr. George P. Meade, a noted sugar chemist. It is located at Tulane's Hebert Center near Belle Chasse, Louisiana, about ten miles from the uptown campus. It receives more than 600 periodicals, which represent the biological science productivity of many countries, and which are not available in other Tulane libraries.

The Southeastern Architectural Archive (Jones Hall) contains an important collection of research materials pertaining to architecture and the related fields of construction, decoration, and landscape design. The emphasis is on Louisiana and the American Southeast, though there are also numerous materials from other areas of the country and a small but growing group of European items. Holdings consist principally of drawings (roughly 500,000 sheets), photographs, and manuscript items such as correspondence, specifications and contracts. There are also scale models and a number of architectural fragments.
Noteworthy Louisiana holdings include drawings by nineteenth central New Orleans architects such as the James Galliers (father and son), Thomas Sully, and Harrod and Andry (architects for the first buildings of the present Tulane campus). Also of interest are early atlases of Louisiana cities, and rare photographs made during the 1930's for the Louisiana Division of the Historic American Buildings Survey. More recent records include drawings for such structures as the Louisiana Superdome, the Rivergate Exhibition Facility, and the 1984 Louisiana World Exposition.

**The Tulane University Archives (Jones Hall)** contain extensive historical material related to the University. Holdings include correspondence and minutes of the meetings of the Board of Administrators; reports, correspondence and publicity items of the presidents of Tulane; University catalogues; matriculation records; records on former University administrators, faculty and staff; information on the Board of Administrators, the Board of Governors of the Medical Center and the Board of Visitors; financial records; information on campus buildings, including photographs; copies of University and student publications; scrapbooks dating from 1882; and record cards and lists of Tulane and Newcomb graduates, dating from 1834. The Archives also hold the record copy of Tulane theses at the honors, master's, and doctoral level. Approval of the Chairperson of the Board of Administrators is required for access to the records of the Board. Other materials are open for research.

**The Rare Book Collection (Jones Hall)** which consists of approximately 50,000 volumes, is broad in scope with some emphasis on American discovery, history and travel, especially the American Revolutionary War, nineteenth and twentieth century first editions of American and English authors, English county histories, fine bindings, natural history, description of Romanov Russia, and science fiction. Special collections include the William B. Wisdom Collection of first editions, most notably William Faulkner, the Margaret Hunt Brisbane Collection of Robert Southey, the Jules Alciatore Collection of Stendhal, and the Lafcadio Hearn Collection.

**The Manuscripts Section (Jones Hall)** contains over 3,000 individual collections mainly relating to nineteenth and twentieth century Louisiana and the South. The section holds papers on a variety of subjects with strength in agriculture, local artists and authors, carnival, church and synagogue records, civic and social organizations, social agencies, business and commerce, Tulane faculty and administrators (see also University Archives), the Civil War, the history of medicine, journalism, Louisiana politics and government, and water transportation. There are also hundreds of collections of family papers, again mainly of Louisiana, which cover a wide range of individuals and subjects, including genealogy. Additionally, there are a number of collections created by an individual collector or organization, which cover a wide range, principally colonial and antebellum Louisiana and the Civil War.

**The Lillian A. and Robert L. Turchin Library of the A. B. Freeman School of Business** is one of the largest business libraries in the South based on number of volumes, staff, and square footage. The specialized collection consists of materials in the fields of business administration, applied economics, management science, hospital management, and computer science.
There are approximately 35,000 volumes, plus pamphlets, government documents, annual reports and prospectuses from major U.S. corporations, and about 1,000 journals, statistical publications, loose-leaf services, and other serials providing latest information. Subject areas of greatest coverage include accounting, management, marketing, finance, and operations research.

**The Tulane National Primate Research Center Library** is a rapidly growing collection for use of the scientists engaged in primate research at the Center near Covington, Louisiana, about 35 miles from the uptown campus.

Holdings include more than 10,000 reference books, and 45 current scientific journal subscriptions. Bound and unbound volumes of previous journals are also available.

**The Nadine Vorhoff Library and H. Sophie Newcomb Memorial College Archives** are located within the Newcomb College Center for Research on Women and occupy the first floor of Caroline Richardson Hall. The role of the Library and Archives is to collect, preserve, and make available research materials in women's studies, particularly those that relate to women's education, to the history of women at Tulane University, to Southern women, to culinary history in the region, and to the work of women.

The Library and Archives contain manuscript collections of alumnae; a book collection of approximately 8,000 volumes; a culinary arts book collection of some 1,500 volumes; and subscriptions to over 100 periodicals. Publication of a series of bibliographic and archival sources on women includes The New Orleans Guide to Collections on Women; H. Sophie Newcomb Memorial College: A Research Guide; and The Higher Education of Women in the South: An Annotated Bibliography, are located within the Newcomb College Center for Research on Women and occupy the first floor of Caroline Richardson Hall. The role of the Library and Archives is to collect, preserve, and make available research materials in women's studies, particularly those that relate to women's education, to the history of women at Tulane University, to Southern women, to culinary history in the region, and to the work of women.
C. The Medical Center

The Tulane University Medical Center is composed of the School of Medicine, School of Public Health and Tropical Medicine; Tulane National Primate Research Center in Covington, Louisiana; the Tulane University Hospital and Clinic, the Center for Bioenvironmental Research; and the University Health Service, located on the uptown campus of the University.

The Tulane University Medical Center, in the City's central business district, is in an area that encompasses a major medical complex. Other health care institutions in the vicinity include the Louisiana Medical Center-New Orleans (formerly Charity and University Hospitals), the Louisiana State University Medical Center and the New Orleans Veterans Administration Medical Center.

The Tulane University Hospital and Clinic, a joint partnership of Tulane University and Columbia HCA Healthcare Corporation, is located in the "Jane and Jack R. Aron Pavilion" at 1415 Tulane Avenue and the adjoining "Reily Foundation Pavilion." Connected to the Medical School and an 875-car parking garage by an over-the-street covered walkway, the Tulane University Hospital and Clinic serves the people of the Gulf South in all medical specialties.

Tulane medical faculty who belong to the Tulane University Medical Group see their private patients in Tulane University Hospital and Clinic. Faculty and staff are eligible for the Tulane Preferred Health Plan, a special cost-saving health plan.

The Medical School has an enrollment of nearly 600 medical students and over 400 residents. In addition, over 300 students are enrolled in graduate degree programs in the basic sciences. Classroom, laboratory, and administrative activities are conducted in Hutchinson Hall which is located across the street from the Louisiana Medical Center-New Orleans, a primary teaching hospital for both Tulane and LSU Medical Schools. A number of other hospitals in the city and state are also affiliated with the school.

The School of Public Health and Tropical Medicine is located on Canal Street in the vicinity of the Medical School and has a total enrollment of approximately 1,100 full-time and part-time students.

Student housing for both the School of Medicine and the School of Public Health and Tropical Medicine is provided in the nearby Deming Pavilion, an 8-story building on Canal Street.

The Tulane National Primate Research Center is located on 500 acres near Covington, Louisiana, across Lake Pontchartrain. Established in 1962 by the National Institute of Health, it is funded entirely by outside grant income, most of which comes from the federal government. The research center currently has programs in bacteriology, biochemistry, neurology, parasitology, reproductive physiology, urology, virology and gene therapy. It continues to make major contributions to the development of a vaccine against AIDS. There is also an active breeding program to provide primates needed for biomedical research.
The Center for Environmental Research is the focus of a University-wide effort to investigate the impact on human health of a wide variety of environmental contaminants. Its primary source of funding is a $33 million grant from the Department of Defense, made jointly to Tulane and Xavier University. Since 1993, the Center has been housed in a new Health and Environmental Science Research Building, the J. Bennett Johnston Building, which is located on Tulane Avenue adjacent to Hutchinson Hall. The building will also provide additional space for Medical Center researchers.
D. The Uptown Campus

Tulane University's uptown campus is a tract of about 110 acres extending between St. Charles and South Claiborne Avenues in the uptown residential section of New Orleans. All instructional divisions are headquartered there except those of the Medical Center. On this campus are 84 buildings with a total gross floor space of approximately 2,500,000 square feet.

Since 1988, important additions to the physical plant have included the Reily Student Recreation Center, the Lindy Claiborne Boggs Center for Energy and Biotechnology (which houses most departments of the School of Engineering), and the James W. Wilson, Jr. Center for Intercollegiate Athletics.
PART VI. RESEARCH CENTERS AND INSTITUTES

The units named below have been selected because of unusual character, established position in a field of knowledge, diversity of interests reflected, or other distinctive features.

Much work of comparable significance is in progress using the various libraries and laboratories on the uptown campus and in the Medical Center as well as in field settings. The libraries are described in the section on Physical Facilities. Most of the laboratories are under departmental administration although some of them serve interdisciplinary efforts. A list of such facilities would be considerable in length and would not represent the type or importance of projects under way.

Amistad Research Center

Tulane is host to the Amistad Research Center, a privately supported institution established to collect, preserve, and make available primary source materials pertaining to the history of American's ethnic minorities, race relations, and civil rights. Founded by the American Missionary Association in 1966, Amistad has collected more than ten million manuscript pieces and historical documents, 300,000 photographs, 400 tapes of speeches and interviews, 19,000 reference books, runs of 39 newspapers and 874 periodicals, one million newspaper clippings, and 15,000 pamphlets. The archives contain the official files of some 70 national and international organizations, such as the American Mississippi Association, Civil Rights Committee of Metropolitan New York, Free Southern Theatre, and the National Committee Against Discrimination in Housing. Among the more than 200 families and individuals represented in the correspondence files of Amistad are Booker T. Washington, W. E. B. DuBois, Martin Luther King, Jr., Thurgood Marshall, Countee Cullen, and Fletcher Henderson. About 80% of the holdings deal primarily with the history and culture of African Americans, civil rights, and relations between blacks and whites.

The Amistad Research Center also holds the Aaron Douglas Collection, an art collection of more than 200 paintings, sculptures, drawings, graphics, and other works by major African American artists.

The Center offers the New Orleans community art and history exhibits, concerts, lectures, poetry readings, and other public programs. Located in the Tilton Memorial Hall, the Amistad Research Center is open to the public.

Center for Archaeology

The Center for Archaeology provides a range of support for Tulane-affiliated archaeological research. Located in the Anthropology Annex, the Center offers organizational and logistical support, as well as equipment and laboratory facilities, for faculty and student research projects. Continuing programs include sponsorship of scholarly conferences and symposia, curation of archaeological site collections from North America, and of teaching collections from other areas, and a Lectures in Archaeology series which brings outstanding scholars to Tulane to present public lectures on topics of broad interest.
The Center's associates include professional archaeologists both from within and outside the Tulane faculty. Graduate students may be considered for appointment as Research Affiliates for periods when their research projects are linked to or supported by the Center.

**Center for Bioenvironmental Research**

The Center for Bioenvironmental Research, in association with Xavier University, was established in 1989. The Center provides a wide range of support for bioenvironmental research and education conducted by University faculty. The Center offers administrative and financial support and maintains core facilities for major instrumentation as part of a broadly-based multidisciplinary program aimed at understanding and mitigating the impact of man-made agents on human and ecosystem health. The Center supports and sponsors technical workshops as well as scholarly conferences and symposia, and serves as a focal point for communicating risk and the role of science in establishing efficient and effective public policy in the environmental area.

The Center's associates include faculty in the sciences, engineering, medicine, public health, epidemiology, environmental health sciences, business, and law.

**Center for Cardiovascular Health**

The goal of the Center for Cardiovascular Health is to promote health and to prevent heart disease through education, research, clinical and community activities. Within the School of Public Health and Tropical Medicine, the Center is directed to increasing the understanding of cardiovascular disease, promoting health, behavioral approaches to reducing cardiovascular diseases, and improving human development and quality of life. The Center encourages collaboration of individuals with a variety of backgrounds to develop multi-disciplinary programs directed toward preventing cardiovascular disease.

**Center for Environmental Engineering**

The Center for Environmental Engineering, administered through the Office of the Associate Dean for Graduate Studies and Research, coordinates all research efforts in the School of Engineering in the area of environmental engineering as related to environmental processes, impacts and restoration.

**Center for Intelligent and Knowledge-based Systems**

The Center for Intelligent and Knowledge-based Systems (CIAKS) focuses on research in intelligent databases, expert systems, genetic algorithms and other areas of artificial intelligence. A major intent is development of interdisciplinary applications such as remote sensing, public health and medicine, oceanography and aerospace and manufacturing engineering in cooperation with researchers at Stennis Space Center, Martin Marietta and here at Tulane (School of Public Health) and other universities.

**Eason-Weinmann Center for Comparative Law**
The Eason-Weinmann Center for Comparative Law is the successor to the Institute of Comparative Law which was created in 1949 through generous grants from the Ford and Rockefeller Foundations. In 1981, John and Virginia (Eason) Weinmann gave a substantial grant to the Center for the purpose of strengthening its activities as well as endowing the Eason-Weinmann Professorship of Comparative Law. The Center serves as a vehicle for enriching and deepening the existing programs of the Tulane Law School by bringing outstanding legal scholars from various countries and legal systems together for seminars and lectures and by publishing the proceedings in the Tulane Law Review.

The Hebert Center

The F. Edward Hebert Riverside Research Center is located on a 500-acre tract of land along the Mississippi River near Belle Chasse, Louisiana, about 15 miles southeast of the uptown campus. Part of the U.S. Navy's ammunition storage complex during World War II, the tract was donated to Tulane in the 1960's, with the understanding that Tulane would use the land for Environmental and Biomedical Research. The tract includes rows of concrete, ammunition-storage bunkers set in earthen berms. Behind each row of bunkers is a string of "borrow pits" which hold water year round. The rest of the tract is wooded and maintained as a wilderness area. A long stretch of river batture forms the southern boundary of the tract. The Tulane Museum of Natural History and the U.S. Japan Biomedical Research Laboratories are located on the grounds of the Hebert Center. The tract provides special facilities for research and graduate training in such areas as behavioral psychology, ecology, environmental biology, environmental health sciences, and neurosciences.

Maritime Law Center

The Maritime Law Center of the Tulane University School of Law is the first and the only center of its type in the United States. Similar centers exist in other countries. The principal objectives of the Center are to: (1) improve formal academic training in maritime law, (2) encourage and support scholarly and practical research, (3) provide continuing education for the maritime bar and industry, and (4) perform various services in the public interest.

In existence since 1983, the Center has brought to the Law School as visiting faculty and scholars, distinguished foreign professors and American lawyers with recognized expertise in admiralty and maritime law. The graduate program in admiralty is administered through the Center. The Center sponsors conferences on maritime law in an international context for both American and foreign lawyers. It also assists the Tulane Admiralty Law Institute in conducting its nationally and internationally renowned symposia.

The Center is funded by an endowment established by the generosity of a number of law firms which have a special interest in admiralty and maritime law.

Middle American Research Institute

The Middle American Research Institute was established in 1924 to undertake and publish research on Mexico and Central America. The primary focus of the institute, its instructional program, and its collections and museum has been the anthropology, and especially the
archaeology, of southern Mexico and Central America, one of which pioneered investigations in the Olmec area of Tabasco. From 1955 until 1974, the institute undertook a major program of research in the Maya area of Mexico, investigating several important sites, including Dzibilchaltún, Balankanché, Bec'ché, Chicanná, and Xcaret. Since 1980, MARI has been studying the formative Maya site of Komchén, in northwest Yucatán, and has sponsored Tulane research at other Maya sites on the Yucatán Peninsula, including Ek Balam, Muyil, and Chichén Itzá. The data from these and related excavations are illuminating the history of the ancient northern Maya. In 1990 the institute began participation in the long-term, multi-institutional program of excavations at the Maya site of Copán, Honduras, investigating the late royal residential area. MARI has funded recent archaeological research by many graduate students in Mexico, Guatemala, Belize, Honduras, El Salvador, Costa Rica, and the Caribbean.

The institute has published more than 65 volumes and 20 shorter monographs, and between the late 1950's and 1976 assembled and edited the 16-volume "Handbook of Middle American Indians."

Its museum gallery and anthropological collections include archaeological materials from the Americas, especially Central America, Mexico, and the southwestern United States; ethnographic specimens; negatives, photographs, and slides; and documentary research materials from archaeological expeditions. The museum is open to the public during regular University work hours, and collections are available for study.

Murphy Institute of Political Economy and Policy Analysis

The Murphy Institute was established in 1980 to support Tulane's undergraduate program in political economy. The interdisciplinary curriculum of the major includes courses drawn from economics, history, philosophy, political science and sociology. It also requires completion of five 'core' political economy offerings designed especially for the major. The curriculum provides undergraduates with basic skills of economic analysis, but at the same time is based firmly on the view that study of the interrelations of politics and economics has a rich humanistic tradition. Between 1984 and 1998, some 400 Tulane undergraduates received B.A.'s in political economy.

Through a variety of faculty programs, the Murphy Institute also supports advanced research and scholarship by humanists and social scientists who study the interrelations of politics and economics. Scholarly activity at the Murphy Institute involves interdisciplinary conferences, lectures, and seminars. The Institute also publishes (with Cambridge University Press) "Murphy Institute Studies in Political Economy," a series of occasional volumes comprising original scholarship by Tulane faculty and visiting scholars.

National Institute for Global Environmental Change (NIGEC)

The National Institute for Global Environmental Change (NIGEC) was established by the U.S. Congress under the Energy and Water Act of 1989. The Institute is operated for the U.S. Department of Energy (DOE) by the University of California under a cooperative agreement.
One purpose of NIGEC is to plan jointly with the DOE, and to execute, through six regional academic centers, a program of research in global environmental change.

The South Central Regional Center (SCRC) is located at Tulane University and oversees research in the states of Arkansas, Colorado, Louisiana, Mississippi, New Mexico, Oklahoma, and Texas. While the SCRC's research thrusts evolve over time in response to direction from the DOE and the national office of NIGEC, there are several general themes that underlie most of the projects funded by the SCRC. One major topic of interest is the effects of climate change and climatic variability on unmanaged and lightly managed ecosystems, regional hydrology, in particular. There is also a significant ongoing multi-regional effort to study the net exchange of carbon in ecosystems. In addition, the SCRC funds smaller educational projects that focus on environmental education at all levels. Further information about NIGEC can be found at http://nigec.ucdavis.edu.

**Newcomb College Center for Research on Women**

The Newcomb College Center for Research on Women was founded at Tulane University in 1975. First named the Newcomb Women's Center, the Center was renamed in 1985, to reflect its evolving focus on research and teaching. The Center is the oldest university based women's center in the Gulf South and the only one in the region to hold membership in the National Council for Research on Women. The Center is a division of Newcomb College, the women's coordinate college of Tulane University. It occupies Caroline Richardson Hall located on the Newcomb Campus.

The central aim of the Newcomb College Center for Research on Women is to facilitate research and course development in women's studies. Activities sponsored in support of this mission include: 1) administration of the Women's Studies Program; 2) the development of a collection of primary and secondary source materials; 3) research support and projects; 4) publication of occasional papers, bibliographies, and other instructional materials; and 5) sponsorship of seminars, faculty development colloquia, and lectures.

The Women's Studies Program offers an undergraduate major and minor. The program is made possible through the integration of over 35 courses taught by some 40 women's studies faculty and Faculty Associates. Faculty Associates represent 12 departments and three colleges.

The Center's Nadine R. Vorhoff Library and H. Sophie Newcomb Memorial College Archives stand as the repository of the records of the College and of the centralized collection of women's studies books and periodicals on the Tulane campus. (Please see description under Libraries.)

The Center sponsors several programs of support for research: the Women's Studies Research Grants Program offers funding to Tulane's undergraduate and graduate students who are conducting original research relevant to women; the Travel-to-Collections Grant Program awards annually two grants of $500 to assist scholars wishing to use the Newcomb Archives for research on the education of women; and the Women's Studies Visiting Scholars Program is open to women's studies scholars who are without academic affiliation in the New Orleans area. It is particularly appropriate for scholars on sabbatical leave from another institution.
The Center is perhaps best known for its sponsorship of programs, seminars, faculty colloquia and research groups. Faculty study groups in the past few years have focused on integrating feminist global perspectives into women's studies courses. Among the Center's various educational programs are two annual programs: The Zale Writer-in-Residence Program brings a noted writer to campus for a week of public readings and classroom visits; the Adele Ramos Salzer Lecture focuses on the higher education of women.

In 1997, the Center established a computer cluster to increase the presence of women on the Internet, as users and as producers of knowledge. It is used particularly for the development of materials for women's studies courses, for exhibition of Center holdings, and dissemination of information.

**Pacific Rim Center**

The Pacific Rim Center was established in 1991 to enhance and coordinate academic information and technology exchanges between the University community and the Pacific Rim region. The Center provides an international network of government agencies, private industries and academic institutions, and allows Tulane to support an active scholar exchange program, and increased and expanded graduate and undergraduate enrollments. Dr. S.T. Hsieh is the Director.

**Roger Thayer Stone Center for Latin American Studies**

The Center for Latin American Studies is one of 14 federally-funded programs of its sort in the United States. It coordinates the activities of over 80 faculty who offer some 150 courses on Latin America. Graduate students enrolled in the Center's interdisciplinary programs have at their disposal the unique resources of the Latin American Library, the Middle American Research Institute and the Mesoamerican Ecology Institute, the Cuban Studies Institute and the Payson Institute for Applied Development and Technology Transfer. In addition, the Center offers numerous opportunities for student field experience in Latin America, both through credit-granting summer sessions in Latin America and the Caribbean and through grants for independent research. Currently, the Center is funding approximately 45 student and faculty field research projects per year.

The Center's curriculum permits students to design concentrations within a broad interdisciplinary framework. Graduates generally pursue careers in business, government, research, or teaching. The Center offers the following degree programs: Master of Arts in Latin American Studies, Joint Degree Programs (MBA/MA-LAS) AND (JD/MA-LAS), Ph.D. minor in Latin American Studies (with cooperating departments), and Ph.D. in Latin American Studies.

**Tulane Museum of Natural History**

The Tulane Museum of Natural History comprises collections of aquatic invertebrates, fishes, amphibians, reptiles, birds, mammals and vertebrate fossils. The collections and other facilities of the Museum are housed in four bunkers on the grounds of the F. Edward Hebert Research Center in Belle Chasse. The fish collection is recognized as a National Center of Ichthyology Research Collection. It is the 12th ranked collection of its kind in the U.S., Canada and Mexico.
The amphibian and reptile (herpetology) and mammal collections are also nationally ranked. The collections are maintained as a resource for scientific research. Also associated with the Museum is the Meade Natural History Library, a collection of nearly 500 periodicals Tulane receives from institutions around the world, in exchange for *Tulane Studies in Zoology and Botany* and other museum publications.

**Tulane National Primate Research Center**

The Tulane National Primate Research Center is one of seven federally-funded research institutes that is designed to use nonhuman primates in biomedical investigations. It has a population of over 4,500 primates representing some 10 different species, and is located near Covington, LA, about 40 miles from downtown New Orleans.

The center was established in 1962 with funds from the National Institutes of Health. NIH remains the primary source of funding but funds from other federal agencies and the private sector also contribute to the research programs. The research involves the study of infectious diseases caused by viruses, bacteria and parasites. Other areas of research include reproductive physiology, and gene therapy. Selected species of monkeys are bred at The Tulane Primate Center for use in research.

The center has 30 scientists, veterinarians and physicians who are supported by 130 other staff members. Opportunities for graduate students to do research with non-human primates under the guidance of faculty can be arranged.

**Tulane Institute for Health Services Research**

The Institute for Health Services Research (IHSR), chartered in February, 1970, is charged with designing new methods by which the resources of the University can be channeled, stimulated, and coordinated to develop applied public health research and the evaluation of projects in the U.S. and internationally.

The Institute is housed in the School of Public Health and Tropical Medicine Department of Health Systems Management, and is a model for interdepartmental and interdivisional collaboration in applied public health related research and evaluation projects.

**United States/China Institute**

To promote business and economic development in the United States and China, Tulane's U.S./China Institute stimulates and facilitates information and technology exchanges, and collaborative research and technology development in the fields of energy, the environment, and business. The Institute has conducted several international conferences, and, with Tsinghua University and China's State Science Technology Commission, initiated a three-year project culminating in the establishment of the Energy and Environmental Technology Center in Beijing. Dr. S.T. Hsieh is the Director.

**United States/China Energy and Environmental Technology Center**
The U.S./China Energy and Environmental Technology Center in Beijing was formed to enhance the competitiveness and adoption of U.S. energy and environmental technology in the rapidly expanding market in China. The Center is building a bi-national team of professionals from government, academia, and industry to facilitate information exchanges, create sustainable projects, and promote U.S. environmentally friendly technologies in the sustainable development of China's energy sector. The Center, funded by a joint EPA/DOE three-year grant, and run by Tulane and Tsinghua University, officially began operation in April 1997.

United States-Japan Cooperative Biomedical Research Laboratories

The United States-Japan Cooperative Biomedical Research Laboratories (USJBRL) at the F. Edward Hebert Center in Belle Chasse were established in 1985 through the generosity of Japanese industries. At the USJBRL, international teams of scientists study cell regulatory mechanisms and their role in various neuroendocrine functions. The facilities are also available for graduate students in the Neuroscience Training Program who are pursuing doctoral research. The USJBRL consist of laboratories for analytical and preparatory chemistry, physiological experiments using live animals, and molecular biology, with separate laboratories for DNA and RNA studies and cell biology and morphology. The facilities are equipped with an electron microscope, an apparatus for cellular \( \text{Ca}^{2+} \) determination in live cells, a central instrument room with a preparatory ultracentrifuge and two lyophilizers, and animal quarters operated by the Tulane Vivarium. PACAP, a novel brain hormone discovered at the USJBRL, was recently licensed to an American pharmaceutical company, and is being used to develop a new neuroprotective drug for the treatment of stroke.
PART VII. CAMPUS SERVICES AND THEIR POLICIES

A. Bookstores

Tulane has available two general bookstores, one in the University Center on the uptown campus and one in the Medical Center. The stores stock all required textbooks and maintain large paperback and reference book departments. Current trade books which are not on hand may be ordered. The stores also have art supplies, school supplies, cards and stationery, gifts, sundries and clothing.

Faculty members are entitled to 10% discounts at both stores. Several major credit cards are accepted.

B. Campus Parking

For the uptown campus, there are a number of parking areas located on the campus and additional parking located at Uptown Square with a shuttle service to the campus. Two parking garages as well as several surface lots serve the Medical Center.

Each Tulane affiliate (faculty, staff, or student) who operates a vehicle on the campus must register for a parking permit. The permit is issued according to that person's employment or class status, and grants parking privileges according to that class. The parking permit must be displayed on the vehicle as prescribed by the permit type. The registration must be renewed every year. A fee is charged.

Parking a vehicle which is not registered or which does not display the parking permit is subject to a fine. A second violation may result in immobilization.

As the number of vehicles registered by faculty, staff and students is several times the number of parking places on campus, registration does not guarantee the availability of a space.

A physically handicapped faculty member may be assigned a parking place near his or her office which will be reserved for him or her at all hours.

The privilege of parking in a restricted area is limited to the faculty member in whose name the vehicle is registered. Dependents are not eligible for the parking privileges of their spouse or parent.

Details on parking regulations on the uptown campus are set forth in a pamphlet which is available at the Department of Public Safety and is issued to purchasers of parking stickers. At the Medical Center, parking is administered by a Parking Services Office.
A parking garage at the Medical Center is adjacent to and directly connected with the main buildings of the Center. Individual spaces in the garage are assigned and many are reserved. A monthly fee is charged.

A second parking garage, accommodating 875 cars, is connected to other facilities of the Medical Center by elevated pedestrian passages. In addition to monthly contracts, daily parking is available. A parking garage is available at the north end of the uptown campus.

A surface lot next door to Hawthorne Hall, the Medical Center residence building, offers space on a lease basis.

Parking on the streets adjacent to the uptown campus and the Medical Center is subject to the jurisdiction of the city of New Orleans and to the regulations imposed by city government.

C. Career Services Center

The Career Services Center (CSC), located in the University Center, offers a wide range of services to Tulane students, alumni, staff and faculty. Center staff individually assist students in exploring careers and in pursuing summer jobs, internships, full-time employment and/or graduate study.

CSC services include job listings, information on a variety of employers, an on-campus interviewing program, and a credentials service for letters of recommendation. The office sponsors several events, including a Graduate/Professional School Day, Gumbo Gathering Fall Career Festival, Government and Human Services Fair, the Mardi Gras Invitational Career Fair, and a summer fun job fair. To check out all they offer, visit the website at careers.tulane.edu

D. Direct Deposit

A faculty member's monthly wages can be automatically deposited into the checking and/or savings account of his/her choice on the last business day of each month. A deposit advice, which provides details of the current month's wage and deposit information, will be distributed by the Payroll Office. Application forms may be obtained at the Payroll Office or on the web at http://www.tulane.edu/~payroll/forms.htm.

E. Technology Infrastructure Services

Technology Infrastructure Services (TIS) serves as the general-purpose computing facility for teaching, research studies, and administrative data processing for the University community.

TIS provides students and faculty on the uptown campus and at the Medical Center with information technology resources which enhance the learning experience and increase the depth and extent to which faculty and students can explore subjects. Students and faculty have available an extensive library of software in mathematics, statistics, engineering, cartography, social sciences, and business, as well as major programming languages.
TIS operates microcomputer and terminal facilities throughout campus. In addition, department and schools operate similar facilities. These facilities all contain software for on-site use. The use of this software and other information technology resources is governed by the EDUCOM code on software and intellectual rights.

"Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledge, right to privacy, and right to determine the form, manner, and terms of publication and distribution. Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, may be grounds for sanctions against members of the academic community."

Current Tulane computing and networking policies are available at www.tulane.edu/~tcsdoc/academic/policy/policy.html

F. Educational Resources and Counseling

Educational Resources and Counseling (ERC) offers students the services of a counseling center, tutoring center, and office of disability services—all under one roof.

ERC psychologists, social workers, counselors, and supervised graduate students in professional training provide short-term psychological counseling, educational counseling (e.g., time management, study strategies), therapy and support groups, workshops, and career testing. Instructors who are concerned about a student can consult with an ERC professional.

Undecided students are encouraged to take ERC's career tests to help clarify future goals and direction. Freshmen and sophomores are particularly encouraged to consider taking the tests for help in deciding on a career or college major.

The ERC Tutoring Center provides free individual tutoring to students enrolled in about 25 different courses, primarily math, science and foreign languages. The Writing Workshop, run by graduate students from the English department, helps undergraduates with papers from any course taught in the English language.

The Office of Disability Services (ODS) is also located at ERC. Each semester, students with disabilities must obtain an official accommodation letter from ODS, which instructors should ask to see before granting classroom accommodations. Letters and test reports from doctors or other professionals are not an acceptable substitute for the ODS letter. Questions and concerns about disability issues should be directed to the Coordinator of Disability Services at ERC.

ERC services are free of charge to Tulane students, except for a small fee for career testing. For additional information, please visit the ERC webpage at: http://www.tulane.edu/~erc/.
G. Food Services

A variety of dining outlets are available on campus. These include the Market Place and the Rathskeller at the University Center, which offer an assortment of foods from fast to full-course meals including breakfast, lunch, and dinner. The Rathskeller offers beer and wine. Adjacent to the University Center in the Pocket Park is P.J.'s Coffee House and The Drawing Board, a snack bar, is located on the ground floor of the School of Architecture. Another coffee house, Rue De La Course, is located on the first floor of the Willow Residence Hall. The student board plan at Bruff Commons is available to faculty on a per meal basis or faculty may purchase the $5.50 Lunch Meal Deal (punch card). Additional lunch counters include the TU Deli, located in Mayer Residence Hall, the Reily Recreation Center snack bar.

On the downtown campus there is a cafeteria serving breakfast and lunch in the Medical Center's Hutchinson Building. A schedule of hours for all of these facilities is normally sent out at the beginning of the fall semester. In addition to the food service outlets described herein, there is an all-encompassing catering service which is available for meetings and other occasions. Arrangements should be made with the catering manager.

H. Housing

Tulane has limited housing facilities that may be available to faculty members at moderate rental rates. These include Charles Rosen House, an apartment building on the uptown campus; and Deming Hall, an apartment building for personnel of the Medical Center. Application forms and further information may be obtained from the Department of Housing and Residence Life, 27 McAlister Drive, New Orleans, LA 70118, (504) 865-5724.

**The Bertie M. and John W. Deming Pavilion**
This apartment building is situated one block from the Medical Center. It offers accommodations for single men and women and for married students who are medical students, graduate students, interns, residents, or faculty members associated with the Medical Center. Other University faculty, staff or students may be accommodated if space is available. All units are furnished, including mini blinds, carpets and lamps, and the entire building is centrally heated and air-conditioned. Furnishings do not include kitchen utensils or linen. Utilities are included. Coin-operated washers and dryers are provided.

**Charles Rosen House**
This structure contains 175 apartments, in one-, two-, and three-bedroom units. The building is centrally heated and air-conditioned. Each apartment is furnished with refrigerator, range, and venetian blinds. The rental includes all utilities except telephone. Data connections are provided.

Coin-operated laundry equipment, vending machines, and storage areas for bicycles are available. A play area containing playground equipment and facilities for older children is adjacent to the building. While this facility is designed primarily for graduate and married students, some apartments are available to full-time faculty members. Individual
assignments are made in order of application. Because of the number of applications, there may be a waiting period before a unit is available, depending upon the time of application and the type of accommodation desired.

Units are rented on a lease basis. This facility is viewed as a means of helping new faculty to settle in New Orleans and not as a place of permanent residence, and so a maximum limit of one year has been placed on occupancy.

I. Human Resources

Human Resources has two locations to assist Faculty Members--one on the uptown campus and one at the Medical Center. Human Resources has responsibility for administration of the employee benefit plans, recruitment of staff employees, maintaining the staff compensation, and employee records. Human Resources also monitors compliance with federal, state, and local regulations.

J. Center for International Students and Scholars

The Center for International Students and Scholars seeks to ensure that international students, staff and faculty have a meaningful professional, educational, cultural and social experience while at Tulane. The staff of the Center is eager to provide assistance to international faculty in the areas of immigration and personal counseling, as well as in the search for suitable housing. The Center also offers English classes and cultural outings for faculty spouses and provides information about area schools for their children.

K. Post Office

1. U.S. Mail
   The University operates a contract Post Office in Bruff Commons on the uptown campus. The services offered are the same as those of any branch post office. All kinds of mail and parcel post are handled, money orders are issued, and private boxes may be rented. As outgoing mail is picked up at the University Post Office twice a day, important communications may sometimes be expedited by being taken to Bruff Commons rather than depositing them in a mailbox on or near campus. Hours are Monday - Friday, 8:30 a.m.-4:30 p.m. The postage stamp vending machine in Bruff Commons is open 24 hours.

2. Campus Mail
   All mail on the uptown campus, including interdepartmental "Campus Mail," is processed through the campus mail room adjacent to the contract Post Office with pick-ups in offices and special mail boxes located throughout campus. Distribution is made also to the Medical Center, Hebert Center, and National Primate Research Center.
   
   In addition, a courier travels between the uptown campus and the Medical Center. Communications requiring expedited handling may be left for the courier at the Accounting Office or the Office of the Dean, School of Medicine.
L. Purchasing

University policy provides that the Purchasing Department is the only department authorized to obligate the University for supplies, certain services, and equipment.

This authority is expressly delegated to certain other departments, such as the libraries, where the operation is of such nature that specialized purchases can be made more efficiently and economically within the department so authorized.

Purchases made from funds deposited with the University, regardless of their source, i.e., research grants, gifts, etc., are subject to Purchasing Department procedures and policies.

The Purchasing Department is a service office intended to develop effective sources of supplies for materials and services needed for the operation of the University. It is not their function to substitute their judgment for that of the faculty regarding what material or service is required. It is their responsibly to see that the most economical source is selected for each purchase, everything considered, and that deliveries are received, terms are met, and invoices are processed promptly.

The Grants and Contracts Department has the responsibility for reviewing restricted funds requisitions for availability of funds in the particular budget to be charged before the Purchasing Department can process an order.

For assistance of the Purchasing Department in making personal transactions see "Purchases through Purchasing Department."

M. Speakers and Meetings

University premises and facilities are reserved for the use of student, faculty, staff, and alumni organizations recognized by the University, for meetings and events appropriate to the University's basic educational objectives.

With the exception that candidates for the Office of President or Vice-President of the United States who may appear in person to make political addresses, requests from religious, political, and commercial groups will be considered only if they are sponsored by recognized University organizations.

The President of the University delegates to the Vice President for Student Affairs a general control over University events outside of the classroom. All official college and University events, meetings, activities, outdoor parties, whether academic, cultural, or social, held on the campus, in academic buildings, in residence halls, University Center, Alumni House, auditoriums and anywhere in the city of New Orleans, are to be registered with the Reservations Office at the University Center as soon as planned, but no less than a week before the date upon which the event is to occur.
When a conflict in time or place arises, the Vice President for Student Affairs is empowered to resolve the conflict, if such action seems to be in the best interest of the University.

It is expected that requests for speakers will be made at the time meeting space is requested. Requests for speakers will be received only from officially recognized University groups, are to be made in writing, and will be referred by the Reservations Office to the Vice President for Student Affairs, who will act in consultation with a joint student-faculty committee concerned with the use of the University facilities. In case of disagreement between the Vice President for Student Affairs and the subcommittee about the appropriateness of a suggested speaker, the full Senate Committee on Student Affairs should hear the case and make appropriate recommendations.

Further details on policy and procedure pertaining to these and related matters, such as distribution of literature and sale and distribution of tickets, may be obtained at the Office of the Vice President for Student Affairs.

**N. Security Department and Relations with New Orleans Police**

The Board of Administrators has approved the following policy statement on relations with police.

Tulane University employs in its Department of Public Safety individuals with experience and special training in police affairs. Each officer of the Department is commissioned through the Louisiana Department of Public Safety. The Department of Public Safety is under the full operational control of Tulane University. The Director of the Department is responsible for all of its operations, reporting to the University's Senior Vice President for Operations and CFO.

The Director of the Tulane Department of Public Safety is authorized and directed to maintain continuing liaison with the New Orleans Police Department and to keep the NOPD fully informed regarding (a) the general state of security affairs on the Tulane premises and (b) specific instances of violation or suspected violation of municipal, state or federal laws on or adjacent to Tulane's premises.

Tulane University will use the resources of the Department of Public Safety in dealing with threats to the safety and security of persons and property on Tulane premises. Whenever, in the judgment of the Director of the Department, there exists a threat considered to be beyond the capability of the Department to handle with its own resources, the Director is authorized and directed to request the assistance of the New Orleans Police Department after consultation, if time and circumstances permit, with the President of the University, or his/her designee.

In stating a policy of Tulane's use of its own resources to the maximum extent possible, a corollary policy must also be stated. Under no circumstances are the properties and premises of the University a sanctuary for any illegal activity.
While, under ordinary circumstances, the Tulane Department of Public Safety will be expected to handle problems of order and safety to persons and property, the NOPD is in no way precluded from entering Tulane’s premises at any reasonable time; for example, in pursuit of a suspect of an illegal act or for investigation, search, or seizure in connection with illegal activity or suspected illegal activity.

Should the New Orleans Police Department or other agencies of local, state, or federal government have reason to pursue investigation of possible illegal activity on Tulane’s premises, either on its own initiative or at the request of the Director of the Tulane Department of Public Safety, it will be Tulane's policy to provide all such cooperation as may be needed. Indeed, each member of the University community will be expected to cooperate with the established agencies of the larger community of which Tulane is a part in the enforcement of law, just as each member of the University community should be prepared to observe and assist in enforcing the rule and regulations of the University itself.

All employees and visitors are prohibited from possessing a firearm on the Tulane University campus and the property and grounds thereof. This policy is subject to the following exception:

1. Law enforcement personnel commissioned by federal state and/or local authorities;
2. firearms necessary for training associated with ROTC programs;
3. firearms kept in faculty and staff residences (other than Rosen House, Aron Residences, Hawthorne Hall, and campus residence halls). Tenants in faculty and staff residences are requested to register all firearms with the Department of Public Safety.

Firearms inadvertently brought to campus must be deposited at the Department of Public Safety for safekeeping. All firearms so deposited shall be unloaded at the time of deposit.

O. University Printing and Copy Centers

The University Printing and Copy Center provide duplicating services for the various departments and offices of the University. It will handle personal jobs for faculty members as its regular work load permits.

The Center offers two basic types of duplication -- offset printing and copying -- and the usual general services complementary to these processes, such as typesetting, layout, folding, scoring, perforating, assembling, binding, cutting, trimming, and punching. A variety of type styles, covers, texts, and papers are stocked in the shop, and special materials can be secured from local distributors.

Some examples in the printing range that this shop can perform are letterheads, envelopes, cards, invitations, forms, brochures, soft-bound books, letters, and posters.

Centers are located in Zemurray Hall and the University Center on the uptown campus and in the Tidewater building at the Health Sciences Center. Refer to Appendix, p.3, for the statement on guidelines for duplication of copyrighted material.
PART VIII. RECREATIONAL AND CULTURAL OPPORTUNITIES

A. Campus Recreation and Athletics

Department of Campus Recreation
The Department of Campus Recreation offers a complete recreation program in which all faculty/staff may participate. Activities include intramural sports, club sports, instructional, fitness, and wellness programs, as well as children/family programs and summer day camp. Faculty and their families may also join the Reily Student Recreation Center.

The Reily Student Recreation Center is available to all faculty/staff and their immediate family by purchasing a yearly membership. The Reily Center was opened in January, 1989, and features a 50 meter by 25 yard indoor pool, an outdoor "social pool" and sun deck, six racquetball courts, two squash courts, basketball, volleyball and badminton courts, 1/9 mile indoor jogging track, 7,000 square foot weight room, multi-purpose rooms, juice/bar pro shop, and non-credit instructional classes. For further information on the facility and programs available, stop by the Reily Center located on McAlister extension or call the membership office at 865-5431.

1. Club Sports
   Faculty members are eligible to participate in all club sports sponsored by the Department of Campus Recreation. For more information contact the Assistant Director for Club Sports at the Reily Center, X5170.

2. Intramurals
   The Intramural Sports Program consists of more than 40 activities conducted throughout the academic year and summer session. Events are open to members of the Reily Student Recreation Center. Those persons not affiliated with any organized group, but wishing to participate, should contact the Program Office. For specific information and deadline dates, contact the Assistant Director of Intramurals in the Program Office of the Reily Student Recreation Center, X5170.

B. Musical Organizations and Programs

Campus musical presentations provide entertainment in a variety of forms and offer opportunity for faculty participation.

Of special interest is the Tulane Summer Lyric Theatre, which combines professional, University, and community resources in productions under the direction of the Department of Music. Faculty and student recitals in Dixon Hall are believed to constitute the oldest cultural activity in the city in point of continuous annual performance.

A Music at Midday program is presented each Wednesday in the Rogers Memorial Chapel. Spectri Sonori concerts emphasize contemporary music. The Friends of Music series presents the most outstanding chamber music in New Orleans. There are also series presenting classical guitar and piano recitals.
There are several music ensembles including a chamber choir, orchestra, choir, concert band and jazz bands. A pep band entertains at athletic events. The University also has a gospel choir and Green Envy (small choir) under student direction. Campus Nite offers an annual musical comedy under student direction.

C. Theatre

The Department of Theatre and Dance offers numerous productions of varied fare during the course of the academic year, ranging from the classics and contemporary selections, to the annual Newcomb Dance Concert. In addition, The Shakespeare Festival at Tulane offers professional productions during the summer. Also active in the summer is the department's children's theatre company, the Patchwork Players and the New Orleans Jazz Dance Festival among other special projects.

D. Tulane University Campus Programming (TUCP)

TUCP is the largest programming organization on the Tulane Campus. It encompasses eight committees and five executive positions staffed by more than 150 Tulane student volunteers. Each year the organization provides the entire Tulane community with a wide range of informative and entertainment events.

E. Tulane University Women's Association

TUWA, organized as the Tulane University Tea Committee in 1910, has evolved into an organization which includes faculty and staff wives and female faculty and staff. Invitations are sent each fall for membership and the Fall Coffee. The organization has approximately 500 members and sponsors a variety of programs throughout the year. It gives its members the opportunity to know and work with University people both at Tulane and in the community.

Information about TUWA may be obtained at the President's office or at any of the deans' offices.

F. The University Center

The University Center, and all of its services are open to the Tulane Community and the general public. The services include Barnes and Noble Bookstore, Marriott Food Court, Whitney National Full-Service Bank, Hibernia and Bank One Mini-Banks, Copy Center, Computer Lab, Ticket Master Outlet, Tulane Travel Office and the Barbershop.
PART IX. INSTITUTIONAL ADVANCEMENT

The Office of Institutional Advancement comprises five separate units: Development (Uptown), Alumni Affairs, Public Relations, Development Services, and University Publications. It is headed by the Senior Vice President for External Affairs, who reports to the President of the University.

Tulane University Health Sciences Center (TUHSC) Development and Alumni Affairs reports to the Senior Vice President for the Health Sciences, and the Athletics Development Office reports to the Athletics Director. All of the Development offices report via dotted line to the Senior Vice President for External Affairs.

Development

The Senior Vice President for External Affairs, with advice from the Chairperson and members of the Development Committee of the Board of Administrators and the University Senate Development Committee, formulates policies and programs relative to the financial support of the University from all philanthropic sources.

The Development Office is directly supervised by the Associate Vice President for Development. This office has a professional staff that works with and coordinates actions of the members of the Board of Administrators, the Campaign Executive Committee, the University faculties, officers of the administration, and others interested in participating in fundraising activities.

The Development staff initiates, and coordinates specific fundraising programs and proposals toward the production of resources from the private sector including all University constituencies such as alumni, parents, friends, corporations, and foundations. The staff is also responsible for acknowledging and reporting the use of gifts.

The Development Office has several divisions:

1. **The Office of Major Gifts** which identifies and coordinates activities and solicitation of individuals capable of making large gifts to Tulane.
2. **The Office of Planned Gifts** develops and coordinates activities which encourage future gifts, such as bequests, charitable remainder interests, trusts, life insurance, and memorials.
3. **The Office of Corporate and Foundation Relations** identifies potential corporate and foundation donors, initiates and maintains contact between the University and representatives of business, industry, and charitable foundations, and coordinates in cooperation with faculty members and other administrative officers the submission of proposals for corporate and foundation giving.

Related services of Development include:

A. **Alumni Affairs**
Under the direction of the Assistant Vice President for Alumni Affairs, the Office of Alumni Affairs designs, executes, and coordinates activities which promote alumni involvement in the life of the University community. Alumni Councils in many cities nationwide serve as liaison with the office.

In coordination with the Alumni Affairs Office, the Tulane Annual Fund Office coordinates the solicitation of annual unrestricted support from alumni, parents, and friends through national, regional, and specialized programs.

B. Public Relations

The Office of Public Relations conducts and coordinates public relations, communications and public affairs issues for the entire university with a variety of audiences: alumni, potential donors, potential students, state and national education associations, other national organizations, the media, members of the University community, and the general public.

It serves all Tulane schools and colleges and handles all media activities for the University. The Office of Public Relations should be contacted whenever a reporter from a newspaper, television or radio station, or magazine wishes to interview a faculty or a staff member. The protection of the University's interest as well as the individual's privacy are of primary concern.

C. Development Services

1. Donor Relations and Special Events
2. Development Research
3. Alumni Development and Information Services (ADIS)

D. University Publications

The Office of University Publications provides consultation, design, and editorial services for the University, primarily for development and undergraduate admissions. It also maintains the Tulane program of visual identity and graphic standards. The publications staff coordinates the Annual Donor Report and the academic catalog for the undergraduate schools and colleges. In addition, it handles the publication of: The Tulanian, the University's alumni magazine; Inside Tulane, a tabloid for faculty and staff; and the alumni magazines for the Schools of Medicine, Law, Business, and Newcomb College.
PART X. HARASSMENT POLICY

A. Statement of Philosophy

Tulane University is committed to creating and maintaining a campus environment where all individuals are treated with respect and dignity and where all are free to participate in a lively exchange of ideas. Each student has the right to learn and each employee has the right to work in an environment free of sexual and other forms of harassment and one in which ideas may be freely expressed.

At Tulane University, harassment, whether verbal, physical, written, or visual, is unacceptable and will not be tolerated. Harassment is unlawful and hurts all members of the educational community. Each incident of sexual harassment contributes to a general atmosphere in which other members of the victim's sex suffer the consequences and in which all students and employees may feel that their safety and equality are compromised. Other forms of harassment have a similarly negative effect on members of the community. Harassment has no legitimate educational purpose. Any employee or student, male or female, who engages in conduct prohibited by this policy shall be disciplined as provided by law, university policies, and applicable employment agreements.

Tulane will not tolerate any harassment of anyone affiliated with Tulane by anyone affiliated with Tulane (including non-employees, such as vendors and independent consultants), and will not tolerate adverse academic or employment actions, including but not limited to, termination of anyone reporting harassment or providing information related to such a complaint.

B. Principles

Tulane University recognizes the tension between protecting all members of the University community from harassment and protecting academic freedom and freedom of expression. It is the policy of the institution that no member of the community may harass another. Conduct that reasonably serves a legitimate educational purpose, including pedagogical techniques, does not constitute harassment. In the educational setting within the University, wide latitude for professional judgment in determining the appropriate content and presentation of academic material is required. Those participating in the educational setting bear a responsibility to balance their rights of free expression with a consideration of the reasonable sensitivities of other participants. Therefore, this policy against harassment shall be applied in a manner that protects academic freedom and freedom of expression include but are not limited to the expression of ideas, however controversial, in the classroom setting, academic environment, university-recognized activities, or on the campus.

Nothing contained in this policy shall be construed to limit the legitimate exercise of free speech, including but not limited to written, graphic, or verbal expression that can reasonably be demonstrated to serve legitimate educational or artistic purposes nor shall this policy be construed to infringe upon the academic or artistic freedom of any member of the University. Artistic expression in the classroom, studio, gallery and theater merits the same protection of academic freedom that is accorded to other scholarly and teaching activities.
C. Policy Coverage

All faculty, administrators, staff, students, and individuals affiliated with Tulane University by contract (including non-employees, such as vendors and independent contractors) are bound by this policy. This policy protects men and women equally from harassment, including same-sex harassment, and protects students from harassment by other students.

D. Sexual Harassment

I. Definition of Sexual Harassment

Sexual harassment is unwelcome behavior of a sexual nature by faculty, administrators, staff, students, and individuals affiliated with Tulane University by contract (including non-employees, such as vendors and independent contractors) or by anyone with whom one interacts in order to pursue educational or employment activities at Tulane University. For the purposes of this policy, sexual harassment is defined as unwelcome advances, requests for special favors, and any other verbal, written, physical or other conduct of a sexual nature when:

1. Submission to such conduct by an individual is implicitly or explicitly made a condition of an individual's employment or educational status or participation in University programs or activities;
2. Submission to or rejection of such conduct by an individual is used as a factor in decisions affecting that individual's ability to learn or participate in school activities, or in hiring, evaluation, retention, promotion, or any other aspect of employment; or
3. Such conduct would be objectively regarded by a reasonable person as substantially interfering with an individual's ability to learn or work or participate in University programs or activities by creating an intimidating, hostile, or offensive school or work environment even if the person engaging the conduct does not intend to interfere, intimidate, or be hostile or offensive. For purposes of this paragraph 3, the conduct must be sufficiently severe, persistent, or pervasive that it creates a hostile or abusive educational or working environment. For a one-time incident to rise to the level of harassment, it must be severe.

II. Examples of Sexual Harassment

Sexual harassment may include, but is not limited to, the following:

1. Physical assaults of a sexual nature, such as rape, sexual battery, molestation, or attempts to commit these assaults; and intentional physical conduct that is sexual in nature such as touching, pinching, patting, grabbing, poking, or brushing against another individual's body.

2. Offering or implying an employment-related reward (such as a promotion, raise, or different work assignment) or an education-related reward (such as a better grade, a letter of recommendation, favorable treatment in the classroom, assistance in obtaining employment, grants or fellowships, or admission to any educational program or activity) in exchange for sexual favors or submission to sexual conduct.

3. Threatening or taking a negative employment action (such as termination, demotion, denial of
an employee benefit or privilege, or change in working conditions) or negative educational action (such as giving an unfair grade, withholding a letter of recommendation, or withholding assistance with any educational activity) or intentionally making the individual's job or academic work more difficult because sexual conduct is rejected.

4. Unwelcome sexual advances, requests for a romantic or sexual relationship to an individual who indicates or has indicated in any way that such conduct is unwelcome, propositions, or other sexual comments, such as sexually-oriented gestures, noises, remarks, jokes, questions, or comments about a person's sexuality or sexual experience directed at or made in the presence of any individual.

III. Other Forms of Harassment

Harassment, other than sexual harassment, is verbal, physical, written, or other conduct that denigrates or shows hostility or aversion to an individual on the basis of gender, race, color, religion, age, national origin, ethnicity, disability, veteran's status, sexual orientation, marital status, or any basis prohibited by law when from the objective standpoint of a reasonable person such conduct substantially interferes with an individual's work or school performance, creating an intimidating, hostile, or offensive working or learning environment even if the person engaging in the conduct does not intend to interfere, intimidate, or be hostile or offensive. Harassment based on any of the characteristics listed above is strictly prohibited by this policy. The conduct must be sufficiently severe, persistent, or pervasive that it creates a hostile or abusive educational or working environment. A one-time incident may rise to the level of harassment. However, such conduct must be severe.

Complaints of harassment will be investigated and resolved in accordance with the terms of this policy.

IV. Retaliation

No member of the Tulane community will be disciplined for refusing sexual advances, objecting to sexual, racial, or other forms of harassment, or making a good faith report of harassment.

Retaliatory or intimidating conduct against any individual who has made a good faith harassment complaint or who has testified or assisted in any manner in an investigation is specifically prohibited and shall provide grounds for a separate complaint. Examples of such retaliatory or intimidating conduct include disciplining, changing working or educational conditions, providing inaccurate information to or about, or refusing to cooperate or discuss work- or school-related matters with any individual because that individual has complained about or resisted sexual harassment. The initiation of a good faith complaint of harassment by a student will not reflect negatively on that student nor will it affect the student's academic standing, rights, or privileges. Likewise, the initiation of a good faith complaint by an employee will not reflect negatively on that employee nor will it affect the employee's working conditions, rights, or privileges.
V. Confidentiality

Confidentiality will be maintained throughout the entire investigatory process to the extent practicable and appropriate under the circumstances to protect the privacy of persons involved. The persons charged with investigating the complaint must discuss the complaint or the underlying behavior only with persons involved in the case who have a need to know the information, which must include the complainant and the accused harasser.

The University is required by law to investigate any complaint of harassment and will strive to protect, to the greatest extent possible, the confidentiality of persons reporting or accused of harassment. However, the University cannot guarantee complete confidentiality where it would conflict with the University's obligation to investigate. Individuals who desire to discuss possible claims of harassment in a more confidential setting to clarify whether to proceed with a complaint may want to consult with a counselor, therapist or member of the clergy, who is permitted by law to assure greater confidentiality.

VI. Complaint Procedures

All are encouraged to promptly report harassment so that any appropriate action can be taken. The complaint procedures are designed to ensure the rights of the complainant while at the same time according due process to both parties.

1. Form of Complaint. Complaints of harassment will be accepted orally or in writing. Anonymous complaints will be accepted and investigated to the extent possible. Complaint forms are available in several locations, including the Office of Equal Opportunity, the Office of the Vice President for Student Affairs or designee, and the University's Home Page (http://www.tulane.edu). A complaint need not be made on an official form in order for the University to accept it.

2. Content of Complaint. Any individual who believes she or he is being harassed or has been harassed in violation of this policy should promptly file a complaint including the following information, if known to the complainant: the name of the complainant, a brief description of the offending behavior including times, places, and the name of or identifying information about the alleged perpetrator, and the names or descriptions of any witnesses to the harassment.

3. Reporting the Complaint. It is not necessary to first confront the harasser prior to instituting a complaint under this policy. However, it is appropriate to promptly report a complaint so that a full and complete investigation is possible. Any person designated to receive complaints from students, employees, or faculty must notify the Office of Equal Opportunity within twenty-four (24) hours of receiving a harassment complaint.

A. Complaints by Students

A student who believes she or he has been harassed or is being harassed may report the alleged harassing behavior to any of the following individuals:
Dean or Dean of Students of school (or person designated by the Dean) with which complaining student is affiliated

Vice President for Student Affairs (or person designated by the Vice President for Student Affairs), 215 University Center, 865-5180

Office of Equal Opportunity, Collins C. Diboll Complex, 862-8000 ext. 1712, or 1430 Tulane Avenue, 587-7617

Tulane Public Safety, Collins C. Diboll Complex, 865-5381

**B. Complaints by Staff**
An employee who believes he or she is being harassed or has been harassed in violation of this policy may report the alleged harassing behavior to any of the following individuals:

Direct supervisor

Dean of the school (or person designated by the Dean) with which complaining employee is affiliated

Vice President for Human Resources, Collins C. Diboll Complex, 865-5280

Office of Equal Opportunity, Collins C. Diboll Complex, 862-8000 ext. 1712, or 1430 Tulane Avenue, 587-7617

Tulane Public Safety, Collins C. Diboll Complex, 865-5381

**C. Complaints by Faculty**
A faculty member who believes he or she is being harassed or has been harassed in violation of this policy may report the alleged harassing behavior to any of the following individuals:

Department Chairperson

Dean of the school (or person designated by the Dean) with which complaining faculty member is affiliated

Senior Vice President for Academic Affairs, 200 Gibson Hall, 865-5261

Senior Vice President for Health Sciences, 1430 Tulane Avenue, Room 1552 -SL76, 584-2897

Office of Equal Opportunity, Collins C. Diboll Complex, 865-8000 ext. 1712, or 1430 Tulane Avenue, 587-7617

Tulane Public Safety, Collins C. Diboll Complex, 865-5381
VII. Investigation and Informal Resolution of Harassment Complaints

1. Initial Investigation. After receiving a complaint of harassment directly from a student, faculty member, staff member, or administrator, or indirectly from a person designated to receive complaints, the Office of Equal Opportunity shall conduct an initial investigation.

2. Informal Process. The University has an informal process to provide those who believe they are being harassed with a range of options designed to bring about a resolution of their concerns.

Depending upon the nature and severity of the complaint and the wishes of the person(s) claiming harassment, informal resolution may involve one or more of the following or other appropriate actions:

A. advising the person(s) about how to communicate the unwelcome nature of the behavior to the alleged harasser;

B. distributing a copy of the sexual harassment policy as a reminder to the department or area whose behavior is being questioned;

C. if both parties agree, arranging and facilitating a meeting between the person(s) claiming harassment and those accused of harassment to work out a mutual resolution.

Students are also encouraged to seek advice or counseling from Educational Resources and Counseling, 865-5113, whether or not they decide to pursue a formal complaint. Informal resolution may not be appropriate in certain circumstances. While dealing informally with a problem of harassment may be preferable to the complainant, a formal grievance procedure must be followed in order for the University to impose any kind of discipline on the offender. The University will proceed with the investigation and formal resolution process when deemed appropriate by the Office of Equal Opportunity.

VIII. Investigation and Formal Resolution of Harassment Complaints

1. Formal Investigation. If the complaint cannot be informally resolved after the initial investigation, the Office of Equal Opportunity shall continue the investigation or designate someone to promptly conduct further investigation of the complaint, which may in some circumstances be an outside neutral third party. In many instances, the Office of Equal Opportunity will designate the individual or committee within the school or department where the complaint arises to investigate complaints. The persons charged with investigating the complaint must discuss the complaint or the underlying behavior only with persons involved in the case who have a need to know the information, including the complainant and the accused harasser.

In the case of a complaint against a faculty member, the grievance committee of his or her school within Tulane University shall be the committee to investigate harassment complaints. The committee chair shall notify the Office of Equal Opportunity, in writing, of the findings as well
as any action taken or recommendations made by the committee based on those findings. In the case of a complaint against a student, the Office of Equal Opportunity will investigate, or will designate Tulane Public Safety to investigate. In all cases the Office of Equal Opportunity shall notify the Office of Student Affairs, in writing, of the findings of the investigation.

In the case of a complaint against a staff member or non-employee individual affiliated with Tulane (including vendors and independent contractors), the Office of Equal Opportunity shall investigate and make recommendations to the appropriate supervisor as to any action to be taken.

2. Resolution Within 30 Days. Within (30) working days of receiving the complaint, the Office of Equal Opportunity or its designee, including the appropriate school grievance committee, shall make a finding of whether harassment occurred. If the investigation cannot be concluded within that time, the Office of Equal Opportunity shall notify the complainant, and the General Counsel who shall designate the appropriate person or faculty committee to promptly conclude the investigation.

3. Objectivity. The complainant and the accused are entitled to an investigation conducted by an impartial investigator. Thus, if the persons charged with overseeing or investigating harassment complaints are implicated in the complaint, or have any personal issue that would cause a conflict of interest, the committee member or members shall recuse themselves from the proceeding. Alternatively, the Equal Opportunity Officer shall conduct the investigation and make findings or shall designate someone impartial to do so, which may in some circumstances be an outside neutral third party.

4. Notice of Outcome. Complaints against Faculty, Staff and Non-Employee Individuals Affiliated with Tulane. No more than five (5) days after a decision has been reached, the Equal Opportunity Officer shall notify the parties to the proceeding, in writing, of the findings and the outcome of the investigation.

Complaints against Students. No more than five (5) working days after a decision has been reached, the Office of Student Affairs shall notify the parties to the proceeding, in writing, of the findings and the outcome of the investigation.

5. Sanctions. Individuals found to have engaged in harassment shall be disciplined appropriately. Appropriate sanctions, ranging from a warning to dismissal, will be determined based on the severity of the conduct and in accordance with the provisions of applicable statutes, employment contracts, university policies, disciplinary procedures for faculty as described in the Faculty Handbook, disciplinary procedures for staff as described in the Staff Handbook, and disciplinary procedures for students as described in the Code of Student Conduct and other student discipline codes.

IX. Appeals.

An appeal by either the complainant or the accused must be filed in writing with the Office of Equal Opportunity within ten (10) working days of receiving written notice of the outcome of the investigation. Responsibility for reviewing appeals will turn on the identity of the accused.
Where the accused is a student, the appeal shall be reviewed in accordance with appeals procedures described in the Code of Student Conduct. Where the accused is a staff member, the Vice President for Human Resources will review appeals. Where the accused is a faculty member, the Faculty Tenure, Freedom and Responsibility Committee of the University Senate will review appeals in accordance with the grievance procedures described in the University Senate Constitution, By-Law III: Standing Committees, Section 1: Committee Functions, Committee on Faculty Tenure, Freedom and Responsibility: Functions.

In exceptional circumstances, except in cases involving faculty, an appeal may be reviewed by an outside neutral third party.

X. Other Legal Resources

The procedures above apply to internal complaints of harassment. In addition to this internal complaint procedure, victims of harassment may file a complaint with an appropriate government agency or, where allowed, file a civil lawsuit. Federal and State laws contain statutes of limitation barring claims filed outside of the applicable limitations period.

1. Office for Civil Rights

The Office for Civil Rights (OCR) is charged with investigating complaints of harassment under Title IX, a federal law that governs harassment of students by teachers or other students. Prior to filing a lawsuit, a charge should be filed with the Office of Civil Rights within the time period designated by law. A student wishing to file an administrative complaint should contact:

Office for Civil Rights Dallas Office
United States Department of Education
1999 Bryan Street, Suite 2600
Dallas, TX 75201
(214) 880-2459

or

Coordination and Review Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W
Washington, DC 20530
(202) 307-2222

2. Equal Employment Opportunity Commission

The EEOC is charged with investigating complaints of harassment under Title VII, a federal law that governs harassment of faculty members and staff. Prior to filing a lawsuit, Title VII requires
that a charge be filed with the EEOC within the time period designated by law. An employee wishing to file an administrative complaint should contact:

Equal Employment Opportunity Commission
Regional Office
701 Loyola Avenue, Suite 600
New Orleans, LA 70113-9936
(504) 589-2329

XI. Dissemination of Policy

This policy will be distributed to all faculty, staff, students, administrators, and will be made available to anyone else connected with Tulane University. All Tulane University employees and students who subsequently become part of the educational community shall be informed of this policy during their orientation. This policy may be revised from time to time and such revisions will be posted on the University’s web site located at www.tulane.edu. Any incident reported under this policy will be governed by the policy posted on the web at the time of the incident.

XII. Revisions to Policy

 Proposed revisions to this policy will be presented to the University Senate for approval or disapproval.

XIII. False Accusations Forbidden

While we encourage all to report good faith claims of harassment, false accusations of any harassment can have a serious effect on innocent people. If an investigation results in a finding that an accusation of harassment was maliciously or recklessly made, the accuser will be disciplined appropriately.

Appropriate sanctions, ranging from a warning to dismissal, will be determined based on the severity of the conduct and in accordance with the provisions of applicable statutes, employment contracts, university policies, disciplinary procedures for faculty as described in the Faculty Handbook, disciplinary procedures for staff as described in the Staff Handbook, and disciplinary procedures for students as described in the Code of Student Conduct and other applicable student discipline codes.
PART XI. NEPOTISM POLICY

Tulane University’s standards for employment decisions such as hiring, promoting, reappointing, evaluating, awarding salary and terminating employment are based on qualifications for the position, ability and performance. The University attempts to avoid favoritism and the appearance of favoritism and conflicts of interest in employment decision and reserves the right to take action when relationships of associations of employees impact its mission. It is against University policy for an employee to supervise a relative or to work in positions that have an audit or control function over a relative except in circumstances as indicated below.

The employment of relatives is permissible if the following general principles are applied. For purposes of this policy, “Relatives” means a connection between persons by blood, marriage, adoption, domestic partnership, or other personal relationship including co-habitation.

Employment of relatives in the same unit or department or under the same supervisor is authorized only with the prior written approval of the head of the unit or department and the Office of the Provost for faculty members on the uptown campus, office of the Senior Vice President for Health Sciences for faculty members of the Medical Center or the Office of Human Resources for all staff members, as appropriate. In addition, Relatives should not participate in activities that have the potential for influencing employment decisions.

General Principles:

1. To avoid possible conflicts of interest, any dean, director, department head, chairperson, supervisor or participant in peer or administrative review procedures who is a Relative of an employee or job applicant must not participate either formally or informally in decisions (including rendering advice on decisions) on personnel matters affecting the Relative, including, but not limited to decisions to hire, retain, promote or determine salary.

2. In cases where an employee would have primary responsibility for supervision, evaluation of assignment of duties to a Relative, an appropriate individual must be designated by a higher level administrator (e.g., dean, director, department head, provost, vice president, president) to perform the functions of such employee in the decisions to hire, retain, promote, assign duties or set the salary of the individual “related” to the employee.

3. Within the limitations set forth above, individuals “related” to other Tulane University employees have the general rights extended to employees in comparable positions. For example, a faculty member has the right to serve on a departmental peer review committee even though a Relative will be considered by the Committee. The faculty member, however, would not participate in the review of the Relative. However, this policy has no effect upon the administration of employee benefit plans and creates no contract rights to employees.

4. Supervision and evaluation procedures, even when altered as described above, should ensure comparable treatment of employees.
5. In circumstances which have the potential for the conflicts of interest referenced in item #1 above, individuals have the responsibility for disclosing that a conflict of interest may exist to the dean, director, department head or other relevant administrator and to other affected employees prior to making any employment decisions. The specifics of the potential conflict do not have to be provided.

Decisions about individual cases should be made on the basis of these principles. In cases where the application of a principle is disputed, the administrator at the next level may be asked to assist in resolution. If resolution cannot be achieved, an employee can follow the established procedure for filing a grievance. The President shall have final approval regarding application of the general principles to particular cases. Not every relationship that can create favoritism or the appearance of favoritism can be listed here. Whenever an employee enters into a relationship with another employee, s/he should ask whether there may be favoritism or the appearance of favoritism or whether an audit or control function may be compromised.
PART XII. POLICY ON CONSENSUAL RELATIONSHIPS

Preamble

Interactions between the students of Tulane University and those administrators, faculty and staff who have institutional authority over them are to be guided by mutual trust, confidence, and professional ethics. Any consensual relationship between a student on the one hand and any faculty member, administrator, or staff member on the other has the potential to put these values at risk. Likewise, familial or collegial relationships (such as holding a position of authority over one's children, one's colleagues, or family members of colleagues) may lead to the reality or the perception of bias. The University calls the attention of all members of the university community to these dangers, and notes the appropriateness of existing grievance procedures for dealing with abuses that may arise in all these situations. In this policy, the University wishes to deal with the specific issue of consensual relationships in which one of the parties holds a position of authority over the other. The power differential characterizing such relationships creates the risk of conflicts of interest, violations of trust, abuses of power, and breaches of professional ethics. The Policy on Consensual Relationships is intended to guard against such risks while protecting the rights of all parties. Acts or allegations of harassment shall be handled in accordance with the University's Harassment Policy, which shall take precedence over this policy with respect to such acts or allegations. Acts or allegations regarding nepotism shall be handled in accordance with the University's Nepotism Policy, which shall take precedence over this policy with respect to such acts or allegations.

A. Policy

Those employed by Tulane University shall not engage in consensual relationships with students relative to whom they hold a position of authority (see definition below) in such matters as instructing or otherwise evaluating, supervising, or advising the student as part of any school program or activity, whether academic or non-academic. Should a consensual relationship develop between a person in a position of authority and a student, the person in authority shall immediately remove him or herself from such position of authority. The greater responsibility for termination of the position of authority rests with the person in authority. However, all members of the Tulane community bear a responsibility. Persons in authority with no professional responsibilities for a student should be sensitive to the perception that consensual relationships may lead to preferential treatment. If the person in authority or the student declines to dissolve the institutional relationship, the University will take steps to do so.

B. Definitions

1. Persons in authority include, for the purposes of this policy only, those who supervise, advise, teach, coach, evaluate, allocate financial aid to, and/or guide research by students, be they:

   a. Faculty members

   b. Graduate students
c. Staff members, or

d. Administrators.

2. Students are defined as all full- or part- time students enrolled in any academic division of Tulane University.

3. A consensual relationship is defined as any consensual dating, romantic, sexual, or marriage relationship.

4. Position of authority includes, but may not be limited to, situations in which the individual makes or is responsible for an evaluation of a student for admission, course-work, student employment or internship, promotion, financial aid, research funding, suspension, expulsion, or other discipline. (Those providing instruction without evaluation are not necessarily in positions of authority. This is reviewed on a case by case basis by the academic officer to whom the individual reports.)

C. Procedures

When a consensual relationship exists or develops, the position of authority over the student must be avoided or immediately terminated. Avoidance or termination includes, but is not limited to:

1. a qualified alternative faculty, staff member, or administrator taking the position of authority in non-course-based academic work or student employment;

2. the student not enrolling in a course, dropping a course, or transferring to another course or section taught by another individual;

3. transferring to another person the authority over any benefit(s) for which the student is eligible.

An allegation that a person in authority has failed to avoid or terminate a position of authority when a consensual relationship has developed will be referred in writing to the Office of the Dean of the division in which the student is enrolled. The person making a complaint (hereinafter the complainant) may be a faculty or staff member or a student; the complaint and all supporting evidence and information must be given in writing. Once an alleged violation of this policy has been reported, the written complaint shall be reviewed by the associate dean of the division of the accused student to confirm that the charge being made falls within the scope of this policy and that all initial documentation has been prepared. The associate dean shall consult with the complainant and the cited student if necessary to ascertain what witnesses should be called in the hearing, and to make sure that all concerned understand the workings of this policy. The associate dean shall also inform the cited student of his or her rights under this policy, including the right to be accompanied to the hearing by a counselor/advisor. This initial review shall take place if possible within two (2) working days of the time when the formal charge is made. If, in the considered opinion of the associate dean, the charge is improper and should not be taken to a
hearing, that decision shall be communicated to the Dean of that division and then to the complainant, who retains the right to have the associate dean's decision reviewed by the chair of the Senate Committee on Academic Freedom and Responsibility of Students and a designated faculty member and student from that committee. The reviewers may set aside the associate dean's decision. If the charge is brought to a hearing, all parties to the case on either side shall be allowed four (4) working days to review all the written documents before the date set for the hearing. In the case of a faculty member, the hearing body is the faculty grievance committee of the faculty member's division. In the case of a graduate student teaching assistant, the hearing will be conducted by the department chair and the Dean of the Graduate School. In the case of a staff member, the procedure outlined for staff in Section 8, "Standards of Conduct" of the Staff Handbook under the subheading Grievance Procedures will be followed. In the case of an administrator, the hearing will be conducted by the person to whom the administrator reports. Within seven (7) working days of receiving the complaint, the designated body or officer of the university shall have completed the hearing and arrived at a finding concerning whether a consensual relationship exists. The finding will be communicated to both parties and the Office of the student's Dean. If the finding is that a consensual relationship exists and neither of the parties agrees to termination of authority, the appropriate officer of the university shall terminate the position of authority between the two persons. In the case of a faculty member, the divisional grievance committee will inform both parties and the Office of the student's Dean of its findings. If the committee recommends the termination of the position of authority, the committee will refer its recommendation to the office of the student's dean. The Office of the student's Dean will immediately implement the committee's recommendation. In the case of a graduate student instructor, this will be the Dean of the graduate student instructor's division. In the case of a staff member, this will be the individual outlined in Section 8, "Standards of Conduct," of the Staff Handbook. In the case of a student declining alternative instruction, this will be the Office of the student's Dean. In the case of a student declining alternative supervision of non-instructional academic work (such as thesis readership, etc.) this will be the department chair. In the case of a student declining alternative work supervision, this will be the individual at the next supervisory level. In the case of an administrator, this will be the person to whom the administrator reports. In the case of the President of the University, this will be a full session of the Board of Administrators.

D. Objectivity

The complainant and the cited parties are entitled to an investigation conducted by an impartial investigator. Thus, if any person charged with overseeing or investigating complaints is implicated in the complaint, or has any personal issue that would cause a conflict of interest, he or she shall recuse him or herself from the proceeding.

E. Notice of Outcome

No more than two (2) working days after a decision has been reached, the appropriate officer of the university shall notify the parties to the proceeding, in writing, of the findings and the outcome of the investigation.
F. Appeals

Appeals must be made within five (5) working days of the receipt of the written notice of the investigation. Where the accused is a faculty member, any appeal must be filed in writing with that faculty member's dean and with the University Senate Committee on Faculty Freedom, Tenure, and Responsibility. FTFR will review appeals in accordance with the grievance procedures described in the University Senate Constitution, By-Law III (Standing Committees), Section 1 (Committee Functions): Committee on Faculty Tenure, Freedom, and Responsibility: Functions. Where the accused is a student, the appeal shall be reviewed in accordance with the appeals procedures described in the Code of Student Conduct. Where the accused is a staff member or an administrator, the President of the University shall review appeals, according to the procedure set forth in Section 8, "Standards of Conduct," of the Staff Handbook. Where the accused is an administrator, a committee of the Board of Administrators shall review appeals. When the accused is the President of the University, the full Board of Administrators shall review appeals.

G. False Allegations

Persons who knowingly make false allegations that a consensual relationship coexists with position of authority shall be subject to appropriate sanctions based on the severity of the conduct and in accordance with the provisions of applicable statutes, employment contracts, university policies, disciplinary procedures for faculty as described in the Faculty Handbook, disciplinary procedures for staff as described in the Staff Handbook and disciplinary procedures for students as described in the Code of Student Conduct and other student discipline codes. If the complainant is found guilty of making a false allegation, a letter is to be placed in the complainant's permanent file containing that finding.

H. Faculty Rights

Nothing herein shall abridge the rights of faculty as outlined in the Tulane University Faculty Handbook.

I. Dissemination of Policy

This policy will be distributed to all faculty, staff, students, administrators, and will be made available to anyone else connected with Tulane University. All Tulane University employees and students who subsequently become part of the educational community shall be informed of this policy during their orientation. This policy may be revised from time to time (See J. Revisions to Policy below) and such revisions will be posted on the University's official website. Any incident reported under this policy will be governed by the policy posted on the website at the time of the incident.
J. Revisions to Policy

Proposed revisions to this policy will be presented to the University Senate for approval or disapproval.
PART XIII. POLICY ON BILLING AND REIMBURSEMENT OF HEALTH CARE SERVICES

This Code of Conduct evidences the commitment of Tulane University ("Tulane") and its employees, agents, and contractors to full compliance with all laws and regulations regarding billing for health care services. Tulane is committed to ensuring that billing to and reimbursement from the Medicare program, Medicaid program, and all other federal health care programs is in compliance with the regulations and guidance for billing such programs. It is Tulane’s policy to educate our employees, agents and contractors about the provisions of the federal and state laws that prohibit the submission of false claims and false statements as well as about the whistleblower protections contained in these laws and the role that these laws play in detecting and preventing fraud, waste, and abuse.

Applicability

This Code of Conduct applies to all Tulane employees, agents and contractors, however, health care providers and individuals supporting health care providers are more likely to encounter the situations described in this Code of Conduct. Those employees, agents and contractors who provide health care services, are members of Tulane University Medical Group, or who provide administrative, managerial, financial or other support for Tulane’s health care functions should ensure that they fully understand this Code of Conduct.

State and Federal Laws

Both federal and Louisiana law prohibit Tulane from knowingly presenting a false or fraudulent claim to Medicare, Medicaid, or other federal health care programs. Federal law defines a “false claim” as knowingly presenting false or fraudulent claims for payment or making or using a false record or statement to receive payment for a claim. Louisiana law defines a “false or fraudulent claim” as a claim that a health care provider (or his agent) submits knowing the claim to be false, fictitious, untrue, or misleading in regard to any material information. Examples of false claims could include billing for services not rendered or goods not provided, falsifying certificates of medical necessity, falsifying medical records, unauthorized use or unauthorized assignment of provider billing numbers, and failing to report overpayments or credit balances. All of the data elements that must be included in submissions for reimbursement from Medicare, Medicaid and other federal health care programs must be accurate. Violations of these federal and state laws can subject Tulane to significant fines and penalties.

Protection of Whistleblowers

The federal and state laws contain certain protections for “whistleblowers” who alert the appropriate governmental authority of a violation of the false claims acts. Under these laws, any person with actual knowledge of an allegedly false claim, including employees, agents and contractors, may, under certain conditions, become a whistleblower under these statutes and is free to notify the appropriate state or federal governmental authorities if he/she does not believe that Tulane is responding appropriately when notified about potential violations. Employers are
prohibited from taking adverse or retaliatory action against a whistleblower who in good faith notifies the appropriate governmental authority of an alleged violation. Whistleblowers may also be entitled to relief, including employment reinstatement, back pay, and other compensation arising from retaliatory conduct against the whistleblower.

**Tulane’s Policies and Procedures**

Tulane University is committed to promoting ethical practices and to preventing and detecting fraud, waste, and abuse. Tulane systematically reviews its compliance with the rules and regulations of Medicare, Medicaid, and other federal payors. Tulane also has in place compliance procedures for audits, personnel training and continuing education. Tulane’s compliance personnel regularly apprise themselves and the organization of current state and federal statutory and regulatory developments to ensure that Tulane is compliant with the rules governing federal and state health care programs claims submissions.

In addition, Tulane relies on its employees to notify it of any potential inaccurate billing so that we are not accused of violating the laws that prohibit the submission of false claims to the government. Tulane makes it a part of the duty of all employees to assist it this commitment to accurate billing by reporting any potential improprieties without fear of retaliation. Tulane employees may report potential billing violations directly to their supervisor or to the “hotline” maintained by Tulane for this purpose, which can be reached at 504-862-8698. Alternatively, information on the hotline and reporting any potential improprieties can be found at [http://www.tulane.edu/%7Eaudit/hotline.shtml](http://www.tulane.edu/%7Eaudit/hotline.shtml).

*For more information on this topic, please refer to Tulane’s Health Care Compliance Program Policy Manual located at [http://www.som.tulane.edu/fpp/pdfdocs/healthcare.pdf](http://www.som.tulane.edu/fpp/pdfdocs/healthcare.pdf)*

*[policy provided by the General Counsel’s Office, Jan. 2007; update made to the Faculty Handbook May 10, 2007]*
PART XIV. SMOKING POLICY

The following policy applies to all units of the University:

Smoking is prohibited in all University buildings. This includes work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, cafeterias, hallways, and vehicles. Employees who smoke should do so outside during their designated break and lunch periods.

Complaints regarding this policy should be directed in writing to the Office of Environmental Health and Safety.

“No Smoking” signs or the international “No Smoking” symbol must be clearly posted and ashtrays must be removed where smoking is prohibited. Facilities Services will be responsible for the installation of the required signs.

The law provides for fines for individuals and employers who do not comply with the above-mentioned requirements. The maximum fine for an employer could be $500. Payment for such fines is the responsibility of the employee or the Department where the infraction occurred.

*[revisions approved by Senate April 16, 2007; update made to the Faculty Handbook May 10, 2007]*
APPENDIX

Guidelines for the Duplication of Copyrighted Material for Classroom Use

The General Counsel's Office has prepared the following guidelines for the photocopying of copyrighted materials for classroom use. These guidelines attempt to balance the interests of the instructor and his or her students on the one hand and the rights of the copyright owner on the other.

Instructors who wish to make multiple copies of copyrighted material must take the following steps:

1. **Determine whether the safe harbor applies.** When Congress revised the copyright law in 1976, it took note of a set of guidelines that had been approved by a consortium of publishers and by the American Council on Education for copying for classroom use. These guidelines contain safe harbor provisions that describe copying that may be done without the permission of the copyright owner. A copy of the guidelines is attached for your reference. These guidelines set out a three-pronged test; any copying must meet all three tests (brevity, spontaneity, and cumulative effect) to come within the safe harbor.

If an instructor determines that the proposed copying fits within the safe harbor, then the copying may be done without requesting permission from the copyright owner. However, instructors should bear in mind that the spontaneity test requires them to request permission for that same material if the instructor intends to use that material in a subsequent semester.

If an instructor determines that the proposed copying does not fit within the safe harbor, the instructor **must** request permission from the copyright owner.

2. **Request permission from the copyright owner.** This must be done in writing. Allowing plenty of time (six to eight weeks minimum) for the copyright owner to respond, write a letter to the copyright owner describing your intended use of the copyrighted material and ask permission to use the material accordingly. A copy of the Association of American Publisher's "how to Request Copyright Permissions" is included herein; this should help you prepare your requests.

Please be aware that the copyright owner may be either the publisher or the author of the material. A close inspection of the material or the larger work containing the material to be copied should reveal the identity of the copyright owner. If you cannot determine who owns the copyright, request permission from both the author and the publisher.

Instructors must be prepared to document the fact that they have requested permission to duplicate each item of copyrighted material.

A request for permission should produce one of the following three responses:

a. **Permission Granted** -- the copyright owner responds by granting the permission requested. This is the ideal response; instructors should not expect to see it often.
b. Permission granted subject to royalty payment -- more and more copyright owners are granting permission to reproduce their works upon payment of a specified royalty. If you receive such a response and decide to pay the royalty, you must retain copies of all documentation for the transaction. The cost can be passed along to the students as part of the purchase price of the duplicated materials. The instructor should request a letter from the copyright owner acknowledging receipt of the payment and authorizing the instructor to proceed with the duplication. If this response is received and the instructor feels that the requested royalty is unreasonable, please contact the General Counsel’s Office to discuss the situation.

c. Permission denied or no response received -- many copyright owners deny all requests to reproduce their material as a matter of course; others may deny your request for other reasons. The fact that a copyright owner does not grant permission to reproduce the material does not necessarily mean that it cannot be reproduced for classroom use. Denial of permission means that the legal justification for the proposed photocopying of copyrighted material would rest on the concept of "fair use" rather than on the grant of permission by the copyright owner or on compliance with the safe harbor. Fair use is defined as the ability of a person other than the copyright owner to use copyrighted material in a reasonable manner without the consent of the copyright owner. What constitutes fair use depends on the facts and circumstances of the use. A copy of the fair use statute is attached for your reference. Reliance on the fair use doctrine means that the copying in question is heading into uncharted legal waters and may subject the University and/or the instructor to liability for copyright infringement. If you have any questions about the fair use doctrine and/or any particular proposed copying, please contact the Office of the General Counsel.

Instructors must make separate requests for each copyrighted work for each school term that the copyrighted materials will be used. Instructors should maintain a file containing all of their correspondence pertaining to their use of copyrighted materials.

3. Include a "Notice of Copyright" on each copyrighted work. This must be done in every case. The notice of copyright includes the word "copyright" or the circled "c," the year of publication, and the name of the copyright owner.

*Examples:* Copyright 1991 by John A. Smith
(c) 1991 by Random House Publishers

This notice must be typed or handwritten on the first page of each copyrighted work that you wish to have photocopied.
Guidelines for Copying Educational Material

I. Single Copying for Teachers:

A single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class:

A. A chapter from a book;
B. An article from a periodical or newspaper;
C. A short story, short essay or short poem, whether or not from a collective work;
D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.

II. Multiple Copies for Classroom Use:

Multiple copies (not to exceed in any event more than one copy per student in a course) may be made by or for the teacher giving the course for classroom use or discussion; provided that:

A. The copying meets the test of brevity and spontaneity as defined below; and
B. Meets the cumulative effect test as defined below; and
C. Each copy includes a notice of copyright.
Definitions

Brevity:
i. Poetry: (a) A complete poem if less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.
ii. Prose: (a) Either a complete article, story or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.
[Each of the numerical limits stated in "i" and "ii" above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.]
iii. Illustration: One chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.
iv. "Special" works: Certain works in poetry, prose or in "poetice prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 in their entirety. Paragraph "ii" above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt compromising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof, may be reproduced.

Spontaneity:
i. The copying is at the instance and inspiration of the individual teacher, and
ii. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect:
i. The copying of the material is for only one course in the school in which the copies are made.
ii. Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.
iii. There shall not be more than nine instances of such multiple copying for one course during one class term.
[The limitations state in "ii" and "iii" above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.]

III. PROHIBITIONS AS TO I AND II ABOVE:
Notwithstanding any of the above, the following shall be prohibited:

A. Copying shall not be used to create or to replace or substitute for anthologies, compilations or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or are reproduced and used separately.
B. There shall be no copying of or from works intended to be "consumable" in the course of study or of teaching. These include workbooks, exercises, standardized test and test booklets and answer sheets and like consumable material.
C. Copying shall not:
   a. substitute for the purchase of books, publishers' reprints or periodicals;
b. be directed by higher authority;
c. be repeated with respect to the same item by the same teacher from term to term;
D. No charge shall be made to the student beyond the actual cost of photocopying.
How to Request Copyright Permission

A federal court ruling reaffirmed the need to obtain permission to use copyrighted materials in college course anthologies. Publishers want to make these materials available to you quickly and inexpensively but they need your cooperation. Whether you request permission yourself or through a college store or copy service, these suggestions will speed the process. Please:

1. **Request permission at the same time you order textbooks**, the earlier the better in the event your request cannot be granted and you need to substitute other materials. Publishers do not always control rights and need time to research the extent to which permission may be granted.

2. **Direct your request to the publisher's Copyrights and Permission Department, not the author.** If publishers do not control the rights, they will inform you whom to contact.

3. **Include all of the following information in your request:**
   a. author’s, editor’s, translator’s full name(s)
   b. title, edition and volume number of book or journal
   c. copyright date
   d. ISBN for books, ISSN for magazines and journals
   e. numbers of the exact pages, figures and illustrations
   f. if you are requesting a chapter or more; both exact chapter(s) and exact page numbers
   g. number of copies to be made
   h. whether materials will be used alone or combined with other photocopied materials
   i. name of college or university
   j. course name and number
   k. semester and year in which material will be used
   l. instructor's full name

4. **Request permission whether or not works are in print.**

5. **Provide your complete address and the name of a contact person and telephone number in case there are any questions.**

In many cases, your college store or other service can assist you and/or provide appropriate forms. The publisher's response form will provide the information about payment and fees which are determined by the individual publisher. A booklet, Questions and Answers on Copyright for the Campus Community, is available through most college stores or on request from AAP (Association of American Publishers), 220 East 23rd Street, New York, NY 10010 (212/689-8920).