



LSU Faculty Senate Meeting

3:00 P.M., January 24, 2005, Atchafalaya Room, LSU Union Building

Attendance

Faculty Senate Executive Committee members all present:

1. Claire Advokat (Senate President)
2. Pratul Ajmera (Member-at-Large)
3. John Chandler (Member-at-Large)
4. Andrew Christie (Member-at-Large)
5. Charles Delzell (Secretary)
6. Carruth McGehee (Ex Officio, Immed. Past Pres.)
7. Sarah Pierce (Vice-President)

Senators present:

- | | | |
|---------------------|-------------------------|-----------------------|
| 1. Helene Afeman | 14. Laura Hensley | 27. Milton Rush |
| 2. Pratul Ajmera | 15. Dominique Homberger | 28. Judith Schiebout |
| 3. Frank Anselmo | 16. Gerald Knapp | 29. George Stanley |
| 4. Andrew Christie | 17. Catherine Lemieux | 30. Victor Stater |
| 5. James Cowan | 18. Mary McGehee | 31. Robert Tague |
| 6. Bill Daly | 19. Carl Motsenbocker | 32. Ann Trousdale |
| 7. Louis Day | 20. Kathy O'Reilly | 33. Grover Waldrop |
| 8. Charles Delzell | 21. Robert Peck | 34. Michael Wascom |
| 9. Kerry Dooley | 22. Irvin Peckham | 35. Rick Weil |
| 10. Yvonne Fuentes | 23. Robert Perlis | 36. Cathleen Williams |
| 11. Wayne Gauthier | 24. Glenn Pettifer | 37. Barbara Wittkopf |
| 12. Linda Griffin | 25. John Pizer | 38. Lisl Zach |
| 13. Gregg Henderson | 26. Terrie Poehl | |

Proxies for absent Senators:

- | | |
|---------------------------------------|---|
| 1. Emily Elliott for Shaum Bhagat | 6. Cathy Williams for Witoon Prinyawiwatkul |
| 2. Emily Elliott for Katie Cherry | 7. Kerry Dooley for Kalliat Valsaraj ¹ |
| 3. Timothy Louwers for Larry Crumbley | 8. Gerald Knapp for Warren Waggenpack |
| 4. John Pizer for Ian Crystal | 9. Mary McGehee for Aimee Welch |
| 5. Cathy Williams for Maren Hegsted | |

Senators absent without proxies + (# of consecutive absences without proxies):

- | | | | |
|-----------------------|--------------------------|-------------------------|----------------------|
| 1. Kenneth Bankston 6 | 7. Elmer Godeny 2 | 13. Julius Langlinais 1 | 19. Joseph Skillen 1 |
| 2. Ruth L. Bowman 6 | 8. Angeletta Gourdine 4 | 14. Thomas Lynch 3 | 20. Edward Smith 8 |
| 3. Mark Caruso 5 | 9. Brian Hales 1 | 15. Robin McCarley 1 | 21. Dek Terrel 1 |
| 4. James Catallo 1 | 10. Randall Hall 1 | 16. William Metcalf 1 | 22. Paul Wilson 2 |
| 5. Jon Cogburn 1 | 11. Steven Hall 2 | 17. Thomas Neff 9 | |
| 6. David Dismukes 9 | 12. Kelli Scott Kelley 2 | 18. Leonard Ray 1 | |

Parliamentarian: Professor O. Carruth McGehee.

Also in attendance (among others): Jessica Fender, reporter for the Baton Rouge *Advocate*.

¹ Jorge Aravena serves as Alternate Senator for Kalliat Valsaraj.

Highlights

1. Senate President Advokat's report: Regrets from LSU System President William Jenkins; upcoming election of new Senate officers, and upcoming election and appointment of new committee members.

2. The Senate adopted Resolution 05-08, "Welcoming Chancellor Sean O'Keefe," sponsored by the Faculty Senate Executive Committee. The resolution stated that Sean O'Keefe was appointed LSU Chancellor by the LSU Board of Supervisors on January 21, 2005; he brings to the LSU Chancellorship a distinguished record of public service at the highest levels; and he has expressed a commitment to the implementation of LSU's Flagship Agenda. The resolution declares that the Senate warmly welcomes Chancellor O'Keefe to LSU, and it looks forward to working closely and productively with him to realize the Flagship Agenda and to continue to improve this great university for the benefit of its students, faculty, and staff, and the people of Louisiana.

3. Further consideration of Resolution 05-01, "A Proposed New PS-36: Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Advancement to Tenure, Annual Reviews, and Enhancement of Job Performance." The Senate adopted a procedural motion to limit further debate on 05-01 after 4:30 today; persons wishing to propose further amendments to the document were invited to present those amendments to the PS-36 Committee on February 3; the Senate planned to vote on the final draft of PS-36 on February 17.

3.a. The Senate inserted a new subsection (right after subsection V.F in the November 5, 2004 draft of PS-36) on recusals due to conflict of interest.

3.b. The Senate also added the following statement: "If an initial appointment with tenure is proposed, the outside letters of evaluation must satisfy the criteria listed in VIII.B.4, page 24." (VIII.B.4 lists requirements imposed for letters supporting the promotion of candidates within LSU, such as, e.g., that an evaluator must have a sufficiently high rank, and that the letters must come from persons from at least three different institutions, etc.) Even after this change, candidates for initial appointment with tenure may still choose their own evaluators, while internal candidates for tenure may not.

4. The Senate adopted Resolution 05-02 (Amendments to Article IX of the Senate Bylaws). The resolution provides for (1) the abolition of the Committee on Student Recruiting and Retention (due to its inactivity); (2) the replacement of the Public Relations Committee by a new Communications and Development Committee; (3) the revision of the charge and membership provisions of the Council of Policy Committees; (4) the replacement of the Academic Computing Committee by a new Information Technology and Services Committee; (5) the revision of the membership provisions of the Library Committee; (6) the revision of the charge of the Faculty Personnel Policies Committee; and (7) the establishment of a new Benefits Advisory Committee. The senate amended item (3) above, by providing for staggered, two-year terms on the Council of Policy Committees

5. Motion of no confidence in the Faculty Senate Executive Committee, for mishandling the issue of tenure for Sean O'Keefe. The motion stated that the special meeting of the Faculty Senate [January 19, 2005] was inappropriate because (1) it was scheduled on short notice ...; (2) the Senate's position on the issue was thoroughly addressed during Mr. O'Keefe's interview process ...; (3) actions such as these tarnish the image of our institution and of Mr. O'Keefe in the eyes of the greater community ...; and (4) this type of action is likely to create an adversarial relationship between the faculty at large and the Faculty Senate and the new Chancellor

The debate on the above motion covered the following topics:

5.a. Importance of allowing freedom to express views.

5.b. All procedures for calling a special meeting were followed; the discussion was appropriate and beneficial.

5.c. Confidence in FSEC; grateful for meeting; handled appropriately; many puzzled by how tenure was granted.

5.d. FSEC acted in good faith; one might disagree with handling of situation, but no abuse of discretion.

5.e. Newspaper coverage of tenure issue embarrassing.

5.f. Faculty evenly split on a large issue (viz., tenure); no procedural error excluded faculty from voting.

5.g. The issue of the Chancellor's tenure had not been adequately addressed during the interview.

5.h. The special meeting had to be called on short notice.

5.i. "Service" means service to the academic community, not to the world at large, unless it supports scholarship and teaching.

5.j. The Chancellor Search Committee had nothing to do with granting tenure.

5.k. Applauding FSEC; clarification of whether proxies count for a quorum.

5.l. Two years ago this Senate carped about Chancellor Emmert's salary; we cannot risk the appearance of not supporting our chancellors.

5.m. Our finest hour; FSEC's constitutional charge to implement resolutions, including 99-04.

5.n. If the FSEC had not exposed the concerns and called the special meeting, *then* the Senate would have grounds to recall the FSEC.

5.o. Defeat of no-confidence motion, by a vote of 3-34.

Minutes

1. *Call to order:*

The meeting was called to order by President Advokat at 3:10 P.M. with a quorum present.

2. *Proxies:*

President Advokat read the names of proxies and alternate representatives for absent Senators.

3. *Consideration of minutes:*

The minutes of the November 19, 2004 Senate meeting were considered. Secretary Delzell moved to drop footnote 6 from page 17 (line 4) of those minutes. That footnote read: "Secretary's note: A motion to reverse an action already taken earlier in a meeting is out of order absent additional voting to waive rules—see the minutes to the December 8, 2004 Senate meeting." The context was that the Senate, while considering Resolution 05-01 (a proposed new PS-36), had voted to make a certain change in the title of the proposed PS-36, after having voted earlier in the meeting not to make that change. Secretary Delzell explained that footnote 6 might give the unintended impression that the Senate's action to change the title was not done correctly. President Advokat asked if there was any objection to the motion to delete footnote 6; there was none, and she declared footnote 6 to have been deleted. President Advokat then asked if there was any objection to accepting the amended minutes of the November 19, 2004 meeting; there was none, and she declared those minutes approved.

4. *Senate President Advokat's report:*

The agenda for today's meeting listed an address by LSU System President William Jenkins. Senate President Advokat said that System President Jenkins had sent his regrets that he would not, after all, be able to address the Senate today, because he had other business that intervened. He would like to speak to us some time later this semester.

Senate President Advokat welcomed senators back after the semester break. She reminded senators that soon we would be electing new senate officers and new members of various committees, as explained in the recent letter to senators from the Committee on Committees.

5. *Resolution 05-08, "Welcoming Chancellor Sean O'Keefe":*

This resolution can be read at <http://senate01.lib.lsu.edu/facsen>; click on "Resolutions." It was not on the agenda, and Senator Delzell moved to change the agenda so as to consider this resolution now; Senator Ajmea seconded this motion. President Advokat asked if there was any objection to this motion; there was none, and President Advokat therefore invited a reading of the resolution. Vice-President Pierce read the resolution, which was sponsored by the Faculty Senate Executive Committee. The resolution stated that Sean O'Keefe was appointed LSU Chancellor by the LSU Board of Supervisors on January 21, 2005; he brings to the LSU Chancellorship a distinguished record of public service at the highest levels; and he has expressed a commitment to the implementation of LSU's Flagship Agenda. The resolution declares that the Senate warmly welcomes Chancellor O'Keefe to LSU, and it looks forward to working closely and productively with him to realize the Flagship Agenda and to continue to

improve this great university for the benefit of its students, faculty, and staff, and the people of Louisiana. The resolution was seconded.

Discussion, amendments, and adoption of Resolution 05-08: President Advokat explained that under the Senate Constitution, a resolution introduced at a meeting of the Senate may not be voted on at that same meeting, unless the Senate so elects by a 2/3 vote. A motion to allow a vote on 05-08 was made, seconded, and unanimously adopted. President Advokat opened the floor to discussion of SR 05-08. Senator Gauthier moved to replace the concluding words “and the people of Louisiana” with “and the people of Louisiana, the United States, and the world.” Senator Ajmera suggested, instead: “and the people of Louisiana, and mankind.” Senator Perlis suggested: “and the people of Louisiana and the world.” President Advokat put Senator Gauthier’s motion to a vote; the motion was defeated. Senator Cowan said that the resolution makes him queasy, considering the special meeting of the Senate last week to consider a resolution asking Mr. O’Keefe to decline the offer of a tenured professorship in the Public Administration Institute. Senator Cowan said that that meeting was called on short notice. He said that he would like to move for a vote of no confidence and recall of the FSEC for mishandling the issue of Sean O’Keefe’s tenure. Senator Daly said that such a motion would be out of order now, when Resolution 05-08 is on the floor. Senator Daly’s only comment on 05-08 was that in the last sentence, the word “and” before “staff” should, in his view, be struck: “... for the benefit of its students, faculty, ~~and~~ staff, and the people of Louisiana.” There was no objection to this change.² President Advokat put Resolution 05-08 to a vote; the “yes” votes appeared to be unanimous, but upon asking for the “no” votes, one such vote was noted.³ President declared the resolution adopted.

6. Further consideration of Resolution 05-01:

The title of this resolution is: “A Proposed New PS-36: Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Advancement to Tenure, Annual Reviews, and Enhancement of Job Performance.” This resolution recommends that LSU replace the PS-36 that LSU issued on July 1, 1997, with a proposed new PS-36. The resolution can be read at <http://senate01.lib.lsu.edu/facsen> (click on “Resolutions”). The proposed new PS-36 has been under constant revision; the versions of September, October, and November 2004 (among others) can be viewed at <http://senate01.lib.lsu.edu/facsen> (click on “Other Reports”). Resolution 05-01 was first read to the Senate on September 9, 2004; it had been discussed at each subsequent regular meeting.

Procedural motion to limit further debate on 05-01: Senator Pizer prefaced his motion by saying that most of the Senate’s business in the fall of 2004 was devoted to discussing and amending PS-36. He found that discussion valuable and the amendments good. But he noted that in the November and December 2004 meetings, senators had become tired of the debate, and they turned down even some good amendments to PS-36, due to their bad mood. He was under the impression that some senators were still planning to offer many more amendments to PS-36, and that with no motion such as his to limit debate, PS-36 might consume all of the Senate’s time

² Secretary’s note: Deleting this “and” makes the sentence syntactically wrong, because of the sequence of four nouns apparently modified by the pronoun “its.” Specifically, if the amended sentence were correct, then the following, equivalent sentence would also be correct: “... for the benefit of *its* students, *its* faculty, *its* staff, and *its* the people of Louisiana.” I was not quick enough to object during this (fast-paced) step of the meeting.

³ Secretary’s note: After the meeting, that senator explained to me that his “no” vote was intended as a protest against the FSEC, and not as opposition to welcoming Chancellor O’Keefe.

during the Spring 2005 semester, as well. He said that the people who, he thought, want to make more amendments have some very good ideas, and so he did not want to shut off debate entirely, and give them no venue to discuss it. He said he would read the motion, and take questions afterward:

“Seriatim consideration [of the pages of PS-36] will now be ended, and discussion and amendments will be in order on all parts of the document. If action on the Resolution has not been completed by 4:30 p.m. today, then the following procedure will be followed: (1) Persons wishing to propose further amendments to the document will be invited to present and discuss those amendments to the PS-36 Committee. (2) After considering those proposals, the PS-36 Committee will arrive at a final version of the document, to be published online no later than February 12th. (3) When Resolution 05-01 comes to the floor at the Senate meeting of February 17, there will be no further debate, and the proposed document will be voted up or down.”

Adoption of the motion to limit debate: The motion was seconded. Parliamentarian McGehee said that there are 12 pages in Robert’s Rules on ending debate. President Advokat said that a motion to end debate is undebatable, and requires a 2/3 vote, but may be amended. She asked senators to wait on proposing any amendments to this motion until after the vote on the motion. She asked if there was any discussion of the motion; someone pointed out that discussion was forbidden, because the motion is undebatable. Senator Delzell raised a point of order, saying that this motion is a combination of three or four items, some of which do not limit debate, and so should be debatable; he found it unreasonable to have to vote on the whole package without any discussion except that offered by its supporters before the motion was read. Parliamentarian McGehee said that motions to limit debate can be complicated. If it doesn’t get a 2/3 vote, a new motion to limit debate could be offered. Senator Peckham asked if such a new motion to limit debate would also be undebatable. [Answer inaudible.] President Advokat put the motion to limit debate to a vote. The vote was 30-14 (more than 2/3), and President Advokat declared the motion adopted.

Professor McGehee announced that the PS-36 Committee will meet at 2:40 on February 3 at a place to be announced later; he invited senators to contact him if they would like to meet with the PS-36 Committee to discuss further changes to PS-36. He then distributed copies of more amendments to PS-36 that the PS-36 Committee recommended.

Motion to insert new subsection on conflict of interest: The first amendment had been suggested by Senator Waggenspack, but since he wasn’t here today, Professor McGehee described it for him. Subsections V.G (p. 10), V.I.3 (p. 11), and VIII.B.4.4 (p. 24) of the November 5, 2004 draft of the proposed PS-36 refer to recusals due to conflict of interest. The amendment would be to insert after subsection V.F on p. 10 a new subsection V.G, identified here as V.G*, entitled “Conflict of Interest,” which defines conflict of interest explicitly by reference to PS-25, entitled “Nepotism” (see <http://appl003.ocs.lsu.edu/ups.nsf/ByNumber?OpenView>); the remaining subsections of section V would then be re-numbered as appropriate. This new subsection also declares that questions about cases of conflict of interest will be referred through the chair, dean, and HRM to the Provost, who will make the determination. The amendment would further make appropriate editorial changes to the present V.G, V.I.3, and VIII.B.4.4, so that they refer to the new subsection V.G*. The above motion to amend was made and seconded.

Motion to amend the motion on conflict of interest; adoption of both motions: Senator Gauthier moved to replace “through the chair, dean, and HRM to the Provost, who will make the

determination” to “through the chair and dean to the Provost, who will make the determination with the advice of HRM.” There was some discussion of minor variants of the above wording, after which President Advokat called a vote. The vote was 39-6, and President Advokat declared Senator Gauthier’s motion to amend Senator Waggenpack’s above motion on conflict of interest adopted. President Advokat then called a vote on the amended motion on conflict of interest. The vote was 47-0, and President Advokat declared the motion adopted, and the proposed PS-36 amended.

Proposed amendment on minimum qualifications for appointments and on choosing outside evaluators: Professor McGehee’s second amendment to the November 5, 2004 draft of a proposed new PS-36 was to replace subsection VI.B (“Minimum Qualifications for Appointments,” p. 16) with a new subsection VI.B. He said that the new VI.B was being offered for the sake of better wording and greater clarity; the substance was not being changed. In conjunction with the above amendment, he mentioned another modification to PS-36, this time to VI.A.5.1 (p. 15), which is the first item in a list of items in the candidate’s appointment file, and reads:

“The candidate’s C.V. and appropriate supporting material, including all letters of evaluation. See VI.A.4 and VI.F.”

The modification he proposes is to add:

“If an initial appointment with tenure is proposed, the outside letters of evaluation must satisfy the criteria listed in VIII.B.4, page 24.”

The requirements in VIII.B.4 (e.g., that an evaluator must have a sufficiently high rank, and that the letters must come from persons from at least three different institutions, etc.) had originally been written for cases of promotion of candidates within LSU; the above modification of VI.A.5.1 would apply those requirements also to cases of initial appointment with tenure.

Mention of requirements in advertisements; conflict of interest in letters written by graduate students and other subordinates: Senator Day said that when we advertise a position, we will have to mention the requirements on choosing evaluators. Professor McGehee said that this applies only to cases of initial appointment with tenure; in such cases the department might have to go the trouble of soliciting additional letters, so as to comply with VIII.B.4; on the other hand, VIII.B.4 allows the dean to waive these requirements.

Senator Homburger referred to VIII.B.4.6:

“Letters of evaluation must be obtained from at least three persons other than the candidate’s major professor for the terminal degree or postdoctoral advisor.”

She said that a candidate for initial appointment with tenure is likely to be a senior researcher, and hence to have graduate students and other people whom he mentors; she said that we should treat letters of evaluation from the candidate’s subordinates in the same way we treat letters from the candidate’s major professor or postdoctoral advisor, because there is a conflict of interest in both case.⁴ Professor McGehee said that Senator Homburger is advocating additional requirements, and he is not recommending additional requirements.

Candidates for initial appointment with tenure may choose their own evaluators, while internal candidates for tenure may not: Senator Delzell asked if he understood correctly: an outside candidate for initial appointment with tenure would be allowed to choose his own outside evaluators (subject to the rules in VIII.B.4), whereas an assistant professor already here at LSU who is seeking tenure would not be allowed to choose his own outside evaluators [according to

⁴ Secretary’s note: VIII.B.4.2 already requires outside evaluators with a university faculty position to hold the equivalent of the rank of Professor, or a rank higher than that of the candidate.

VIII.B.1, “Confidentiality,” and VIII.B.3, “Choosing Evaluators: Procedure”]. Professor McGehee said that VIII.B.4 might require the department to ask for letters from additional outside evaluators, beyond the letters written by the evaluators chosen by the candidate for initial appointment. He did not want to create a lot of additional difficulty; he is just putting some guidelines on the letters that have to be there if tenure is being proposed. Senator Ajmera added that the proposed amendment would subject the choice of outside evaluators of a candidate for initial appointment to the same requirements that apply to the choice of evaluators for internal candidates for tenure. (Professor McGehee and Senator Ajmera did not seem to address the rules in VIII.B.1 or VIII.B.3 forbidding an internal candidate to choose the outside evaluators; those rules would not apply, apparently, to candidates for initial appointments with tenure.)

Does VI.B.1 (“minimum qualifications”) emphasize titles and degrees too much, and ideas not enough? Senator Christie moved the amendment proposed above; someone else seconded it. Senator Perlis referred to VI.B.1 (“Minimum Qualifications for Every Appointment”: “For an appointment to a tenure-track or tenured position, a person *must* hold the terminal degree in an academic discipline ...”; emphasis added by Senator Perlis); he had the impression that this makes LSU into a university of titles and degrees, and not a university of ideas. He approved of the effort to keep weak members and weak departments from coming up, but he asked what would happen if an exceptional candidate without a Ph.D. from, say, the People’s Republic of China who had been caught up in the Cultural Revolution, a genius biologist or mathematician, were to apply to LSU; we would be prevented from hiring such a candidate because he lacks the terminal degree. Senator Christie and Professor McGehee asked Senator Perlis to continue reading VI.B.1: “... and/or suitable professional experience and achievements, as appropriate to the department and the job description.” Senator Christie finds that the word “achievements” in this sentence covers the situation postulated by Senator Perlis above. Senator Perlis said that if that is the intent of that sentence, then he is satisfied.

Adoption of amendment on minimum qualifications, and requirements in selecting evaluators: President Advokat put the amendment to modify VI.A.5.1 and VI.B as above to a vote. The vote was 48-0, and President Advokat declared it adopted.

Professor McGehee said that there were no more amendments recommended by the PS-36 Committee at this time. By then the time was a little after 4:00 P.M. He reminded senators of Senator Pizer’s procedural motion today, according to which the Senate may either vote on Resolution 05-01 right now, recommending adoption of the latest draft of a proposed new PS-36; or it may end debate on PS-36 now, and invite persons wishing to propose further amendments to present and discuss those amendments at the PS-36 Committee’s next meeting, February 3, 2:40 P.M. A motion to follow the latter procedure was made, seconded, and adopted by a vote of 44-3. President Advokat declared an end to discussion of PS-36, and proceeded to the next item of old business on the agenda:

7. Resolution 05-02 (“Amendments to Article IX of the Senate Bylaws,” committee structure):

This resolution was first read to the Senate on October 12, 2004. An amendment of the Bylaws requires a 2/3 vote to pass. Professor McGehee read Resolution 05-02 to the Senate. The resolution provides for (1) the abolition of the Committee on Student Recruiting and Retention (due to its inactivity); (2) the replacement of the Public Relations Committee by a new Communications and Development Committee; (3) the revision of the charge and membership provisions of the Council of Policy Committees; (4) the replacement of the Academic

Computing Committee by a new Information Technology and Services Committee; (5) the revision of the membership provisions of the Library Committee; (6) the revision of the charge of the Faculty Personnel Policies Committee; and (7) the establishment of a new Benefits Advisory Committee. For the full text of 05-02, see <http://senate01.lib.lsu.edu/facsen>, and click on “Resolutions.”

Care and feeding of committees: Professor McGehee explained that Resolution 05-02 had been developed by the Executive Committee over a six-month period when he was still Senate President. One of the things that your Executive Committee somehow needs to find time for is the care and feeding of Senate committees, he said. The FSEC needs to be sure that the committees get adequate support and are active; the FSEC needs to ride herd on those committees when their assigned work doesn’t get done, he said. Those committee members get paid the same as the rest of us, so that takes some skill. He said that we should not tolerate on our books committees that are inactive year after year, no matter how good they sound. If they’re not doing anything, it’s probably because the concept doesn’t work. Faculty Senate committees need to be kept fairly small; and distribution requirements of representation from the colleges should not be rigid; we have to follow talent where it lies. This involves perhaps increasing the number of committees. It allows the FSEC to proceed at its discretion to get these committees going. You don’t start a new committee easily.

Amendment to 05-02: staggered, two-year terms on the Council of Policy Committees: Professor McGehee read an amendment to Resolution 05-02, offered by the FSEC on October 27, 2004. The amendment would change the provisions in 05-02 for the Council of Policy Committees, by replacing the last paragraph of those provisions (on membership), viz.,

“Each policy committee of a college whose members are elected by the faculty of the unit, and which operates under written and duly adopted bylaws, shall be entitled to one representative on the Council, who shall be either the chair of the policy committee or the chair’s designee. The Vice-President of the Faculty Senate will be a member *ex officio*. The Council will elect its own chair at its first meeting of each academic year. At times when there is no elected chair, the Senate Vice-President will be the chair *pro tem*.”

with the following paragraph:

“Each policy committee of a college whose members are elected by the faculty of the unit, and which operates under written and duly adopted bylaws, shall be entitled to one representative on the Council. The representative will be chosen by the policy committee, and must be a voting member thereof throughout his or her membership on the Council. The usual term of service will be two years. Terms of service will be staggered as determined by the Council, so that approximately one-half of the representatives will begin their terms each year.”

Discussion and adoption of the amendment to 05-02: Professor McGehee said that the rationale for the above amendment is to get some continuity on the Council of Policy Committees; at present, almost the entire membership changes each year. Senator Christie moved the above amendment; someone else seconded it. Senator Ajmera spoke in favor of this amendment; at present the CPC dies every year, leaving no institutional memory. Senator O’Reilly said that her college’s Policy Committee has two-year terms, and it picks a member with at least one year of experience on the committee. Under this amendment, the Policy Committee would have to elect a new person with no knowledge of the issues of the Policy Committee. Senator Ajmera responded that designees are allowed. He said that this amendment

is the lesser of two evils. President Advokat put the amendment to 05-02 to a vote: the vote was 44-2, and President Advokat declared it adopted.

Adoption of Resolution 05-02: President Advokat put the amended Resolution 05-02 to a vote. The vote was 47-0, and President Advokat declared the resolution adopted, and the Senate Bylaws amended.

8. *New Business:*

There being no more old business, President Advokat moved to the first item of new business, namely, Senator Pizer's Resolution 05-04 on grade appeals. But Senator Pizer hadn't expected that the Senate would be ready for his resolution today, so he wasn't ready to present it today, either.

Motion of no confidence in the Faculty Senate Executive Committee: Senator Perlis said that he would like to hear the motion that Senator Cowan had described earlier today. Senator Cowan moved for a vote of no confidence and recall of the Faculty Senate Executive Committee for mishandling of the issue of tenure for Sean O'Keefe. He suggested that the special meeting of the Faculty Senate [January 19, 2005] was inappropriate because (1) it was scheduled on such short notice that some senators could not attend nor send proxies; (2) the Senate's position on the issue was thoroughly addressed during Mr. O'Keefe's interview process and thus was already known; (3) actions such as these tarnish the image of our institution and of Mr. O'Keefe in the eyes of the greater community, such as the State Legislature, with which he must interact on the University's behalf; and (4) this type of action is likely to create an adversarial relationship between the faculty at large and the Faculty Senate and the new Chancellor before he even assumes his new post.

Senator Mary McGehee seconded the motion. Senator Perlis said that he was sorry he made his motion. Parliamentarian Carruth McGehee said that the Senate's Constitution and Bylaws contain no provision to recall the FSEC. Senator Cowan amended his motion to strike the words "and recall."

Importance of allowing freedom to express views: Senator Daly said that he thinks that the sense of the motion is that we censure the Executive Committee. He thinks that this is something we should think about. However, he thinks that it is important that we allow people freedom to express their views, and he still thinks that these views [? inaudible] were expressed. Ultimately he thinks that in this meeting we came to a right resolution, but he does understand some of the statements that had been made about recall [? inaudible].

All procedures for calling a special meeting were followed; the discussion was appropriate and beneficial: Senator Wascom was sorry to disagree with his esteemed fellow senator from the School of the Coast and Environment, but his understanding was that all the procedures [in calling the special meeting] were followed. He was one of the many senators who asked for the special meeting to be held, even though he was not in favor of Resolution 05-06, because he had heard a lot of concern from his faculty and from other people around the campus. And if nothing else, the special meeting allowed that concern to be vented. The faculty at LSU is not a monolith[?]; neither is LSU a [inaudible; "monolith"?]. He thinks that the meeting was done according to procedure, and he thinks it was appropriate to have this discussion. The discussion proved beneficial, and in the end the Resolution was defeated, he concluded.

Confidence in FSEC; grateful for meeting; handled appropriately; many puzzled by how tenure was granted: Senator Peckham spoke against the censure motion. He has full confidence in the Executive Committee. He felt that they handled the meeting in a very appropriate fashion.

He felt that he, certainly, needed to hear more about what the situation was. Many people in his department were very puzzled by the way in which this [the granting of tenure?] was effected[? inaudible]. He and his colleagues thought that the question of tenure was certainly an appropriate question. So he was very grateful for the special meeting that was held on the subject.

FSEC acted in good faith; one might disagree with handling of situation, but no abuse of discretion: Senator Day spoke against the motion. He said that a motion of no confidence is a very serious matter, and should be entertained only when there is an egregious violation or a breach of faith or an abuse of discretion. He doesn't see that in the FSEC. He thinks they acted in good faith. One might disagree with how they handled the situation, but he doesn't see an abuse of discretion here, so he is opposed to this motion.

Newspaper coverage of tenure issue embarrassing: Senator Mary McGehee said that she thinks that the airing of this discussion also is [an?] important right[?] of [? ... inaudible ...], and so she is glad that Senator Cowan made this motion, and that this discussion was held. Senator Cowan said that, as he had told President Advokat on the phone, he fully expected this motion to fail when he made it. But he heard from members of his department who, like him, were embarrassed by the whole issue, particularly because of the way the newspapers treated the issue, which was unfortunate. He thought that this was laundry that we could have aired in a different way, if we had some concerns. He heard an overwhelming response from the faculty in his department that they didn't approve of the issue. He found it ironic that we just finished approving a passage in PS-36 that even for candidates without a Ph.D., outstanding achievements can be recognized.⁵

Faculty evenly split on a large issue (viz., tenure); no procedural error excluded faculty from voting: Senator Weil said that the only basis he would see for this motion would be if a democratic process had not been followed. That would hinge on whether people who would vote had been excluded, either intentionally or with some kind of knowledge that a large number of people would be excluded. There are two theories of representation: one is that you get elected and you vote your conscience, the other that you vote your constituency. In this case, he announced to his department that he would vote his constituency. The faculty in his department was evenly split; therefore he ended up abstaining from voting. His department was typical; the larger faculty was pretty well split. There was a large issue to consider; it was considered and voted on. If there had been some procedural error that blocked that consideration, then you would have some basis for this motion of censure.

The issue of the Chancellor's tenure had not been adequately addressed during the interview: Senator Christie disagreed with one statement Senator Cowan made, namely, that the issue of Chancellor O'Keefe's tenure was thoroughly or adequately addressed during the interview process. His view was that it hadn't been adequately addressed. That is why he supported the resolution. But he really didn't care whether it passed or failed. The only way the FSEC could get this discussion in the public domain was to get a resolution in front of the Senate, and they had only a few days to do this. If it was going to be discussed in public, it had

⁵ Secretary's note: The January 24, 2005 draft of a proposed new PS-36 states, under VI.B (Minimum Qualifications for [Initial] Appointments): "... For an Associate Professor or Professor, the granting of tenure with the initial appointment is allowed if said qualifications are especially distinguished and in keeping with the tenure standards of the Department and the University. The granting of tenure may be considered, for example, if the candidate holds tenure at a comparable university. The person appointed must hold the terminal degree in an academic discipline and/or suitable professional experience and achievements, as appropriate to the department and the job description."

to be done that way; the FSEC had no alternative. His heart is not broken that the resolution failed [42%-58%]. The FSEC had also carefully discussed its future relations with the Chancellor before it put the resolution out in the public domain. He said that faculty on the FSEC have to work with the Chancellor more closely than the rest of the senators. For example, the FSEC has a substitute version of PM-35 on the table, and the FSEC is part way through [its negotiations with the administration].

Senator Rush was glad Senator Cowan had made his motion, so we could have this discussion. It was clear to him that all procedures had been followed, including a lot of discussion before voting on the resolution, which was appropriate. [Audiotape cassette changed here; Senator Rush made a few more statements here (about 30 seconds' worth), but they were not recorded.]

The special meeting had to be called on short notice: Senator Gauthier didn't understand why it was so critical to act so quickly. Senator Christie replied that the FSEC was faced with the fact that on January 20-21, the LSU Board of Supervisors was going to ratify the tenure contract of Chancellor O'Keefe. If the FSEC had let that date slide, then nobody would have paid attention. The FSEC wanted the faculty at large to pay attention, so the FSEC called a special meeting of the senate for January 19. The FSEC was under no illusion that Resolution 05-06 was going to change the decision of the Board; but at least the issue was brought to the attention of the faculty. Senator Christie also thought that there are long-term issues here in terms of how the tenure process works at LSU. At the January 19 meeting, he had distributed to the senators an analysis of the academic part of the Chancellor's resume; he said that he was willing to send it out to anyone who asked for it. There are serious problems and issues here in terms of the qualifications.

"Service" means service to the academic community, not to the world at large, unless it supports scholarship and teaching: Concerning the academic achievements, and Senator Cowan's remark that the Senate's draft of a new PS-36 allows granting tenure to candidate's without a Ph.D., provided there are exceptional achievements [recall footnote 5 on page 11 above]: Senator Christie's view is that everything in PS-36 emphasizes the academic aspect of faculty work. For example, "service" refers to service to the academic community, not service to the world at large.⁶ He admires the Chancellor's record of service to the nation, and he hopes that his record brings beneficial publicity to LSU, but Senator Christie's interpretation of service [for the purpose of deciding whether to grant tenure] is that it means academic service, not community service.

The Chancellor Search Committee had nothing to do with granting tenure: Senator Gauthier asked if the Chancellor Search Committee made a recommendation to the Board of Supervisors. Senator Christie said that the Search Committee had nothing to do with granting tenure; similarly, the special meeting of the Senate had nothing to do with the decision to hire Mr. O'Keefe as Chancellor. The special meeting was concerned only with the tenure process at LSU, and the long-term implications for that process.

Applauding FSEC; clarification of whether proxies count for a quorum: Senator Poehl applauded the FSEC for succeeding in arranging the special meeting within a short time. Her only request is that the eligibility of proxies to count toward a quorum be clarified. President

⁶ Secretary's note: The January 24, 2005 draft of a proposed new PS-36 states, under IV.C (Service): "The term *service* is used to mean *other contributions to the department, the University, the academic profession, or the broader community, that are broadly supportive to the primary missions of scholarship and teaching.*" (Emphasis in original.)

Advokat's call of the special meeting had quoted from the Senate Constitution: "Fifty percent [35 members] of the authorized membership of the Senate shall constitute a quorum for transaction of business of the Senate." Senator Poehl had gone to the trouble of finding a substitute for her class on January 19; but when she arrived at the meeting, someone told her that she could have sent a proxy, and that would have counted for a quorum.

Two years ago this Senate carped about Chancellor Emmert's salary; we cannot risk the appearance of not supporting our chancellors: Senator Cowan appreciates the discussion of his motion, which, he repeated, he expected to fail. This is only his third year at LSU. In his first year and a half, he heard this senate carp about [then-Chancellor Mark] Emmert's salary. Now, this year he hears the Senate carping about the new Chancellor's qualifications and whether or not he should be tenured. We risk the appearance of being someone who is not in support of our chancellors here, and we need to have a different appearance, he said. We need to be very careful of the perception that we give when we address these issues, he concluded.

Our finest hour; FSEC's constitutional charge to implement resolutions, including 99-04: Senator Delzell said that this was not the FSEC's last hour, but it might have been its finest hour (unless it eventually succeeds in another mission: that of replacing PM-35 with a better policy). He reminded senators of the primary charge of the Executive Committee as stated in the Senate Constitution: "The Executive Committee shall implement policy as directed by the Senate." How is policy directed by the Senate? By resolutions. There are probably over 100 resolutions, and it is hard to implement them all, twenty-four hours a day. But two of them came up during this hiring business in the short time that the FSEC had to think about it (December 13-16): Resolutions 99-04 and 99-05 (<http://senate01.lib.lsu.edu/facsen>; click on "Resolutions"). In 99-04, the Senate gave its permission to the FSEC to [attempt to] "assess the appropriate rank and tenure status of administrators proposed for professorial faculty status," and "to report the results of the review and make recommendations to the Provost and full membership of the Faculty Senate prior to any final decisions on professorial appointments for administrators, and certify to the Faculty Senate that the rank, tenure status, and procedures followed are appropriate and consistent with the high standards set by PS-36."

If the FSEC had not exposed the concerns and called the special meeting, then the Senate would have grounds to recall the FSEC; more "dirt" yet to be exposed: Senator Delzell said that he takes his job on the Executive Committee seriously—maybe too seriously. What could the committee do when faced with resolution 99-04, he asked. Should it have shirked its Constitutional responsibility to implement 99-04, and said the following?

"This is too much trouble. The holidays are coming up right after December 16; we want to go home. Besides, no one will thank us for this. The administration is all-powerful. They're going to win in the end, no matter what we do."

The easy way would have been to ignore the issue, and shove those resolutions under the rug; nobody would have been the wiser. Senator Delzell said that if the FSEC had done that, *then* the Senate would have grounds to recall the FSEC. If you run for a position on the FSEC, you must be prepared to uphold those resolutions. If you read them, you will see that there is no way out of doing what we did. Resolutions 99-04 and 99-05 were adopted by the Senate on October 1, 1998, in response to some similar abuses, though not exactly the same as in this case. Senator Delzell said that there was abuse in the last two months, as there was a few years ago. And there will be more abuses in the future if we keep rolling over for the administration, he said. Senator Delzell said that there is more inside information that has not come out yet, more "dirt," that the FSEC has refrained from exposing.

Closing debate on no-confidence motion; suspending rules to allow a vote today; defeat of no-confidence motion: A motion to close debate on the no-confidence motion was made and seconded. Before a vote could be held on this motion, the question was raised whether the intent is to close debate and vote on the no-confidence motion today, or to wait until the next meeting for the final vote. Senator Peckham said that his intent was to vote today. He commended the FSEC for their courage. The faculty need to be able to speak out, and there needs to be a venue for that, he said. There was a motion to suspend the rules, and vote on the no-confidence motion today. There was a second. The vote was unanimous in favor. Then President Advokat called a vote on the motion of no confidence. The vote was 3-34, and President Advokat declared the motion defeated.⁷

9. Adjournment:

There was a motion for adjournment, which was seconded. President Advokat declared the meeting adjourned at approximately 5:00PM.

Minutes prepared by Charles Delzell, Secretary;
approved by the Senate April 11, 2005.

⁷ Secretary's note: See "Faculty to greet O'Keefe 'warmly'" and "Faculty Senate has right to sound off," *Baton Rouge Advocate*, January 25 and 30, 2005, respectively, both of which report on the no-confidence motion above. These articles are available on or off campus to patrons of the LSU Library: at www.lib.lsu.edu/databases, click on "L," and then on Lexis-Nexis.