Special Meeting of the LSU Faculty Senate
3:00 PM, January 19, 2005, Room A101, Life Sciences Annex

Attendance

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

Senators present:

Proxies for absent Senators:
1. John Pizer for Frank Anselmo 10. Barbara Wittkopf for Mary McGehee
2. Janet McDonald for Katie Cherry 11. Michael Cherry for William Metcalf
7. Ann Trousdale1 for Laura Hensley 16. Barbara Wittkopf for Aimee Welch
9. Warren Waggenspack for Julius Langlinais

Senators absent without proxies + (# of consecutive absences without proxies):
5. Ian Crystal 1. 6. David Dismukes8 13. Thomas Lynch 2
7. Ian Crystal 1. 8. Angeletta Gourdine 2 15. Witoon Prinyawiwatkul
8. James Cowan 1. 9. Steven Hall 1
Parliamentarian: Professor O. Carruth McGehee.
Administrators present: Executive Vice Chancellor and Provost Risa Palm.
Prof. James Richardson, Director of the Public Administration Institute.
Prof. Robert Sumichrast, Dean of the E. J. Ourso College of Business Administration.
Additional faculty member(s) who spoke during the meeting: Prof. Ravi Rau (Physics).

1 Senator Trousdale had to leave the meeting early, whereupon she gave her proxies to Senator Homberger.
Highlights

Background on the special Senate meeting of January 19, 2005

a. Special meeting of the FSEC, January 15, 2005; the Senate must discuss the award of tenure to Chancellor O’Keefe, before the LSU Board of Supervisors ratifies it on January 20.
b. Drafting of Senate Resolution 05-06.
c. FSEC’s request for a call of the special meeting of the Senate.
d. President Advokat’s conditional call of the special meeting.

Special Meeting of the LSU Faculty Senate, January 19, 2005

1. Reading of Resolution 05-06, “Integrity in the Tenure Process” ([http://senate01.lib.lsu.edu/facsen](http://senate01.lib.lsu.edu/facsen); click on “Resolutions”). It referred to Senate Resolution 99-05 (“Statement of Principle for Faculty Appointments for Administrators,” adopted October 1, 1998), in which the Senate endorsed the principle that LSU administrators proposed for professorial appointments who do not have a record of accomplishment in teaching, research, and service that is commensurate with their proposed rank and tenure status shall not be given such professorial appointments. Resolution 05-06 then declared (among other things):

   “[N]o serious claim can be made consistent with PS-36 that Chancellor Sean O’Keefe’s scholarly record would warrant a tenured appointment at the rank of full professor at LSU or any other major research university….”

The resolution concluded by urging Chancellor O’Keefe to decline an appointment to full professor with tenure “for the sake of maintaining the academic integrity of the University and its appointment and tenure processes.”

2. Review of Senate Resolution Resolution 99-04 (“Reviewing Faculty Appointments for Administrators,” adopted October 1, 1998), in which the Senate gave its permission to the FSEC to (a) [attempt to] review decisions involving proposed faculty appointments for administrators; (b) report the results of the review and make recommendations to the Provost and the Faculty Senate prior to any final decisions on professorial appointments for administrators; and (c) certify to the Senate that the rank, tenure status, and procedures followed are appropriate and consistent with the high standards set by PS-36.

3. Motion to go into closed session: The Senate Bylaws declare: “The Senate reserves the right, upon majority vote, to go into closed session if sensitive or personal items are to be discussed, but no final action can be taken in closed session.” Motion defeated, 23-25.

4. The repeated claim that Mr. O’Keefe had a tenured professorship at Syracuse.

5. Syracuse Dean Emeritus Palmer’s Jan. 18 statement that Mr. O’Keefe had been a “professor of practice,” not tenured or tenure-track.

6. Mr. O’Keefe’s statement that he had an indefinite appointment.

7. Current Syracuse Associate Dean not at liberty, on January 19, to confirm Mr. O’Keefe’s tenure status.

8. Another report that Mr. O’Keefe did not have tenure at Syracuse.


10. Clarification and analysis of the 13 items listed as publications: 3 book chapters or probable book chapters, 2 articles in Naval Institute Press, 2 speeches in Vital Speeches of the Day, 3 op-ed pieces in newspapers, and 3 cases and probable cases.

11. The vote would be 3-0 against granting tenure in the Accounting Department.

12. Whether or not the letter of the selection and tenure process was followed, the spirit was not.

13. Resolution 05-06 does not ask LSU to withdraw its offer to Mr. O’Keefe.

14. The Provost’s Advisory Committee’s participation in this sham.

15. In any tenure decision, we have a weighty obligation to two major constituencies: to our colleagues at LSU, and to the whole of the academic world; transferability of tenure.

16. LSU System President William Jenkins’ “other forms of tenure.”

17. Are Mr. O’Keefe’s [academic] accomplishments “exceptional”?

18. The letter of the procedures in PS-36 was followed exactly.

19. The Public Administration Institute faculty were consulted.
20. Tenure cases in the PAI should not be judged by standards used in other departments.
21. The PAI has five faculty members; this case was handled like other tenure cases, except for speed; no pressure from administration.
22. Mr. O’Keefe would be the first and only professor in the PAI without a Ph.D.
23. Only one faculty member eligible to vote on tenure saw the file by Dec. 16, 2004.
24. Dean Sumichrast had not read any of Mr. O’Keefe’s publications.
25. Without reading the publications, and with 50% of the eligible voting faculty out of town, how could “exceptional accomplishments” be confirmed?
26. Mr. O’Keefe’s accomplishments are influential; the PAI faculty have not complained.
27. On the minimum number of eligible voting faculty to grant tenure.
28. Adding eligible voting faculty, consulting college P&T committee? Not necessary if there are exceptional contributions.
29. Could the chancellor participate in tenure decisions if he did not have tenure?
30. Mr. O’Keefe’s public service (the second half of the 4th qualification for a professorship) is strong; and in the last 34 years, other LSU professors have lacked Ph.D.’s.
31. Motion to strike last sentence of Resolution 05-06 (urging Mr. O’Keefe to decline tenure) considered.
32. The last sentence of 05-06 does not overturn any department’s decision.
33. Certain statements in the fifth “whereas” are gratuitously negative.
34. SR 05-06 will be perceived as an attack on Mr. O’Keefe; all reference to him should be removed.
35. Striking last sentence eviscerates the resolution; service through civic duties not important for tenure.
36. Lack of Ph.D. a red herring; PS-36 emphasizes rigorous review of creative, scholarly work.
37. Mr. O’Keefe’s opportunity to support standards and capture political capital with faculty.
38. Amendment to motion (31 above) to strike last sentence, by striking “whereas’s” 5 and 6 (alleging a weak scholarly record), as well.
39. These amendments are preempting what was an illuminating discussion of the resolution.
40. The Chancellor’s office holds sway not only over the PAI, but over the entire university.
41. SR 05-06 criticizes the wrong person; it should criticize the procedure and System President Jenkins.
42. If we strike all references to Mr. O’Keefe from SR 05-06, we are left with a repeat of SR 99-05.
43. Defeat of motion (38) to amend motion (31) to strike last sentence.
44. Defeat of motion (31) to strike last sentence.
45. Motion to strike the fifth “whereas”; considered:
46. Motion to amend motion (45) to strike 5th “whereas,” by replacing it with “Whereas the claim … is questionable”:
47. Discussion of the alternative word “questionable”; why not then say why the qualifications are questionable?
48. Defeat of motion (46) to amend motion (45) to strike fifth “whereas.”
49. All amendments so far would substantially change intent of resolution; is that allowed?
50. Adoption of motion to strike the fifth “whereas.”
51. Were outside letters solicited? Is it enough to have only two eligible voting faculty members?
52. Outside letters from professors of unspecified ranks.
53. Prof. Richardson’s statement that the PAI would want Mr. O’Keefe even after he is no longer Chancellor.
54. Was a tenured professorship part of the hiring package?
55. How many eligible faculty voted on the offer of tenure, and when did they vote?
56. Why did the tenure decision have to be rushed on Dec. 15-16, 2004, if tenure won’t be approved until Jan. 20-21, 2005?
57. This resolution is counterproductive; the department’s and the dean’s wishes should be respected.
58. Prof. Richardson’s repeated statements that the PAI would offer Mr. O’Keefe tenure even if he were not coming here as Chancellor.
55. John Hamilton, Ph.D., hired as tenured Dean of Manship School, with two eligible voting faculty, no prior tenure, no teaching experience, little scholarly record, and no outside review; since then, he’s published 4 books.
56. Some departments need practitioners as well as scholars.
57. If faculty were hurried, they were grown-ups, and could say so.
58. The Senate should not act as a check on, or interpose itself in this weak, ineffective manner into, the appointment process.
59. The administration dismissed faculty warnings in September 2004 against openly soliciting chancellor candidates whose records would not merit tenure.
60. Vote on Resolution 05-06, asking Mr. O’Keefe to decline the offer of tenure: 18-25 (42%-58%); fails.
Background on the special Senate meeting of January 19, 2005

Special meeting of the FSEC, January 15, 2005: the Senate must discuss the award of tenure to Chancellor O’Keefe, before the LSU Board of Supervisors ratifies it on January 20: Several members of the Faculty Senate Executive Committee had concerns about the process by which Chancellor-elect Sean O’Keefe was being considered for a full professorship with tenure. Around January 14, 2005 it came to the attention of Senate Vice-President Pierce and Secretary Delzell that the LSU Board of Supervisors was planning, on January 20-21, to ratify the details of the contract for Mr. O’Keefe as new Chancellor, presumably including tenure. The next regular meeting of the Faculty Senate was not scheduled to occur until January 24, and Vice-President Pierce and Secretary Delzell believed it appropriate to arrange a special meeting of the Faculty Senate to provide the senators the opportunity to discuss the implications of such an award for the tenure system at LSU, and to arrange the special meeting some time before January 20, but with as much advance notice as possible; the date of January 19 therefore seemed to be the best possible date for such a Senate meeting. To arrange such a Senate meeting, it seemed necessary and useful for the FSEC to hold a special meeting as soon as possible—viz., January 15. On the morning of January 15, Pierce and Delzell proposed to all members of the FSEC that the committee hold a special meeting that afternoon. Professor McGehee was out of town that weekend and therefore unable to attend. Senate President Advokat had other plans for that day; but she agreed to broadcast to the senators any announcement that the five available members of the FSEC arrived at that afternoon.

Drafting of Senate Resolution 05-06: At the January 15 meeting, the FSEC drafted Senate Resolution 05-06, “Integrity in the Tenure Process” (http://senate01.lib.lsu.edu/facsen: click on “Resolutions”), which urged Chancellor-elect O’Keefe to decline an appointment to full professor with tenure for the sake of maintaining the academic integrity of the University and its appointment and tenure processes.

FSEC’s request for a call of the special meeting of the Senate: Near the end of the January 15 FSEC meeting, and with the support of the five committee members in attendance, the FSEC sent an email to President Advokat (with the above resolution attached), asking her to call a special meeting of the Senate for 3:00 p.m., January 19; a location for such a meeting would be determined on January 17, when LSU offices were to re-open. The FSEC also asked President Advokat to attach the above resolution to her broadcast, and to refer the senators to the Senate By-Laws, Art. I, 5: “The Faculty Senate representative shall post the agenda of special meetings in all departments within his or her college or school.” The next day, Vice-President Pierce also sent to President Advokat a pdf file containing not only Senate Resolution 05-06, but also Resolutions 99-04 and 99-05, and the 1998 Report of the Commission on the Status of Academic Ranks, to be broadcast to all senators, and offered to send the broadcast herself if President Advokat found that she was too busy. The Senate Constitution states: “Special meetings of the Faculty Senate may be called at any time by the President of the Senate and shall be called by the President upon the written request of 20 members of the Senate.”

President Advokat’s conditional call of the special meeting: President Advokat declined the FSEC’s request to call a special meeting of the Senate immediately, and instead sent an email to all senators on January 16, stating:

“... I urge every Senator: Please read the attached Resolution (supporting documents are also included), make every effort to poll your respective faculties, and let me know by e-mail if you want to meet to consider this Resolution. If I receive 20 requests, by Tuesday, Jan. 18th, 5:00 pm, I will immediately call a meeting for Wednesday afternoon, Jan. 19th, 3 pm....”

By noon on January 18, President Advokat received 20 requests. Around 3:00 p.m., she broadcast a message to the senators, saying that the special meeting of the Senate would, indeed, be held on January 19 (in Room A101, Life Sciences Annex); and Assistant Vice Chancellor Jeannine Kahn (at the request of Secretary Delzell) broadcast a similar announcement to all LSU faculty (complying with the Senate Bylaws, Art. I, 5, quoted above).
Minutes of the Special Meeting of the LSU Faculty Senate, January 19, 2005

1. Call to order:
The meeting was called to order by President Advokat at 3:14 P.M. with a quorum present.

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

3. Resolution 05-06, “Integrity in the Tenure Process”:
Reading of Resolution 05-06: Senate Vice-President Pierce read Resolution 05-06 (http://senate01.lib.lsu.edu/facsen; click on “Resolutions”). It referred to Senate Resolution 99-05 (“Statement of Principle for Faculty Appointments for Administrators,” adopted October 1, 1998), in which the Senate endorsed the principle that LSU administrators proposed for professorial appointments who do not have a record of accomplishment in teaching, research, and service that is commensurate with their proposed rank and tenure status shall not be given such professorial appointments. Resolution 05-06 then declared (among other things):

“[N]o serious claim can be made consistent with PS-36 that Chancellor Sean O’Keefe’s scholarly record would warrant a tenured appointment at the rank of full professor at LSU or any other major research university….”

The resolution concluded by urging Chancellor O’Keefe to decline an appointment to full professor with tenure “for the sake of maintaining the academic integrity of the University and its appointment and tenure processes.”

Reading of Resolutions 99-04 and 99-05: As background information, Vice-President Pierce then read Senate Resolution 99-04 (“Reviewing Faculty Appointments for Administrators,” adopted October 1, 1998), in which the Senate gave its permission to the FSEC to (a) [attempt to] review decisions involving proposed faculty appointments for administrators; (b) report the results of the review and make recommendations to the Provost and the Faculty Senate prior to any final decisions on professorial appointments for administrators; and (c) certify to the Senate that the rank, tenure status, and procedures followed are appropriate and consistent with the high standards set by PS-36. Finally, Vice-President Pierce read Resolution 99-05 (described above).

Senator Apostolou seconded Resolution 05-06.

Motion to go into closed session: Senate President Advokat said that she would entertain a motion to go into closed session. The Senate Bylaws state: “The Senate reserves the right, upon majority vote, to go into closed session if sensitive or personal items are to be discussed, but no final action can be taken in closed session.” Senator Wascom so moved; Senator Wittkopf seconded the motion. President Advokat said that the effect of such a motion would be to require everyone other than members of the Faculty Council (i.e., full-time LSU faculty members) to leave the room until the Senate returned to open session.

Discussion of motion to go into closed session: Senator Stanley said that he did not understand why the Senate was going into closed session. President Advokat replied that it was because the discussion may go into sensitive personnel issues. Senator Stanley said that going into closed session was inappropriate; this is not a tenure hearing, he said, but a meeting to consider a resolution; he said that we should not be nit-picking through the Chancellor’s CV. Senator Day said that a CV is a matter of public record, and therefore any discussion flowing from a CV should also be public record; he did not know if any other kind of information was going to be introduced. Senator Ajmera said that in general that would be true, but the Chancellor is his boss’s boss’s boss, and if he were to make a comment, he would like to be in closed session so that he can make a comment freely; otherwise, he would sit quietly. The practical nature of this particular case requires a closed session. Senator Catallo agreed with Senator Stanley, and pointed out that our academic administrators happen to be faculty members as well, and so they would be allowed to stay (and hear everything) anyway. Professor Rau said that we are tenured professors, and we should not be scared of having an open discussion of university matters; if a university is not for the
discussion of ideas, then where is such a place in society? Senator Fuentes said that not all senators are
tenured.

*Does a motion to go into closed session require a 2/3-majority vote?* President Advokat began to
put the motion to a vote. Senator Day raised a point of order, saying that a motion to go into closed
session requires a 2/3-majority vote. Professor McGehee said that the Senate Bylaws (quoted above)
require only a simple majority. Senator Day said that he was referring to the Louisiana Open Meetings
laws.² Professor McGehee read the statement from the Bylaws that mentioned a (simple) majority vote,

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² Secretary’s note: The following sections of the Louisiana Revised Statutes may be relevant, with my italics:
Title 42: Public Officers and Employees. Chapter 1: Terms of Office or Employment.
Section 6: Executive Sessions.
A public body may hold executive sessions upon an affirmative vote, taken at an open meeting for which notice
has been given pursuant to R.S. 42:7, of *two-thirds* of its constituent members present. An executive session shall
be limited to matters allowed to be exempted from discussion at open meetings by R.S. 42:6.1 [below]; however, no
final or binding action shall be taken during an executive session. The vote of each member on the question of
holding such an executive session and the reason for holding such an executive session shall be recorded and entered
into the minutes of the meeting. Nothing in this Section or R.S.42:6.1 [below] shall be construed to require that any
meeting be closed to the public, nor shall any executive session be used as a subterfuge to defeat the purposes of

Section 6.1: Exceptions to open meetings.
A. A public body may hold an executive session pursuant to R.S. 42:6 [above] for one or more of the following
reasons:
(1) Discussion of the character, professional competence, or physical or mental health of a person, provided that
such person is notified in writing at least twenty-four hours before the meeting and that such person may require that
such discussion be held at an open meeting, and provided that nothing in this Subsection shall permit an executive
session for discussion of the appointment of a person to a public body. In case of extraordinary emergency, written
notice to such person shall not be required; however, the public body shall give such notice as it deems appropriate
and circumstances permit.
(2) … (3) … (9) … B. … C. … D. …

Section 6.2: Executive or closed meetings of legislative houses and committees
A. Notwithstanding any contrary provision of R.S. 42:6 [above] and R.S. 42:6.1 [above], executive or closed
meetings may be held by the legislature, either house thereof, or any committee or subcommittee of either house,
upon the affirmative vote of *at least a majority* of the members of the house or the committee or subcommittee
thereof making the determination to hold such meeting, for one or more of the following purposes:
(1) Discussion of confidential communications.
(2) Discussion of the character, professional competence, or physical or mental health of any person subject to
contract with or to employment, election, or appointment or confirmation of appointment by either house of the
legislature or any committee or subcommittee of either or by any other public body.
(3) … (4) … (8) … B. … C. …

Is the LSU Faculty Senate a “public body” as in R.S. 42:6 and 42:6.1 above? Read more from R.S. 42, Chapter 1:

Section 4.2: Definitions.
A. For the purposes of R.S. 42:1 [below] through R.S. 42:12:
(1) …
(2) “Public body” means village, town, and city governing authorities; parish governing authorities; school
boards and boards of levee and port commissioners; boards of publicly operated utilities; planning, zoning, and
airport commissions; and any other state, parish, municipal, or special district boards, commissions, or authorities,
and those of any political subdivision thereof, where such body possesses policy making, advisory, or administrative
functions, including any committee or subcommittee of any of these bodies enumerated in this paragraph.
(3) … (B) …

Section 4.1: Public policy for open meetings; liberal construction. [continued …]
and then mentioned the Senate Constitution, which trumps the Bylaws, and states: “Meetings of the Faculty Senate shall be open to all members of the Faculty Council [i.e., all full-time LSU faculty members], and they shall be eligible to speak at Faculty Senate meetings.” He said that he had therefore advised President Advokat that if the Senate went into closed session, then she should allow all LSU faculty members to stay, but ask students, staff, press, and other non-faculty to leave. As for the public meetings law, he said that you can find inconclusive readings either way about whether bodies on this campus, including Student Government, are “public bodies” (and hence subject to the open meetings law). He said that if the President’s ruling agrees with his opinion, then Senator Day is free to move to challenge the President’s ruling, whereupon the Senate would vote on his challenge (by majority vote). Senator Day did not wish to challenge the President’s ruling, but only to inform the President of what the open meetings law says.

Vote on motion to go into closed session: President Advokat put the motion to go into closed session to a vote. The vote was 22 to 22 by a show of hands. She then asked Faculty Senators to move to the front of the room, so that their votes could more easily be counted. She asked for a recount; the vote was 23 to 25. She asked for another recount; the vote was again 23 to 25, and she declared the motion to have failed; thus the senate remained in open session.

Procedural motion to allow the FSEC to give its reports before opening floor to debate: Vice-President Pierce read a procedural motion:

Following the precedent established at the Sept. 9, 2004 meeting by ex-officio McGehee following the movement and seconding of 05-01 recommending adoption of the new PS-36, a similar informal procedural motion is offered:

In the interests of assuring that the Senators and the discussion are fully informed, prior to opening the floor for general discussion, the members of the FSEC will present their reports of their interactions, activities, and any other first-hand knowledge that has a bearing on the proposed resolution and of which the Senate has not been made aware.

Such committee reports are customary (as in the case of the PS-36 committee), and may obviate the need for certain time-consuming questions about facts, and may help to clear up ambiguous and contradictory reports in the press and from other sources.

Discussion and vote on the procedural motion to allow the FSEC to report: The above motion was seconded. Senator Rush(?) asked if there was additional information, and if so, why it was not made available to senators before the meeting today. Senator Christie said that there have been misleading statements by faculty members and misleading statements that have appeared in the press. “Although documents are nominally available, …[inaudible] … not to pay a whole lot of attention to them. There are some things that could be clarified given 15 or 20 minutes.” Senator Peckham suggested a 30-minute time limit for the FSEC presentations under this motion. Senator Stanley suggested 15 minutes. Someone seconded 15 minutes. A vote on this time limit to the procedural motion was put to a vote, and passed. Then the procedural motion itself was put to a vote, and it, too, passed, whereupon the FSEC began its presentations.

[... continued]

A. It is essential to the maintenance of a democratic society that public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy. Toward this end, the provisions of R.S. 42:4.1 through 10 shall be construed liberally.

B. Further, to advance this policy, all public bodies shall post a copy of R.S. 42:4.1 through 13.

I am aware of the following opinions of the Attorney General:
The repeated claim that Mr. O'Keefe had a tenured professorship at Syracuse: Senator Delzell reported on an email that Executive Vice Chancellor and Provost Risa Palm had sent to all members of the FSEC on January 18:

“Just wanted to be sure that you were all aware that Sean O'Keefe held a tenured faculty position at Syracuse University.”

Syracuse Dean Emeritus Palmer’s Jan. 18 statement that Mr. O'Keefe had been a “professor of practice,” not tenured or tenure-track: That afternoon, Senator Delzell asked his colleagues on the FSEC if he should call Syracuse about Provost Palm’s email; President Advokat and Vice-President Pierce said yes. Senator Delzell called Syracuse on January 18, and wrote the following reply to Provost Palm, which he distributed and read to the Senate:

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Date: Tue, 18 Jan 2005 16:09:27 -0600 (CST)
From: Charles N. Delzell <delzell@math.lsu.edu>
To: Risa I Palm <rpalm@lsu.edu>
Cc: cadvoka@lsu.edu, pierce@lsu.edu, jchandler@agcenter.lsu.edu, ajmera@ece.lsu.edu, achrist@lsu.edu, mcgehee@math.lsu.edu
Subj: Re: O'Keefe's previous tenure
Parts/Attachments:
1 OK 25 KB Application, "FSECQuestionsForOKeeffe12-16-2004.doc"
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Dear Risa,

On Thursday, Dec. 16, 9:00-10:00, the FSEC (sans Carruth, who was out of town) interviewed Mr. O'Keefe. One of our written questions (attached) was whether he had ever had tenure before. He said no. He also said that his chaired professorship was made "permanent" after three years (and we did not ask him what that means), but he seemed to consider that position something less than tenure (hence his no).

I do not presume to speak for the other FSEC members on this; maybe they will give you their own recollections of that interview.

This afternoon I called Professor John L. Palmer (www.maxwell.syr.edu/deans/palmer.asp, (315)443-9439), University Professor and Dean Emeritus (1988-2003) of the Maxwell School of Citizenship and Public Affairs, Syracuse University. He was very nice, and we talked for about 15 minutes.

Here are my (sketchy) notes (more or less in order of the conversation):

He said that Mr. O'Keefe had a five-year contract, renewable subject to review, as a "Professor of Practice" in the Alan K. Campbell Public Affairs Institute of the Maxwell School. His position was not tenure-track or tenured, according to Prof. Palmer. He said that the bulk of their faculty are tenure-track, but others (professors of practice) have practical job experience and "practitioner credentials"; for them, in-depth scholarly work is not expected. Prof. Palmer said that Mr. O'Keefe was a "terrific teacher." He remembered that Mr. O'Keefe had gotten his MBA at Syracuse. He said that for tenure, one must have made a significant scholarly contribution. He said that when they grant tenure, they do an external review; outside evaluators must have at least the same rank as the rank proposed for the candidate; and the evaluators cannot all have been suggested by the candidate. I can't remember, but perhaps he also said that the evaluators can't all come from the same school. Anyway, it seemed similar to what LSU usually does. He recalled that at least one (maybe two) of Mr. O'Keefe's publications was/were in a scholarly, refereed

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³ Coleman Warner, who covers higher education for the New Orleans Times Picayune, recalled hearing this same claim when interviewing Mr. O'Keefe on December 15, 2004; in the January 19, 2005 edition of the Times Picayune, he wrote: “O'Keefe said in an interview that he held a tenured post at Syracuse.” (Article 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.)

⁴ Secretary’s note: This period includes the time that Mr. O'Keefe spent on the Syracuse faculty, viz., 1996-2001.
journal, and was/were important. He distinguished between scholarly publications and
publications from, say, Washington think-tanks (Dr. Palmer himself published the latter kind of
articles earlier in his career, he said). The latter are usually no substitute for the former, as I
understood him, when granting tenure in his school.

Sincerely,
Chip
8-1602; 769-2342

Mr. O'Keefe's statement that he had an indefinite appointment: Senator Delzell then read to the
Senate, Provost Palm’s January 19 reply to the FSEC:

Date: Wed, 19 Jan 2005 8:38:39 -0600
From: Risa I Palm <rpalm@lsu.edu>
To: Charles N. Delzell <delzell@math.lsu.edu>
Cc: achrist@lsu.edu, ajmera@ece.lsu.edu, cadvoka@lsu.edu,
jchandler@agcenter.lsu.edu, mcgehee@math.lsu.edu, pierce@lsu.edu
Subj: Re: O'Keefe's previous tenure

Thanks for your messages.
I spoke with Sean O'Keefe about the tenure issue this morning. Here are the facts.
He was initially appointed on a 5 year contract at Syracuse. He carried a full teaching load, and
got very good reviews of his teaching. When his 3rd year review came up, they renewed his
contract as one with "indefinite appointment". In other words, he was no longer on a term
appointment, but rather was an "indefinite" appointment. That is the common definition of tenure -
we do not say faculty are tenured, we say that they are appointed for an "indefinite term".
When he went back to government service, he asked for a leave of absence without pay.
Syracuse granted it to him, but the US Office of Government Ethics insisted that they interpreted
his contract as holding tenure at Syracuse and insisted that he resign in order to avoid conflicts of
interest.
Hope this helps.
Risa

Current Syracuse Associate Dean not at liberty, on Jan. 19, to confirm Mr. O'Keefe's tenure status:
Senator Delzell then told the Senate that he had received a phone call this morning (Jan. 19) from Robin
Wilson, a reporter at the Chronicle of Higher Education, asking (among other things) whether Mr.
O'Keefe had tenure at Syracuse or not. Senator Delzell told Ms. Wilson about the above emails, but did
not know anything more. This afternoon (right before the Senate meeting) Ms. Wilson called Senator
Delzell again; in the course of that call, she said that she had called Michael J. Wasylenko, current
associate dean of the Maxwell School at Syracuse; he was confrontational with her, she said, and he told
her that Mr. O'Keefe had served there as a “professor of the practice” as part of a term appointment that
“we would have been happy to renew forever.” But when asked whether Mr. O'Keefe had held tenure,
Mr. Wasylenko told her: “We've been asked not to confirm anything on this end.” (See the on-line
Chronicle of Higher Education, January 20, 2005, available to Chronicle subscribers at
http://chronicle.com/daily/2005/01/2005012003n.htm. Even people who don’t subscribe to the
Chronicle, but who have an LSU “PAWS” account, can access this article, as follows: log on to PAWS;
in the lefthand column, click on “Library Resources”; click on “Off-Campus Access”; and then follow the instructions there to log on to the Chronicle.5)

Another report that Mr. O'Keefe did not have tenure at Syracuse: Vice-President Pierce reported that she had talked to Prof. Patrick J. Cihon, President of the Syracuse Chapter of the AAUP; he, too, called the Maxwell School, and was put through to Associate Dean Wasylenko at Syracuse, who would not talk, and who said that they were not making any statements to the press or to anybody from LSU, and who referred Prof. Cihon to Charles Zewe, spokesman for the LSU Board of Supervisors. Eventually Professor Cihon was told that Mr. O'Keefe’s appointment at Syracuse was not tenure-track or tenured, according to Syracuse.

Mr. O'Keefe did not coauthor “The Defense Industry in the Post-Cold War Era”: Senator Christie found the following statement in Mr. O'Keefe’s December 11, 2004 resume (http://appl003.lsu.edu/okeeferesume.pdf) to be misleading:


This statement has been repeated in the press,7 and it appears that many members of the LSU faculty had relied on it, Senator Christie said. Compare the above statement about The Defense Industry in the Post-Cold War Era with Senator Christie’s analysis of item 2 in the list below.

Clarification and analysis of the 13 items listed as publications: Mr. O'Keefe’s December 11, 2004 resume lists 13 items as “publications,” and does not identify them as books, book chapters, scholarly articles, op-ed pieces, etc. Senator Christie distributed and read from a two-page analysis and re-grouping of these 13 items. Each of the 13 items is quoted below as presented in Mr. O'Keefe’s resume, and is then followed by Senator Christie’s comments:

Book chapters or probable book chapters

1. “‘Keeping the Edge; Managing Defense for the Future,’ with [sic] Ashton Carter and John White. Preventative Defense Project of Harvard University and Stanford University, 2000.” This book, available on the Harvard web site and at the LSU library, is a collection of chapters by various authors. The editors are Ashton Carter and John White [and no one else, despite the word “with” above]. The book contains 11 chapters, of which one was coauthored by Mr. O'Keefe, together with Michael J. Lippitz and John P. White with John Brown.

2. “‘The Defense Industry in the Post-Cold War Era; Corporate Strategies and Public Policy Perspectives,’ with [sic] Dr. Gerald Susman, Elsevier Science. Oxford, UK, January 1999.” This book, available on Amazon.com, is a collection of chapters by various authors. The editors are Dr. Gerald Susman and Mr. O'Keefe; recall that page 1 of Mr. O'Keefe’s resume says that he “coauthored” this book. There are 23 chapters totaling almost 400 pages. The editors coauthored an 18-page introduction, and Mr. O'Keefe was the sole author of a 6-page chapter.


Naval Institute Press

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5 A shorter version of this article, omitting the quotes from Wasylenko and many other interesting facts, appeared in the paper version of the Chronicle on February 4, 2005.

6 A similar statement is in Mr. O’Keefe’s Feb. 17, 2005 resume, at http://www.lsu.edu/chancellor/biography.htm.

7 Baton Rouge Advocate January 18, 2005; available on or off campus to patrons of the LSU Library: at http://www.lib.lsu.edu/databases, click on “L,” and then on Lexis-Nexis.)
4. “‘A World Lit by Lightning,’ Proceedings, Naval Institute Press, Annapolis, Maryland, January 1995.”
5. “‘From the Sea, Preparing the Naval Service for the 21st Century,’ Proceedings, Naval Institute Press, Annapolis, Maryland, November 1992.”

“Proceedings Magazine” is published by the Naval Institute Press, a private foundation. The articles are predominantly opinions expressed by retired US Navy, USCM and US Coast Guard personnel. See http://www.usni.org/proceedings/proceedings.html.

Vital Speeches of the Day

The outlet Vital Speeches of the Day is exactly what its name suggests. The following is a quote from their web page, http://www.votd.com:

“Send us speeches: If you gave a speech or attended one and think we should publish it! email to: vitalspeeches@bellsouth.net.”

Patrons of the LSU Library can access the speeches from on or off campus via at least four separate data services (http://www.lib.lsu.edu/databases), including Academic Search Premier. Item 6 above was a speech delivered to the Brigade of Midshipmen, Annapolis, Maryland, January 6, 1993; item 7 above was a speech delivered at Syracuse University on October 2, 1992.

Newspapers
8. “‘Clinton’s Stealth Weapon: The Federal Budget,’ The Los Angeles Times, Los Angeles, California, February 21, 1994.”
10. “‘On Tailhook, Drop the Other Shoe,’ The Los Angeles Times, Los Angeles, California, March 1, 1993.”

Cases and probable cases
11. “‘Breaking the Market or Preventing Market Breakdown: The Technology Reinvestment Program’ with Dr. Volker Franke. Maxwell School of Citizenship and Public Affairs at Syracuse University and the School of Advanced International Studies at Johns Hopkins University and the School of Advanced International Studies at Johns Hopkins University National Security Studies Case number 1197-05, November 1997.”

This case is available at http://www.maxwell.syr.edu/nss/Case%20Study/CaseList.htm.

12. “‘An Analysis of the Technology Reinvestment Program as a Method of Defense Conversion and Industrial Policy and its Affect [sic] on Shareholder Wealth,’ Smeal College of Business Administration, Pennsylvania State University, April 1996.”

Apparently a case study. No record found.

13. “‘The Orange County Financial Crisis,’ The Maxwell School of Citizenship and Public Affairs, Syracuse University, October 1997.”

Apparently a case study; it appears on Mr. O’Keefe’s Syracuse syllabus, but no copy was found.

The vote would be 3-0 against granting tenure in the Accounting Department: Senator Christie said that he is not a member of LSU’s Public Administration Institute (PAI), but he is qualified to evaluate the above work, because he does some very similar things in the Department of Accounting. He has talked to the two other senior professors in the Accounting Department who would be eligible to vote if there had been a proposal to grant a tenured, full professorship to Mr. O’Keefe in the Department of Accounting; he said that it would be a 3-0 “no” vote.
Whether or not the letter of the selection and tenure process was followed, the spirit was not: Senator Ajmera said that one of his concerns was the Chancellor-selection procedure: it was very fast, giving no time for submitting meaningful input that could be deliberated on; in fact, there was no time to deliberate or to give input. He was not sure whether one could say that the hiring process was followed to the letter; on the other hand, when the process is rushed to the point of not allowing time for faculty input, the results get intertwined with the process, so that one cannot separate the result of the process from the process itself. Whether or not the letter of the process was followed, the spirit of the process was really not followed, with very little time allowed for faculty input or for the tenure decision, he said. The FSEC had asked specifically about the tenure question; there was little time to find the right answer.

Resolution 05-06 does not ask LSU to withdraw its offer to Mr. O'Keefe: Professor Chandler said that one should read the “be it resolved” paragraph of the proposed resolution closely. The resolution does not ask LSU to take the money away from Mr. O'Keefe, or to take the professorship away, or to take the tenure away. Rather, the resolution asks Mr. O'Keefe to stand and be counted and make a decision that would be agreeable to a lot of professors, and would be similar to the action taken a couple of years ago when Chancellor Emmert got the big raise and the Chancellors of some of the other campuses of the LSU System decided not to take it, he said. The conclusion of the resolution merely asks Mr. O'Keefe to decline the offer of tenure.

In any tenure decision, we have a weighty obligation to two major constituencies: Professor Ravi Rau (Physics and Astronomy) continued with Senator Ajmera’s earlier remarks about the process and handling of what has happened. Professor Rau said that regardless of the Chancellorship, the salary, or anything else, this resolution is focused on the question of a tenured professorship. Tenure is not a small matter. He said that we have two major constituencies, to which we have a weighty obligation.

Our obligation to our colleagues at LSU; the Provost’s Advisory Committee’s participation in this sham: One constituency is our own colleagues here at LSU, including those in the past and those in the future. Any of us who has ever sat on a promotion-and-tenure committee meeting and turned down some candidate for tenure, which means that the person must leave the university, owes a serious consideration on any decisions we make about tenure. It is not something to be rushed through in one day, where only one or two faculty members could have acted on it. (The Provost’s Advisory Committee was asked to look at the case only later, and so is just part of this sham.)

Our obligation to the whole of the academic world; the transferability of tenure; President Jenkins’ “other forms of tenure”: Professor Rau said that the second constituency we have, and this is very serious again, is the whole of the academic world. LSU System President William Jenkins may say, as he did in the Advocate, that tenure is not just based on traditional scholarship; there are many other forms of tenure. He may make this up as he goes along (the roots of tenure), but tenure as it is commonly understood, starting from the 1940 principles stated by the AAUP, and practiced everywhere else, has a fairly clear-cut meaning to most of us on the faculty—as Professor Rau had said earlier, we sit on promotion-and-tenure committees. As our own PS-36 says, if at appointment a candidate already has tenure at a comparable university, then he may be granted tenure at LSU immediately. Professor Rau deduced from this that universities generally honor the decision taken after serious, rigorous review, which is what tenure means. Therefore, LSU does not exist in a vacuum. If we mean anything at all, he said, and we want to be thought of as a comparable university (leave alone the Flagship Agenda and rising further up) that takes these things seriously, then we should follow at least our own policies.

Are Mr. O'Keefe’s [academic] accomplishments “exceptional”? This is a faculty matter: Professor Rau went on to quote more completely the one, single sentence in PS-36 that addresses the question of granting tenure at initial appointment:

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8 “‘Tenure’s not just based on traditional scholarship,’ said Jenkins, who would be O'Keefe's boss. ‘There are many other forms of tenure, one of which is exceptional public service. His … is absolutely overwhelming.’” Baton Rouge Advocate, January 18, 2005; available on or off campus to patrons of the LSU Library: at http://www.lib.lsu.edu/databases, click on “L,” and then on Lexis-Nexis.)
“If a candidate has received tenure at a comparable university, or where there is a record of exceptional accomplishments, tenure may be awarded with the initial appointment” (emphasis added by Professor Rau).

Professor Rau did not want to get into any discussion about the specifics of this particular file. But considering that Mr. O’Keefe had never had tenure or undergone the rigorous review process for obtaining it, Professor Rau asked if the very limited number of people who have looked at Mr. O’Keefe’s file can really stand here and say that Mr. O’Keefe’s accomplishments are exceptional. Or can they defend the practice, which has never been followed, even at LSU, but certainly not in most of the universities of the land, of just handing out tenure, as if it were a party favor (along with all the other perks, of house, or car, or tens of kilo-dollars from boosters, as it was said)? All that notwithstanding, tenure is something that we had better be very serious about, and it is a faculty matter, he concluded.

*The letter of the procedures in PS-36 was followed exactly:* Professor Michael Cherry (Physics and Astronomy) disagreed with some of what Professor Rau had said above. He said that what was done with respect to the award of tenure was to explicitly follow the procedures set up in PS-36. The faculty of the Public Administration Institute reviewed the file; they made a decision, based on the standards and expectations in their field, that this was a file that deserved tenure. That file went up to the Dean of the School of Business, who also recommended it. It went up to the Provost’s Promotion and Tenure Committee, where a faculty committee went over that file, he said. And then the Interim Dean of the Graduate School made a recommendation to the Provost. That is exactly the procedure specified in PS-36. There weren’t any shortcuts there, he said. Professor Cherry said that it may well be that he, as a physicist, doesn’t use the same kinds of standards or doesn’t have the same kinds of expectations that people in Public Administration do. But he thought that it would take a bit of gall for him to require that they use the same standards. He said that if we pass this resolution, we are making a direct slap at the faculty who were involved in this evaluation and who decided that tenure was warranted. He failed to see how this Senate has the information available or is in a position to overrule the faculty who evaluated this file based on the procedures specified in PS-36.

*Request to hear from James Richardson, Director of the Public Administration Institute:* Senator Christie noticed that Professor Richardson was present at the meeting; he suggested that we ask Professor Richardson to describe the process that his Institute went through. President Advokat said that she wanted to hear from Professor Robert T. Sumichrast, Dean of the E. J. Ourso College of Business Administration, first.

*The process was followed; the PAI faculty were consulted:* Professor Sumichrast said that this is his second year at LSU, and he appreciates the role of the Faculty Senate here, because he was a two-term senator at his previous institution. Faculty have a real role to play here, he said. The faculty have to be part of the tenure process. LSU Policies, including PS-36, must be followed when we award rank and tenure. He said that he is here to tell everyone that he feels that the policies were followed and faculty input was there. When it became clear that Mr. O’Keefe was a strong candidate to be LSU’s next chancellor, the Public Administration faculty were given a chance to interview Mr. O’Keefe. The Public Administration faculty were unanimous in their support of granting the rank of full professor with tenure. The Director of Public Administration reviewed the record and concurred with faculty. Dean Sumichrast reviewed the record and concurred with the faculty. So the process was followed, he said.

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9 Secretary’s note: The administration seems to have made up its mind to offer tenure as early as Dec. 16, 2004; it had certainly made up its mind by December 23, at the latest, since on that day Mr. Charles S. Weems, III, a member of the LSU Board of Supervisors, said on WRKF radio’s *Jim Engster Show*, 9-10 A.M., that Mr. O’Keefe would have tenure at LSU: “If Mr. O’Keefe were to step down from the chancellorship at a future date, he would assume his position as a tenured professor in a department at LSU” (presumably LSU’s Public Administration Institute). Mr. Weems cited past chancellors Wharton and Davis, who had done the same after stepping down from their administrative positions. Mr. Weems admitted, though, that they had earned tenure as professors through regular procedures prior to becoming chancellors. On January 4, 2005, Professor Rau wrote to Provost Palm, asking if all the usual steps of review had been conducted prior to the decision to grant tenure. We later learned that the Provost’s Advisory Committee was not asked to review the file until approximately January 5, 2005.
Tenure cases in the PAI should not be judged by standards used in other departments: Dean Sumichrast continued: Secondly, as you are thinking about Mr. O’Keefe’s record, you are doing it from your own academic background, using the standards that would be appropriate from your discipline. There are faculty in other disciplines in this university who don’t have a Ph.D. but hold tenure, and who don’t publish refereed journal articles—in the College of Music and Dramatic Arts, they have performances, instead. They have a very different standard for promotion and tenure. Dean Sumichrast reported having spoken with Dean Ronald D. Ross of that college earlier today, who mentioned that a professor with only a bachelor’s degree was one of the most highly respected professors in his college, and was lured away by another university, on the basis of his performances. Dean Sumichrast said that LSU has areas where the ability to attract grant money consistently is the key to getting tenure; LSU has areas where publishing books is the key to getting tenure. When he looks at his Public Administration Institute, he looks for influential intellectual contributions that influence public policy, he said. When he looked at Mr. O’Keefe’s resume, and when the Public Administration faculty looked at his resume, they felt that he met that standard. Mr. O’Keefe might not be tenurable in other colleges, or in other departments in the College of Business; but the question is, who is best able to evaluate Mr. O’Keefe? In his opinion, the people best able to evaluate him are the people who did evaluate him, i.e., the faculty in Public Administration, he concluded.

The PAI has five faculty members; this case was handled like other tenure cases, except for speed; no pressure from administration: Senator Peckham asked Dean Sumichrast how many people were involved in the decision to grant Mr. O’Keefe tenure, and whether this case was handled any differently from other tenure cases. Dean Sumichrast said that the Public Administration Institute has only five faculty members. The only difference in the handling of this case versus other tenure cases was that this one was done quickly. Dean Sumichrast did not pressure anyone in the PAI, and he believes that no one else in the university pressured anyone in the PAI, to grant tenure.

Mr. O’Keefe would be the first and only professor in the PAI without a Ph.D.: Senator Bhagat (?) asked how many full professors in the program have only a Master’s degree; Dean Sumichrast replied that all the faculty have Ph.D.’s. Senator Bhagat asked if that means that Mr. O’Keefe would be the only full professor in that department without a Ph.D.; Dean Sumichrast said yes.

Only one faculty member eligible to vote on tenure saw the file by Dec. 16, 2004: Senator Catallo asked if all five professors were full professors. Dean Sumichrast said no, and that the PAI has a range; only the full professors were the ones who were able to vote on rank for Mr. O’Keefe, he said. Professor Rau asked what the number of full professors in the PAI is, and how many full professors there voted on the question of tenure. Dean Sumichrast said that three full professors were involved in that: the Chair of the Department, one full professor who was out of the country and who has indicated his support for awarding tenure, and one full professor who was at the meeting. Vice-President Pierce asked if that means that only one faculty member eligible to vote on tenure had actually looked at the file. Dean Sumichrast replied that both of the faculty members eligible to vote have reviewed the file; the faculty member who was out of the country at the time of that initial meeting subsequently reviewed the file and indicated his support. There is a third full professor, namely, the Department Chair [sic]; so all three full professors indicated their support, he said. Vice-President Pierce said that the Director of the Institute is not eligible to vote, under PS-36.

Dean Sumichrast had not read any of Mr. O’Keefe’s publications: Senator Christie recalled that Dean Sumichrast had said (above) that when he looks at candidates for the Public Administration Institute, he looks for influential intellectual contributions that influence public policy; Senator Christie asked Dean Sumichrast if he had read any of Mr. O’Keefe’s publications. Dean Sumichrast said no; Senator Christie said that he had read some of them, and that was why he made his earlier statements. Without reading the publications, and with 50% of the eligible voting faculty out of town, how could “exceptional accomplishments” be confirmed? Professor Rau wanted to clarify something that

10 Secretary’s note: I believe that his actual title is Director of the Institute.
11 Secretary’s note: This refers, apparently, to a meeting on Dec. 15, 2004 between Mr. O’Keefe and the PAI faculty.
Professor Cherry had said above. Professor Rau had made it clear (page 14 above) that he did not want to get into any discussion about the qualifications of Mr. O'Keefe’s file; that would be inappropriate, he said. His questions are about procedure. He recalled PS-36 again:

“If a candidate has received tenure at a comparable university, or where there is a record of exceptional accomplishments, tenure may be awarded with the initial appointment.”

Since Mr. O’Keefe did not have tenure, the only way the administration could justify taking a case such as this (originating from a search outside the department) as far as asking the department to consider it, would be on the basis of the “exceptional accomplishments” of the candidate; without those exceptional accomplishments, a departmental review would not even be triggered. And yet Dean Sumichrast admitted that he had not read any of Mr. O’Keefe’s publications; so how could the process of departmental review even be started, Professor Rau asked. And if one of the two PAI faculty members eligible to vote was out of town at the time the decision was made, and reviewed the file only subsequently, that means that the decision was already rushed and stampeded. So let us speak honestly at least among faculty members here about what did go on on that day, he said.

Mr. O’Keefe’s accomplishments are influential; the PAI faculty have not complained: Dean Sumichrast replied that, of course, he would speak honestly. He said that in looking at the accomplishments of Mr. O’Keefe, his opinion is that these are the kind of influential contributions that he is looking for. Dean Sumichrast reminded people that Mr. O’Keefe does not have tenure at this point; the final decision rests with the Board of Supervisors tomorrow.12 He said that we moved as quickly as we could; he believes that we had enough input from the faculty. He has not heard any faculty from the Public Administration Institute complain that Mr. O’Keefe is not good enough for this department, or should not be hired.

On the minimum number of eligible voting faculty to grant tenure: Senator McCarley asked anyone who is an expert on PS-36 what the minimum number of full professors needed to vote on hiring a full professor with tenure is. Professor McGehee (Chair of the PS-36 Revision Committee) said that PS-36 prescribes no minimum number. PS-36 does allow the Dean to add people who can make a decision, but does not require it; so the number was small but legal he said. Professor Rau referred to the following sentence of PS-36:

“In special cases, and with the approval of the Provost, the dean may appoint faculty from other departments to the departmental review committee. Such cases are normally limited to reviews in departments with fewer than three eligible voting faculty.”

This sentence comes from the section of PS-36 entitled “Promotion and Tenure”; the section entitled “Initial Appointment” appears to be silent on this question (though the procedures there are similar in many other respects to the procedures in “Promotion and Tenure”).

Adding eligible voting faculty, consulting college P&T committee? Not necessary if there are exceptional contributions: Professor Rau said to Dean Sumichrast that if Mr. O’Keefe did not have tenure before coming here, there should have been the same kind of rigorous review of his case as there is in a case of advancing one of our own faculty to tenure, because tenure is a serious matter. The Dean could have asked the College of Business Promotion and Tenure Committee to consider the case, and the Dean could have appointed faculty from other departments to the eligible voting faculty in the PAI. Dean Sumichrast replied that PS-36 mentions two possible conditions for granting tenure at initial appointment: previous tenure at a comparable university, or exceptional contributions.13 He judged Mr. O’Keefe’s contributions to be exceptional and went ahead with it; apparently the PAI faculty felt that was appropriate, as well, he said. So they did follow PS-36, he concluded.

Could the chancellor participate in tenure decisions if he did not have tenure? Senator Pizer asked what the consequence would be if Resolution 05-06 is adopted, and Chancellor-Elect O’Keefe declines the offer of tenure. Specifically, since the Chancellor is in the chain of command that must approve decisions to advance other faculty members to tenure, would he not participate in the decisions made on

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12 Secretary’s note: Recall footnote 9 on page 14 above.
13 The exact phrase in PS-36 is “a record of exceptional accomplishments”; recall the quote on page 14 above.
tenure-track candidates? Professor McGehee recalled that the Regulations\textsuperscript{14} of the LSU Board of Supervisors make the LSU System President a member of all faculties of the System, and the Chancellor of each campus a member of all faculties on his campus. That may answer the question somewhat, he said, but these rules don’t have a lot of practical effect. Senator Pizer asked if this means that even if Mr. O’Keefe declined the offer of tenure, he would still have the power that other chancellors have to make decisions on tenure; Professor McGehee said yes.

Mr. O’Keefe’s public service (the second half of the 4th qualification for a professorship) is strong; and in the last 34 years, other LSU professors have lacked Ph.D.’s: Senator Rush referred to a one-page collection of quotes from PS-36 on the subject of granting tenure at initial appointment that had been distributed at the meeting. One of these quotes was on the minimum qualifications for a newly hired associate or full professor (whether or not tenure is to be granted at appointment):

“(1) A terminal degree or equivalent professional experience.
(2) Publications or creative works of high quality that indicate a significant scholarly career appropriate to the rank.
(3) A demonstrated and sustained commitment to student learning.
(4) Demonstrated service to the academic community and the public.”

According to the handout, these four minimum qualifications (as well as other, previous parts of PS-36) help to elucidate the unspecified “record of exceptional accomplishments” necessary before granting tenure when hiring someone who has not had tenure at a comparable university. Senator Rush said that he has been at LSU for 34 years, and has been involved in some tenure decisions. He observed that rarely does a candidate have equally 25% of his strength in each of the above four sections. Often a candidate is light in some areas, and heavy in other areas, and has still been given tenure, he said. Looking at [the second half of] item (4) above (“Demonstrated service to … the public”) and reading Mr. O’Keefe’s resume, and without having met him, he finds that Mr. O’Keefe meets [the second half of] item (4) very well.\textsuperscript{15} Also in his 34 years at LSU, he has known many professors in different departments at LSU who had Master’s degrees [and no Ph.D.]. So he sees a long-time precedent for allowing Mr. O’Keefe to have tenure.

Motion to strike last sentence of Resolution 05-06 (urging Mr. O’Keefe to decline tenure): Senator Rush said that part of the problem in this hiring was that some members of the Faculty Senate felt that we were not consulted appropriately before the decision was made. He said that most of Resolution 05-06 addresses that issue and is good. But he finds that the last sentence of Resolution 05-06 is a big mistake, and he moved that that sentence be struck. That sentence reads:

“In the current case, the LSU Faculty Senate urges Chancellor O’Keefe to decline an appointment to full professor with tenure for the sake of maintaining the academic integrity of the University and its appointment and tenure processes.”

President Advokat wanted to check that this means that Resolution 05-06 would then end with the preceding sentence:

“The LSU Faculty Senate strongly supports the hiring of administrators, including Chancellor, with academic credentials and record that are commensurate with the proposed rank and tenure status.”

Senator Rush said yes; that sentence is our opinion, and it is a good one, unlike the sentence to be struck, which would, he said, effectively overturn the finding of the faculty in the Public Administration Institute that the requirement [for granting a tenured professorship] was met. Senator Day seconded this motion to strike.

The last sentence of 05-06 does not overturn any department’s decision: Senator Trousdale said that [the last sentence of] Resolution 05-06 does not overturn anything or overrule anyone’s decision; the whole point was to ask Mr. O’Keefe voluntarily not to accept the offer of tenure and the rank of full

\textsuperscript{14} Secretary’s note: It is actually the Bylaws of the LSU Board of Supervisors.

\textsuperscript{15} Secretary’s note: Apparently Senator Rush meant that Mr. O’Keefe meets the second half of item (4) very well; Senator Rush did not mention the first half of (4).
professor. We certainly have no power to overturn any department or college’s decision on this. She thought that our approach in this resolution was to ask him, because there was considerable faculty disagreement, simply to decline this part of the hiring package. As we have often discussed, [the purpose of] tenure is not a job security perk; it has to do with academic freedom.

*Certain statements in the fifth “whereas” are gratuitously negative:* Senator Trousdale said that she had to go to another meeting at 4:30, and she suggested that certain phrases in the fifth “whereas” of Resolution 05-06 were unnecessarily or gratuitously negative or demeaning. For example, she thought that we don’t need to say that Chancellor O’Keefe “has a limited teaching record that may not reasonably be interpreted as ‘notable’”; it would be sufficient, in her view, to say that he has a limited teaching record. She further found the statement that he “has never held a tenured faculty appointment …” to be questionable. And in the statement,

> **Whereas** no serious claim can be made consistent with PS-36 that Chancellor Sean O’Keefe’s scholarly record would warrant a tenured appointment at the rank of full professor at LSU or any other major research university, …,

she said that we are talking about [the standards of] LSU; other major research universities are not within our aegis, she said. She apologized for having to leave the meeting early, and asked if it would be possible to amend the resolution in the above ways. President Advokat said that at this moment, the Senate was discussing Senator Rush’s motion to strike the last sentence of the resolution.

*05-06 will be perceived as an attack on Mr. O’Keefe; all reference to him should be removed:* Senator Perlis was in favor of the motion to strike the last sentence of Resolution 05-06. He was also in favor of removing all reference to Mr. O’Keefe, period, from the resolution, and simply having a resolution expressing our feeling that certain policies should be followed. Unfortunately, he said, he was able[? unable? (inaudible)] to understand the arguments on both sides of the issue. He didn’t think there could be any advantage to LSU or the Senate to adopt a resolution that will be perceived by everybody as an attack on Chancellor O’Keefe, whether or not it is intended as an attack on Chancellor O’Keefe. He could not vote for the resolution as it stands, but if we remove all references to Mr. O’Keefe from the resolution, then he will vote for it, he concluded. Senator Peckham argued against the motion to strike the last sentence of the resolution (asking Mr. O’Keefe to decline the offer of a tenured professorship). He said that after the Senate acts on that motion, it should look at amending the resolution in the way Senator Perlis proposed.

*Striking last sentence eviscerates the resolution; service through civic duties not important for tenure:* Professor Rau had a procedural comment about this so-called “amendment” we are discussing: It basically removes the resolution; one could just as well vote the resolution down. As for the substance of this so-called amendment, he referred, first, to subsection II.D of PS-36, describing “service”:

> “… It is also important to recognize that distinctions exist between an individual’s service based on the performance of professional and academic responsibilities, and service provided through the performance of civic responsibilities. The latter, while expected, is not an important factor in promotion and/or tenure considerations....”

_Lack of Ph.D. a red herring; PS-36 emphasizes rigorous review of creative, scholarly work:_ Professor Rau then moved to subsection II.B on teaching and II.C on research in PS-36, which are full of words like “creative,” “scholarly,” “publications,” etc. Subsection II.C says:

> “Research and other creative activity should not only be enumerated but evaluated through peer review ….”

He said that it is a red herring to say that the Ph.D. requirement is the main concern; he completely recognizes that in a university, not every area will have Ph.D.’s, but they will have equivalent degrees. The real point is expressed in subsection II.C’s list of sources for evidence of excellence in research and other creative activity, such as:

> “* Scholarly and creative works such as books, articles, novels, musical compositions, plays, essays, designs, bulletins, when published by publishing houses and journals that accept work only after rigorous review and approval by peers in the discipline.”

> “* ....
• Original works presented such as plays, poetry, musical compositions, art, … contributions to theater productions … in juried solo or collaborative presentations; …

• ….

• Presentations before learned societies or before audiences where rigorously reviewed.”

These examples show that even in the disciplines where there is no Ph.D., there is a scholarly aspect that has to be distinguished from just the kind of comments you make to the newspapers that he had public service. We are talking only of the tenured professorship here, not any other aspect of the appointment. Thus, he opposed the amendment to strike the last sentence of the resolution.

Mr. O’Keefe’s opportunity to support standards and capture political capital with faculty: What Vice-President Pierce liked about the last sentence of the resolution is that it calls upon Mr. O’Keefe to take the high road, to declare that he supports high standards for tenure, that tenure really means something, that it should be substantial. The last sentence of the resolution also gives him the opportunity to capture great political capital among the faculty by declining tenure, she concluded.

Amendment to motion to strike last sentence, by striking “whereas’s” 5 and 6 (alleging a weak scholarly record), as well: After hearing all the arguments, Senator Rush felt more than ever that the fifth and sixth “whereas’s,” and especially the last sentence, bring into question the decision made by the Public Administration Institute and the Dean; these statements say that those people made a mistake, and we’re asking this man to fix it. So Senator Rush said: “I would like to amend my ‘so-called’ amendment, so that now we would remove ‘whereas’ five and ‘whereas’ six from the resolution, and I hope we would pass the resolution.” “Whereas’s” five and six read:

“Whereas no serious claim can be made consistent with PS-36 that Chancellor Sean O’Keefe’s scholarly record would warrant a tenured appointment at the rank of full professor at LSU or any other major research university, since Chancellor O’Keefe

“1. does not have the Ph.D. or other terminal degree; and

“2. lacks the scholarly record mandated by PS-36 for appointment at the rank of full professor with tenure, such as peer-reviewed publications in refereed scholarly journals or books published in scholarly presses, which is requisite for appointment and tenure for other professorial-rank faculty; and

“3. has a limited teaching record that may not reasonably be interpreted as ‘notable;’ and

“4. has never held a tenured faculty appointment at another university;

and

“Whereas it is unclear that the standards and processes laid out in PS-36 were followed;”

Senator Rush said that those two “whereas’s” refer to the Chancellor in a negative and unfair way.

Objection to this amendment to the motion to strike last sentence; second of amendment: After consulting with Parliamentarian McGehee, President Advokat asked if there was any objection to accepting the modification of Senator Rush’s original motion to strike the last sentence. Senator Christie asked to unbundle Senator Rush’s second motion from his first motion; he would be more than happy to delete “whereas” five and six; he would not vote to delete the last sentence. He said that if the two motions remain bundled, he would vote against the whole thing (i.e., against the combination of the two amendments to the resolution). After consulting with the Parliamentarian, President Advokat asked if there was a second to Senator Rush’s motion to amend his original motion; Senator Wittkopf seconded it.

These amendments are preempting what was an illuminating discussion of the resolution. Professor Delinger objected strenuously to both the original and the amended motion to strike either the last sentence of the resolution or the fifth and sixth “whereas’s,” strictly because both motions preempt the discussion on the original resolution. He was finding that discussion to be very illuminating of the facts of the matter. He thought that we should continue with the discussion. He didn’t know how the Senate was ultimately going to vote, or how he himself was going to vote; but at this point, he would like to hear the rest of the discussion, he said. President Advokat said that Senator Rush’s motion to amend his earlier motion was still on the floor.

The Chancellor’s office holds sway not only over the PAI, but over the entire university: Senator Bhagat agreed with Senator Rush that the resolution goes against the decision of the Public
Administration Institute; Senator Rush’s arguments make sense and are rational, he said. However, the Chancellor’s position is to exercise a mandate not just within the Public Administration Institute, but across the University. He agrees that it makes a bad appearance to disagree with the decision of the Chancellor’s home department; however, it is well to take into account that the Chancellor does not hold sway over just the Public Administration Institute, but over the entire University. So the input of faculty from other departments should also be taken into account.

SR 05-06 criticizes the wrong person; it should criticize the procedure and System President Jenkins: Senator Daly said that he has been listening to the discussion carefully. He supports the amendment [to the amendment?] for one basic reason: we are beating the wrong person in this resolution. He said that we are beating Mr. O’Keefe, and he has nothing to do with this, really. The situation is that we do not like the procedures that were followed. If anyone should be criticized, we should criticize LSU System President William Jenkins for the procedures that he used to make this appointment. So Mr. O’Keefe should not be in this discussion at all; this is a discussion where we have some question about procedure. The procedure appears to have been followed correctly; that must also be considered when we discuss this amendment, but we should not include Mr. O’Keefe’s situation in this particular part of the resolution, he concluded.

If we strike all references to Mr. O’Keefe from SR 05-06, we are left with a repeat of 99-05: Senator O’Reilly asked how, if we remove the resolution’s references to Mr. O’Keefe, the resolution will differ from Senate Resolution 99-05 (recall page 6 above): both endorse the principle that our administrators should be good scholars. Thus, the proposed resolution 05-06 would appear to be merely repeating SR 99-05.

Senator Perlis agreed with Senator Christie, that the two amendments (to strike the last sentence of the resolution, and to strike the fifth and sixth “whereas’s”) should be unbundled.

Closing debate on motion to amend motion to strike last sentence: Senator Peckham moved to close debate on the motion to amend the motion to strike the last sentence of the resolution. President Advokat called a vote on the motion close debate; the vote was more than the 2/3 required.

Defeat of motion to amend motion to strike last sentence: After some discussion with the Parliamentarian, President Advokat then called a vote on the motion to amend the motion to strike the last sentence. The vote was 20-25, but during the vote, President Advokat asked Senator Homberger if she was voting as proxy for one or more absent senators. Senator Homberger said that when Senator Trousdale left the meeting, she gave her three proxies to Senator Homberger. After some question about whether Senator Trousdale had told President Advokat about this transfer, and on the advice of the Parliamentarian, President Advokat accepted the transfer of those proxies and allowed Senator Homberger to vote them. President Advokat asked for a re-vote; this time the vote was 20-29, and President Advokat declared the motion to amend the motion to strike the last sentence defeated.

Closing debate on motion to strike last sentence: Before President Advokat could re-open the floor to debate on Senator Rush’s original, unamended motion to strike the last sentence from Resolution 05-06, Senator Peckham moved to close debate on that motion. Senator Christie(?) seconded Senator Peckham’s motion. President Advokat called a vote on the motion to close debate; the vote was more than the 2/3 required.

Defeat of motion to strike last sentence: President Advokat then called a vote on Senator Rush’s original motion, to strike the last sentence of Resolution 05-06. The vote was 19-31, and President Advokat declared the motion to have failed, and said that the last sentence would remain.

Motion to strike the fifth “whereas”: Now that the original, unamended resolution was back on the floor, Senator Cogburn moved a new amendment to the resolution, namely, to strike the fifth “whereas” (recall page 19 above). The motion was seconded.

Alternative amendment: replace fifth “whereas” with “Whereas the claim ... is questionable”: Senator Peckham said that he would be in favor Senator Cogburn’s amendment, but he would like to think about an alternative amendment that would still keep something in there just in case, while people are still voting on this amendment. Namely, he would replace the fifth “whereas” with:
“Whereas the claim that Chancellor Sean O’Keefe’s scholarly record warrants a tenured appointment at the rank of full professor at LSU is questionable, and”.

He was not offering this as an amendment yet; it’s just an opinion on what else we could do.

Motion to amend motion to delete fifth “whereas,” by deleting also the 6th “whereas”; withdrawn: Senator Perlis moved to amend Senator Cogburn’s motion, by deleting also the sixth “whereas” (recall page 19 above). After consulting with the Parliamentarian, President Advokat asked if there was any objection to this modification of Senator Cogburn’s motion to amend. There was an objection (from Senator Peckham?). Senator Perlis then withdrew his motion to amend Senator Cogburn’s amendment, and said that he would make his motion later.

The sixth “whereas” would need modification or deletion without the fifth “whereas”: Senator O’Reilly said that if we remove the fifth “whereas” but do not remove the sixth “whereas”, then the sixth “whereas” will have no meaning. The sixth “whereas” says:

“Whereas it is unclear that the standards and processes laid out in PS-36 were followed.”

If we strike the fifth “whereas” (which contained the only prior mention of Mr. O’Keefe in the resolution), then what processes weren’t followed, she asked. Senator Cogburn replied that after striking the fifth “whereas,” one would have to modify the sixth “whereas” so as to refer to something like:

“… the processes laid out in PS-36 used in giving Mr. O’Keefe tenure…”

Senator Cogburn said that this is a separate question. He said that the fifth “whereas” is more insulting to our future Chancellor than the sixth “whereas” is. So he wanted to keep the issue of striking the fifth “whereas” separate from the issue of striking (or modifying) the 6th “whereas.”

These amendments should be postponed until we complete the earlier, productive discussion of the resolution: Professor Delinger said that we should entertain these amendments, but not until we have completed the discussion of the initial resolution. He thought that we had been on a very productive track to understanding the process, and whether we were following it. He didn’t think that is clear. He said that he has some other questions, and he thinks other people have questions, as well, that might allow us to get to the heart of the matter. President Advokat said that, unfortunately, an amendment has been made, and we are following procedure; she is not unsympathetic, she said. Senator Rush said that when we get to the discussion of the final resolution, he will not be able to support any resolution that insults the Chancellor the way that this does. If we don’t remove those parts from the resolution, he will not support it. He said that there are some good things in this resolution, things that should be brought out, about following the procedure and involving the faculty.

Motion to amend motion to strike 5th “whereas,” by replacing it with “Whereas the claim … is questionable”: Senator Peckham said that he agreed with Senator Rush’s concern, and if we do this[?], then we would be abbreviating the discussion, and he, too, had learned many things in today’s discussion. He moved to amend Senator Cogburn’s amendment: instead of striking the fifth “whereas,” he would replace it with:

“Whereas the claim that Chancellor Sean O’Keefe’s scholarly record warrants a tenured appointment at the rank of full professor at LSU is questionable, and”.

Items 1, 2, 3, and 4 would be dropped from the fifth “whereas,” and then the resolution would continue with the sixth “whereas.” President Advokat asked if there was any objection to Senator Peckham’s motion to modify Senator Cogburn’s motion. Senator Perlis objected. President Advokat asked if there was a second; Senator Bhagat seconded Senator Peckham’s motion.

Discussion of the alternative word “questionable”; why not then say why the qualifications are questionable? Senator Cogburn said that he was not totally unsympathetic to this, but said that these were two separate issues. Some people might want to vote yes on one, and no on the other. So he would prefer that we first vote on his motion to amend, and then vote on Senator Peckham’s proposed alternative language. After some procedural discussions, President Advokat opened the floor to discussion of Senator Peckham’s motion to amend Senator Cogburn’s motion to strike the fifth “whereas.” Senator Cherry didn’t understand the point of saying that the qualifications are questionable, but not saying why they are questionable. If they are questionable, then let us list items 1, 2, 3, and 4 as they appear in the
original, fifth “whereas” (recall page 19 above). If they are not questionable, then let us take this statement out entirely. In summary, he was opposed to Senator Peckham’s motion to amend Senator Cogburn’s motion to strike the fifth “whereas,” because it is not clear what we are actually saying. Senator O’Reilly wondered what would happen if we adopt the Senator Peckham’s motion to amend Senator Cogburn’s motion to strike: we would then, presumably, vote on the modified motion, but would that mean that we were voting on whether to strike Senator Peckham’s alternative language, instead of striking the original, fifth “whereas”? Professor McGehee said no.

Defeat of motion to amend motion to strike fifth “whereas”: President Advokat put Senator Peckham’s motion to amend Senator Cogburn’s motion to strike the fifth “whereas” to a vote. The no’s outnumbered the yes’s, and President Advokat declared the motion defeated.

All amendments so far would substantially change intent of resolution; is that allowed? Senator Waggenspack raised a point of order. He said that we are going to a great deal of effort to substantially change the intent of this resolution. It is a pointed resolution with a declaration at the end. You can either support it or not, he said. There are other resolutions that can be introduced, to express frustration, to declare wrong, whatever, but the fundamental essence of this resolution is a pointed resolution that Mr. O’Keefe’s qualifications are not commensurate with tenure, and we ask him not to accept it. Whether you agree with that or not will determine the way you vote, he said. Every amendment we have talked about so far is substantially changing the intent of this resolution, and that, he believes, is a violation of Robert’s Rules. We can introduce other resolutions to meet other needs, he concluded. Professor McGehee said that that is arguable, but his advice is that amendments can substantially change the intent of a resolution, unless the amendment is to totally reverse the sense of the whole resolution; otherwise, the body has the right to do that.

Possible alternative to striking fifth “whereas”: Senator Ajmera recalled the suggestion of Senator Trousdale (page 18 above), and said that if Senator Cogburn’s motion to strike the fifth “whereas” fails, then he would propose the following changes in the fifth “whereas” (recall its text on page 19 above):

1. strike the words “or any other major research university”;
2. change item 3 to: “has a limited teaching record”
   (i.e., dropping “that may not reasonably be interpreted as ‘notable’”); and
3. possibly dropping item 4, if we are not sure that Mr. O’Keefe did not have tenure.

Adoption of motion to strike the fifth “whereas”: President Advokat called a vote on Senator Cogburn’s motion to strike the fifth “whereas.” The vote was 23-24. There was some uncertainty, so there was a second vote; the result was still unclear, so there was a third vote; the vote was still unclear, so there was a fourth vote. This time the result was 24-24. Normally the President is empowered to break a tie, if the President declines to break the tie, then the motion fails. Vice President Pierce asked if the fact that President Advokat is not a senator disqualified her from exercising the President’s traditional power. Upon checking the Senate bylaws, the following statement was discovered there:

“The President does not serve as a voting representative from any school or college and shall vote only in the event of a tie.”

Professor McGehee advised that this means that the President may break a tie even if the President is not a senator. President Advokat then voted in favor of Senator Cogburn’s motion, and she declared that the motion had passed, and the fifth “whereas” was thereby struck.

Motion to strike the sixth “whereas”; defeated: Senator Perlis moved to strike the sixth “whereas” (recall its text on page 21 above). The motion was seconded. There being no apparent desire for substantive discussion, President Advokat called a vote on this motion. The vote was 19-28, and President Advokat declared the motion defeated.

Procedural motion to prohibit further amendments for the next 10 minutes: Senator Delzell introduced a procedural motion to postpone further amendments to the resolution until after further discussion of the factual matters in question; then, at some point, when the body feels that it has had enough discussion of factual matters and is ready to resume consideration of further amendments, the body may vote to do so. He set no time limit on such a discussion. Professor McGehee said that it was
not clear what the motion means; it needs to say when further amendments would be in order. Senator Delzell suggested 20 minutes of discussion. Some senator (Stanley?) suggested 10 minutes. Senator Rush questioned what the phrase “factual matters” means. After some discussion, Professor McGehee recommended rephrasing the motion to say, more simply, that no further amendments may be introduced for the next 10 minutes. The motion was seconded, and President Advokat put the motion to a vote; the result was 34-1, approximately, and the floor was opened to discussion without amendments.

Were outside letters solicited? Is it enough to have only two eligible voting faculty members? Senator Delinger asked whether outside letters were solicited as part of the tenure-review process, and whether such letters were required. He also asked whether two eligible voting faculty members was a sufficient number, according to PS-36.

Only one eligible voting faculty member saw the file before the tenure recommendation: Prof. James Richardson, Director of the Public Administration Institute, said that Dean Sumichrast had asked him to initiate a tenure-review of Mr. O’Keefe. The PAI had its full faculty there on December 15, 2004, except for Dr. Lynch, who was out of the country at the time. Professor Richardson said:

“He [Dr. Lynch] saw all of Sean O’Keefe’s credentials; he saw his resume; he saw the letters—and we did receive outside letters on Mr. O’Keefe. And he was fully supportive of our decision. He was not there on that Wednesday [Dec. 15] when we made it, because he was out of the country.”

Outside letters from professors of unspecified ranks: Professor Richardson continued:

“So, yes, we got the outside letters. They were solicited. They were not solicited by me, they were solicited by the outside committee. They were from professors at Syracuse University, the University of Connecticut, Penn State University.”

The letters were all very complimentary of his teaching, of his ability to work with younger faculty members, of his role as a professor of practice in the Public Affairs Institute of the Maxwell School at Syracuse.

Prof. Richardson’s statement that the PAI would want Mr. O’Keefe even after he is no longer Chancellor: Prof. Richardson said that all of the PAI faculty looked at this tenure decision very seriously; they did not take it lightly. They were not asked by the Dean, the Provost, or the System President to do anything abnormal. They looked at this as a tenure decision. They also appreciated that there was a time constraint; he said that if they could have changed anything, they would have changed that aspect; they accommodated their decision-making process to that time constraint. The faculty meeting with Mr. O’Keefe on December 15 lasted 45 minutes. After meeting with him, and after reading the outside letters and his credentials, they decided that he would make a good fit for their department, he said. Their bottom line, to a certain extent, was the following: if at some time Mr. O’Keefe stopped being Chancellor and came back to their department, would they be a better department with him, or not? He said that they thought, after looking at his qualifications, that they would definitely be a better department with him. Mr. O’Keefe is a member of the National Academy of Public Administration, which is an academy selected by fellow members, including scholars and practitioners, Professor Richardson said. It is a small academy, but it is a very high honor in the profession, in terms of indicating his stature in the profession. The PAI faculty felt strongly as a department that Mr. O’Keefe would make a strong addition to their

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16 At this point in the meeting, another senator questioned the presence of a quorum; after a count of the senators and proxies physically present (i.e., not counting the absent senators represented by proxies), it was found that there were at least 35 present (50%), and the meeting continued. (Recall page 6 above.)

17 Secretary’s note: Combining this with the list of PAI faculty at http://www.bus.lsu.edu/pai/deptfaculty.asp, I conclude that at the December 15, 2004 meeting, there were two associate professors and one full professor, not counting the Director of the PAI.

18 Secretary’s note: Professor Richardson did not say when Professor Lynch saw Mr. O’Keefe’s credentials.

19 Secretary’s note: Professor Richardson may have been referring to the Chancellor Search Committee (\?).

20 Secretary’s note: Professor Richardson did not say whether all the letter-writers were full professors.
faculty, regardless of being Chancellor or not being Chancellor, according to Professor Richardson. That’s what they based their opinion on, entirely. They feel strongly about it, he said.

Why was there a time constraint? Senator Peckham said that he would certainly not question the way the PAI voted on Mr. O’Keefe’s qualifications; he fully respected that. His only question was why there was a time constraint. Professor Richardson replied as follows:

“The only time constraint that we were dealing with as we appreciated it ... that to make a selection as Chancellor, that there were some con... they had ... they were working within a time horizon(?). Joel Tohline [Chair of the Chancellor Search Committee] could address that better. We were said .... We had to make ... this was something that ... we had to make this decision very quickly. I did not ask them all the reasons why, because they said this was important. So I can't answer that, really.”

Was a tenured professorship part of the hiring package? Senator Peckham asked if the offer of a tenured professorship was part of the hiring package; that is how it seems. Professor Richardson replied:

“Well, they were ... I think they were interested in making it part of the package, if they thought ... if we thought it was appropriate....”

How many eligible faculty voted on the offer of tenure, and when did they vote? Senator McCarley asked how many full professors, excluding the Chair, voted on the offer of tenure? Professor Richardson said that, in the end, two full professors voted on tenure. He added that the two associate professors in the PAI voted yes, too. Professor Rau asked if both full professors voted on December 15, 2004; Professor Richardson said that Professor Lynch voted by email on that day; but Professor Richardson did not include Professor Lynch’s vote in his letter to the Provost, because Professor Lynch was not at the meeting with Mr. O’Keefe.

Why did the tenure decision have to be rushed on Dec. 15-16, 2004, if tenure won’t be approved until Jan. 20-21, 2005? Professor Rau recalled Dean Sumichrast’s statement earlier today (page 16 above) that the decision whether to offer tenure to Mr. O’Keefe was still awaiting final approval by the Board of Supervisors tomorrow (January 20-21); the Board’s December 16 action seems to have been concerned only with offering the Chancellorship. So there was still some time to do at least some of the normal tenure review. Professor Rau also recalled the FSEC’s written report of December 16, 2004, which quoted Dean Sumichrast as having said that he would have preferred for Mr. O’Keefe’s case to go through the normal process for advancement to tenure [e.g., to go through the College of Business Promotion and Tenure Committee]; Professor Rau deduced from this that Mr. O’Keefe’s case did not go through the normal process. He asked why it didn’t, since we heard today from Dean Sumichrast that the final decision to offer tenure won’t be taken until tomorrow (January 20). Professor Richardson said that he could not answer that, because it was his understanding that the decision had to be made quickly; nor did he know whether tenure has actually been offered to Mr. O’Keefe.

This resolution is counterproductive; the department’s and the dean’s wishes should be respected: Senator Wascom said that it was the week period [not clearly audible; was it “the weak something”? Or what?] of the hiring that people were concerned about. Mr. O’Keefe will be our Chancellor. It is not fair to knock Mr. O’Keefe; there were people who made decisions, he said. It might be fair to knock other people—he is not saying necessarily one way or another. He said that this is counterproductive, though he has some sympathy with it. We’ve got his department, regardless of how you want to do it, saying

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21 Secretary’s note: Under PS-36, associate professors are allowed to vote along with the full professors on the question of whether to offer a full professorship; but only the tenured full professors are allowed to vote on the question of whether to offer a tenured full professorship.

22 Secretary’s note: PS-36 does not require a dean to consult a college-level promotion and tenure committee when recommending advancement to tenure; but normally the College of Business Promotion and Tenure Committee does get to advise the dean on such recommendations.
they want to give him tenure, and we’ve got his college saying that it wants to give him tenure; would you want to someone coming into your department or your college, questioning “your” tenure decision, he asked.

Prof. Richardson’s statement that the PAI would offer Mr. O’Keefe tenure even if he were not coming here as Chancellor: Senator Delzell asked Professor Richardson whether Mr. O’Keefe had tenure before coming here. Professor Richardson said:

“Again, the … situation … if you look … as I appreciate it, and this is my interpretation … he had a rolling contract, which people can define or cannot define, as tenure, as you saw from the Provost’s memo, apparently the U.S. government took it as tenure. I don’t know if that’s a standard you want to go by or not. But he had a really … I think the element to remember … at …. Syracuse University is, without a doubt, the number one school in public affairs and public administration in the country. It has been ranked that way for a number of years. It was very easy for them to get Sean O’Keefe on this type of contract. If we were making an appointment for Sean O’Keefe as a regular faculty member—forget the Chancellor’s position—if we were making an offer to Sean O’Keefe as a regular faculty member, we would give him tenure.”

Syracuse was unambiguous that Mr. O’Keefe did not have tenure: Senator Christie said that in the two conversations that members of the Executive Committee had with faculty at Syracuse, including the former dean, they were absolutely unambiguous that Mr. O’Keefe did not have tenure there and he was not tenure-track there. Now people here at LSU can interpret whatever contract he was on as they see fit, but Syracuse said unambiguously that he did not have tenure.

Professor Richardson: “And as I said, Andrew, I said, under the conditions … of whatever it was in Syracuse, he had a contract with a rolling [inaudible] …”

Senator Christie: “I understand that.”

Prof. Richardson’s repeat of statement that the PAI would offer Mr. O’Keefe tenure even if he were not coming here as Chancellor: Professor Richardson said: “Andrew, I said from our perspective, and at Syracuse, given Syracuse’ ranking, if it hires a person under a rolling contract [?] possible [? inaudible]. At LSU if he were coming here as a regular faculty member, we would have voted to give Sean tenure within the Public Administration Institute.”

Professor Rau: “I have a question on that. I don’t dispute that at all, but …”

President Advokat: “Excuse me, Ravi, Senator Day has been recognized.”

John Hamilton, Ph.D., hired as tenured Dean of Manship School, with two eligible voting faculty, no prior tenure, no teaching experience, little scholarly record, and no outside review; since then, he’s published 4 books: Senator Day found the present situation with Mr. O’Keefe to be analogous to the situation in the Manship School of Mass Communication when it hired Dean Hamilton [in 1992]. When Dean Hamilton came to the Manship School, he was a professional journalist by trade, but he did have a Ph.D. But he came from the corporate world (the World Bank); he did not have tenure, Senator Day said. He had never taught before, but he is an outstanding teacher. Since he has been dean, he has published four books, he teaches a class, and in his spare time he’s raised $14 million for the School, Senator Day said. The kinds of things that we are discussing here regarding Chancellor O’Keefe might well be applied to Dean Hamilton, Senator Day said. There were only two full professors in the Manship School at the time (Senator Day was one of them), and they both voted to give him tenure. Senator Day said that this is a precedent for the present case of Mr. O’Keefe. He further said:

“[Dean Hamilton] did not come here with a large body of scholarly research…. There was no outside review of his dossier, because that would not have served any purpose; he didn’t have the kind of scholarly credentials …. I would say that today he does have. As I said, he’s published four books since he’s been here…."

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25 Secretary’s note: Actually, we don’t have his college faculty saying anything; even the faculty committee on promotion and tenure in his college was not consulted; all we have is his college’s administration saying what it wants.
Some departments need practitioners as well as scholars: Professor McGehee said that when he was very young, he used to think of the University as being justified primarily to house a math department. Gradually he came to accept other departments into the circle. First history, physics, and the humanities. When he was about 30, he began to accept engineering, he said. And now, like it or not, he is at a major state university. There are varieties of disciplines. A school of music might derive prestige and effectiveness from adding a scholar of the opera, but it probably can’t do without people whose primary work is singing and performing, he said. He thinks that a good bit of respect is due to departments for that reason. He would not want others to be judging mathematicians in the first step of recommending for tenure.

If faculty were hurried, they were grown-ups, and could say so: Professor McGehee mentioned two dichotomies. One is the matter of whether the procedure was followed. He sees no specific evidence that procedure was not followed in this case. If people were hurried at any stage, they were grown-ups, they could say so, he said. On the other hand, you could ask whether you, making the best judgment you can of what those people did, who had the position of making the decision, whether those people made the right decision, whether one agrees with it. Professor McGehee said that he doesn’t know how to impose that condition as policy.

The Senate should not act as a check on, or interpose itself in this weak, ineffective manner into, the appointment process: Professor McGehee said that the other dichotomy here is between two decisions: that of offering the position of chancellor, and that of offering a professorship with tenure. Those are perhaps not entirely separable. But the stance of the resolution seems largely to be that they are separable, and we are addressing in some manner the question of appointing to a professorship with tenure. Fine. We should be very careful about imposing, in an ad hoc manner, the Faculty Senate as a de facto check on the procedures carried out by the people who are charged to do it. We are authorized, under the Constitution as a Faculty Senate, to give advice on the procedures and criteria for chancellor and president. That’s best done in advance. We have done that over the years to a large extent, and we have made progress. Maybe we should make more. But he would be wary on interposing ourselves in this kind of weak manner, which maneuvers the Faculty Senate into another instance of its ineffectiveness.

The administration dismissed faculty warnings in September 2004 against openly soliciting chancellor candidates whose records would not merit tenure: Professor Rau said that the Faculty Senate should, however, think of the following: Where did the decision originate that we could, for instance, end up with a chancellor who would not have a tenured professorship? Nobody can complain now that they did not know, he said, because on September 26, 2004, after the Advocate reported this decision,24 he sent a message to chansearch@lsu.edu, pointing out some of the implications of what this means. He warned that one could end up with chancellor candidates who are not qualified for tenured professorships. It is there, explicitly, in the advertisement for the chancellor position, he said.25 Then you would be opening the door to having a new kind of chancellor. Now if you want to, that is fine. It is your prerogative, he said; you can hire a chancellor. But this danger was certainly known; they are also grown-ups. He said that they should have known all along, then, that this is a possibility. But now what we see is, simply because we also cannot separate a chancellor from a tenured professorship, that goes along, he said. Now how is it that this could have been decided by the mixed group on the Chancellor Search Committee.

24 “LSU search panel OKs method to shield names,” Advocate, September 21, 2004; available on or off campus to patrons of the LSU Library: at http://www.lib.lsu.edu/databases, click on “L,” and then on Lexis-Nexis.
25 Secretary’s note: The “Position Description” at http://www.lsu.edu/chancellor/search says: “... We normally expect the individual’s academic credentials or equivalent professional experience to be sufficient to merit a tenured professorship appointment in an academic unit at LSU; however, we are open to the consideration of an exceptional individual who otherwise possesses the qualities required of an outstanding academic leader.” (Emphasis added.) Thus, LSU was openly soliciting chancellor candidates whose records would not “merit a tenured professorship appointment ..…”
where the faculty were a minority?26 How could it be that they have set in motion a precedent that is not just for LSU, but down the line, he asked This is again something that we need to be concerned about, he concluded.

Motion to close debate: Senator Pettifer moved to close debate on the Resolution. Senator Stanley seconded the motion. Senator O’Reilly tried to say something, but couldn’t, because a motion to close debate is undebatable. President Advokat called a vote on the motion to close debate. The vote was 32-16, exactly the 2/3 required.

Vote on Resolution 05-06, asking Mr. O’Keefe to decline the offer of tenure: Senator O’Reilly again tried to say something, and this time succeeded: She pointed out that the sixth “whereas” in the Resolution:

“Whereas it is unclear that the standards and processes laid out in PS-36 were followed,” was still left hanging with no clear meaning, due to the earlier striking of the fifth “whereas,” which was the only prior mention in the resolution of any standards and processes that were not followed. President Advokat reminded senators of how the resolution currently stands: The fifth “whereas,”

Whereas no serious claim can be made consistent with PS-36 that Chancellor Sean O’Keefe’s scholarly record would warrant a tenured appointment at the rank of full professor at LSU or any other major research university …."

had been struck (together with items 1, 2, 3, and 4 therein), and otherwise the resolution was unchanged. Senator Wittkopf tried to address the problem that the sixth “whereas” refers to standards and processes that were not followed, but without identifying what those standards and processes are. But President Advokat ruled that debate on the resolution had been closed. President Advokat called a vote; the vote was 18-25 (42%-58%), and President Advokat declared the resolution defeated.

4. Adjournment:
Right after the above vote (around 5:40 P.M.) President Advokat said: “We are adjourned. Thank you very much.” People were already getting up to leave. Senator O’Reilly said: “I don’t think we have a quorum.” Professor Chandler said: “Adjourned? Wait a minute. You need to count [the vote for] adjournment. You just don’t get up and …. They didn’t vote on adjournment.”

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

26 Secretary’s note: Of the 21 members of the Chancellor Search Committee, five were faculty members; here I don’t count administrators holding faculty rank. Cf. http://www.lsu.edu/chancellor/search/committe.html.