These minutes approved by the Senate Jan. 24, 2005.

LSU Faculty Senate Meeting
3:00 PM, November 19, 2004, Atchafalaya Room, LSU Union Building

Attendance

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

Absent: John Chandler (Member-at-Large)

Senators present:
5. Andrew Christie        18. Laura Hensley         31. Joseph Skillen
8. Bill Daly              21. Catherine Lemieux  34. Dek Terrel
                           40. Barbara Wittkopf

Proxies for absent Senators:
1. Ian Crystal?? for Jon Cogburn       7. Rebecca Saunders for Judith Schiebout
2. Bill Daly for Brian Hales           8. Mary McGehee for Aimee Welch
6. Rick Weil for Leonard Ray

Senators absent without proxies + (# of consecutive absences without proxies):
1. Jorge Aravena serves as Alternate Senator for Kalliat Valsaraj.
5. Mark Caruso         10. Angeletta Gourdine 15. Thomas Neff
Highlights

1. Senate President Claire Advokat’s report:
   (a) Progress report on a proposed new policy: “Consultation with Faculty in Certain Reviews of Administrative Performance” (developed from Senate Resolution 03-09).
   (b) Progress report on FSEC negotiations about PM-35 (“Review of Faculty Ranks”): The FSEC has had two meetings with LSU System President William Jenkins and other administrators. The FSEC recently presented to the administration a proposed new policy to replace PM-35, in accordance with Senate Resolution 04-10. Further meetings and drafts will come. There are signs of progress.

   2.a. Procedural motion to study the proposed policy on evaluating administrators before the final vote on SR05-01 (PS-36); it failed. But the purpose of the procedural motion was achieved, because during the half-hour debate on it, the Senate actually got, for the first time, to study the proposed policy on evaluating administrators pretty well before the final vote on SR05-01.
   2.b. Beginning of seriatim consideration of the (45) pages of the November 5, 2004 draft of the proposed new PS-36, entitled: “A Proposed New PS-36: Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Advancement to Tenure, Annual Reviews, and Job Performance Enhancement.” (All the drafts of PS-36 considered by the Senate this academic year are on the Senate’s website, under “Other Reports”: http://senate01.lib.lsu.edu/facsen/MiscellaneousReports.html.)
   2.c. Three proposed amendments to the title of the Nov. 5 draft of PS-36:
      2.c.i. To change the last three words, “Job Performance Enhancement,” to “Enhancement of Job Performance.” Failed.
      2.c.ii. To change “…, Annual Reviews, and Job Performance Enhancement” to “…, and Assessment and Enhancement of Academic Performance.” Failed.
      2.c.iii. To change “Job Performance Enhancement” to “Enhancement of Job Performance,” both here in the title, and also on page 2 and anywhere else this phrase occurs in PS-36. (Same as 2.c.i above, except that it is now extended to page 2.) Adopted.
   2.d. Amendment to change “quality” to “originality, creativity” on p. 1 of PS-36; adopted.
   2.f. Amendment to unify the evaluation of academic performance of faculty and administrators: subsection II.A, page 2 of the November 5, 2004 draft of PS-36. Replace: “PS-36 applies only to tenured and tenure-track faculty, except when other cases are explicitly addressed, for example in VI.F, page 17” with “PS-36 applies to all persons holding an appointment as tenure-track or tenured faculty, irrespective of any additional administrative appointment at the level of chair and higher, except when other cases are explicitly addressed, for example in VI.F, page 17.” Adopted.
   2.g. Proposed amendment requiring administrators to do some academic work every 6 years: Two interrelated changes to page 2 of PS-36. First, change the title of subsection II.B from “Part-Time Appointments” to “Part-Time and Reduced Academic Appointments.” Second,
after the existing paragraph of II.B (which provides that a tenured faculty member will lose tenure upon accepting a permanent, part-time appointment), insert the following new paragraph:

“If a faculty member is offered a reduction in academic workload below 100% in order to perform administrative duties at the level of Chair or higher, he or she will lose faculty rank unless he or she performs the equivalent of at least two semesters of 100% academic work in his or her primary department within any six-year period of holding faculty rank. For example, an assignment of 25% academic work for eight semesters would be equivalent to an assignment of 100% academic work for two semesters. In any case, administrative rank may be retained at the pleasure of the Board of Supervisors.”

Failed.
Minutes

1. Call to order:
The meeting was called to order by President Advokat at 3:06 PM with a quorum present.

2. Proxies:
President Advokat read proxies for absent Senators and their alternate representatives.

3. Approval of minutes:
The minutes of the October 12, 2004 Faculty Senate meeting (http://senate01.lib.lsu.edu/facsen/Minutes/MOct-04.pdf) were considered. Senators Lynch and Wittkopf moved to accept the minutes; the motion carried, and President Advokat declared the minutes approved.

4. Senate President Advokat’s report:
Progress report on the policy to evaluate administrators: President Advokat forewent her own report, and instead invited Immediate Past President McGehee to report on the progress of the proposed policy to evaluate administrators. He distributed copies of the September 15, 2004 draft of a proposed policy, entitled “Consultation with Faculty in Certain Reviews of Administrative Performance.” That proposed policy has been approved by the Provost, and is under review by the University’s lawyers; he expects that it will soon become an official University PS. He said that a URL of that draft (http://www.math.lsu.edu/~mcgehee/FS/Eval-3.pdf) had been included in the minutes of the September 9 Senate meeting. This proposed policy had its origin in Senate Resolution 03-09 (“Evaluation of Administrators,” adopted May 7, 2003). In the summer of 2003, the new Provost turned 03-09 over to a committee of deans for review. And in the fall of 2003, the FSEC also consulted the Council of Policy Committees (CPC). Both the deans and the CPC had reservations about the amount of detail in 03-09. The FSEC did not take “no” for an answer, and agreed with the Provost to set up a working group of chairs and deans to draft a shorter policy based on 03-09. The one-page September 15, 2004 draft is the result of that work. It doesn’t do everything that everyone wants, but it surely is a step forward, Professor McGehee said. His intention is that the FSEC would consult with the CPC and the Provost this academic year to see how the new policy is being implemented in the various units across the campus, and then to recommend to the Senate further changes to the policy, as appropriate. There seems to be no Senate action required at this time. He said that he wanted to make Senators familiar with this information because it may come up in the discussion of PS-36 later today (here he was referring to a procedural motion that Senator Homberger was planning to make during the PS-36 discussion later today, to postpone voting on PS-36 until the Senate has had a chance to discuss the proposed policy on evaluating administrators; see below).

Progress report on FSEC negotiations about PM-35: Before President Advokat could move on to the next item on the agenda, Senator Crumbley asked for a progress report on the FSEC’s negotiations with LSU System President Jenkins about PM-35 (“Review of Faculty Ranks”). She replied that the FSEC has had two meetings with President Jenkins and other administrators. Each side has presented its position. The FSEC recently presented a proposed
new policy to replace PM-35. She said that the FSEC feels that it has made progress in persuading the administration to accommodate faculty concerns. Senator Crumley asked if the administration could be stalling. Senate President Advokat explained that PM-35 applies (and any proposed replacement would apply) to all ten campuses of the LSU System, and not only to the LSU A&M campus; this is one factor that makes the work more difficult and slow. She said that members of the FSEC (particularly Member-at-Large Ajmera and Secretary Delzell) had been working very hard on drafting a replacement policy. The fact that System President Jenkins has held two meetings with the FSEC on this subject, even when he is busy with the search for a permanent Chancellor, indicates to her that he is not stalling, but rather is taking faculty concerns seriously.

5. Resolution 05-01 (first read September 9), recommending the adoption of a new PS-36 ("Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Advancement to Tenure, and Annual Reviews"):  

In accordance with the procedural motion mentioned in the September 9 Senate meeting, providing for seriatim consideration of the pages of the proposed PS-36, President Advokat began by asking if anyone had any amendments to propose on the first page (the title page) of the November 5, 2004 draft of PS-36. (All the drafts of PS-36 considered by the Senate this academic year are on the Senate’s website, under “Other Reports” http://senate01.lib.lsu.edu/facsen/MiscellaneousReports.html.)

Senator Homberger’s procedural motion to study the policy on administrators before the final vote on SR05-01 (PS-36):

Before anyone offered any amendments to page 1 of the proposed PS-36, Senator Homberger made a procedural motion to postpone the final vote on Resolution 05-01 until the proposed PS on review of the administrative performance of administrators has been discussed and approved by the Faculty Senate. She thanked Senate President Advokat and Professor McGehee for their help, mentoring, and advice in how to formulate this motion in a constructive way. As background for the motion, she explained that she was on the original Committee to Develop Recommendations on Review of Administrators, which had been appointed by the FSEC and then-Executive Vice-Chancellor and Provost Daniel Fogel in November 2001. [Secretary’s note: That committee submitted its final report to the Faculty Senate in Spring 2003; that report became Senate Resolution 03-09, and was integrated as Section D in Resolution 03-10 (“PS-36 Addendum”). The Senate adopted 03-09 on May 7, 2003.] She felt that now, three years later, as the Senate moves toward voting on PS-36, this would be a perfect opportunity to make a single package containing the review procedures of faculty and the review procedures for administrators who have faculty appointment, because the two documents are interrelated inasmuch as administrators with faculty appointments are addressed in both documents. This motion to postpone is not to delay anything, she said, but to give a gentle crack of the whip on PS-36, so that the Senate can vote on both documents by the end of the Fall semester (2004). She then read the motion:

“This motion proposes that the Faculty Senate will proceed to the final vote on SR05-01, A Proposed New PS-36: Tenure-track and Tenured Faculty: Appointments, Reappointments, Promotions, Advancement to Tenure, and Assessment and Enhancement of Academic Performance only after it has had the opportunity to study the proposed policy statement pertaining to the review of the administrative performance of administrators, currently called A
Proposed Policy Statement: Consultation with Faculty in Certain Reviews of Administrators, in order to ensure that both documents are in agreement and that both documents will be completed by the last Faculty Senate meeting of the fall semester of 2004.

“The two documents are related and need to be in agreement, because the review of the job performance of administrators with faculty status is addressed by both documents.”

The above procedural motion was seconded by Senator Wascom.

Title of PS-36 and of the policy on administrators: Senator Cowan noted that the procedural motion ascribes a title to PS-36 different from the title in the November 5, 2004 draft of PS-36. Senator Homberger acknowledged this, explaining that she had also distributed to senators a list of proposed amendments to the November 5 draft of PS-36, including an amendment to its title. Senator Ajmera said that until the University issues the policy on review of administrative performance, the procedural motion should refer to that policy as a “draft.” Senator Homberger replied that she actually refers to it as a “proposed policy,” which agrees with the wording of the title of Professor McGehee’s September 15, 2004 draft of that policy.

Why tie PS-36 to the policy on administrators? Senator O’Reilly asked for clarification on the need to tie PS-36 to the proposed policy on evaluating administrators, and have the two things move through the process together. She said that the faculty would be in a stronger position if the Senate approved the new PS-36 first; then the Senate could recommend that the other policy conform to PS-36. Senator Homberger agreed; she pointed out that her motion provides for moving forward with approving PS-36, and not making that approval conditional upon the Senate’s approval of the other policy, because that other policy is not within the Senate’s purview any more, since the Senate already adopted Resolution 03-09 in 2003. Rather, her motion provides only that the Senate should have a chance to “study” the proposed policy on administrators, before the final vote on PS-36; this will allow the Senate to do a better job amending PS-36, because then Senators will know how the administrative performance of administrators with faculty appointments will be reviewed. If Senators know other things that are conceptually tied to PS-36, then they will not amend PS-36 in a way that could possibly contradict the other policy statement. Senators are always in a stronger position when they know more, Senator Homberger concluded.

Leverage: Senator Wascom said that we are here as a faculty senate, and not as a student council. This PS-36 is a very serious document. It is also important to have some leverage when dealing with administrators; if the Senate passes PS-36, then what assurance will we have that this proposed policy on evaluating administrators will come to fruition? So he sees the two documents as tied to each other. Senator Homberger said that her main concern is to move the policy on evaluating administrators forward, since she was on the original Committee to Develop Recommendations on Review of Administrators three years ago. She has no problems with the proposed policy. Provost Palm apparently supports the policy, Senator Homberger said.

Would we stop work on PS-36 right now? Professor McGehee (Chair of the PS-36 Committee) wasn’t sure what the motion means. Does it mean that if we adopt the motion, we stop work right now and go home? Senator Homberger replied that, on the advice of President Advokat, the motion postpones only the final vote on PS-36. Thus we could continue to go through the pages of the November 5 draft of PS-36 seriatim, today, and then have the final vote on the entire PS-36 in December 2004.

What are we supposed to do with the policy on administrators? Professor McGehee also asked what the proposed timetable is: the motion speaks of December 2004, but it also says that we must wait until we can act [sic] on the proposed policy statement, he asserted. What is it that
we are to do with regard to that proposed policy? Senator Homberger replied that she thinks that we should study that policy [the motion does not say “act”], and we should have the opportunity to give the administration feedback on it—we have no legislative power over that document, she said. She fully trusts that the administration will listen to our feedback on that policy.

Senator Peckham asked if this motion to postpone voting on PS-36 would amount to telling the administration: “We won’t sign our document until you sign your document.”

Now is the time to act on PS-36: Senator Day (a member of the PS-36 Committee) commended Professor McGehee’s leadership of the PS-36 Committee, and said that the Committee’s November 5, 2004 draft of PS-36 is a significant improvement over the 1997 version of PS-36 now in force. He sees no merit in postponing the vote on PS-36 until the other document is studied; the two documents are not parallel, though there may be some connections between them. If some conflict between the two documents is later discovered, we can always go back and reconcile those two documents, he said. The November 5, 2004 draft of PS-36 has come about after many years of work, and the time to approve that draft is now; let’s show that we can make a decision, he concluded.

Reasons to support the procedural motion: Senator Delzell pointed out that Senator Homberger had also distributed to Senators some proposed amendments to the Nov. 5, 2004 draft of PS-36, and some of those amendments would make more explicit the relationship between PS-36 and the proposed policy on evaluating administrative performance. The amendments will refer, specifically, to that proposed policy. Before we vote on amendments making such references, it is prudent to study the policy to which we are referring, he said. Secondly, he said, Senator Homberger’s procedural motion may be moot, anyway, for in case we are not quite ready to cast the final vote on PS-36 today, then that final vote would be moved to December anyway, and then the only effect of this procedural motion would be to encourage us to hurry up on PS-36, by imposing a deadline, rather than a delay, on the final vote on PS-36.

Status of the policy on administrators: Senator Steven Hall asked what the status of the policy on administrators was. Professor McGehee replied that the FSEC meets with the Provost every two weeks. The last thing the FSEC had heard was that the policy had been referred to LSU’s attorneys for the final look. If there is anything significant there, it will come back to the meeting of the Provost and the FSEC, and the parties can talk about differences there. He feels that the process is just about done, though he could always be surprised.

Reasons to oppose the procedural resolution: Professor McGehee advised against adopting Senator Homberger’s procedural motion to postpone the final vote on PS-36 until, as he put it, “something happens on the other document.” The Senate can proceed to deal with the other document as it wishes: the Senate could either do as the FSEC had in mind, and monitor its operation for a semester and then deal with it, or the Senate could start talking about the document right away. He said that it is a mistake to think that the interrelationships among documents means that you have to “do these two at once;” as he put it. The satisfactory completion of our negotiations with the administration about the instructor policy is awaiting our finishing PS-36. He said that there seems to be a notion that by not making a recommendation on PS-36, we are withholding a favor, and that somehow that is a bargaining chip for getting the review of administrators policy finished. The issues in consultation of faculty in certain reviews of administrative performance are powerful on their own, and are not going to be affected by the PS-36 action. The PS-36 draft that his committee has prepared, and in which many other senators and faculty members have a substantial investment, is an advance for faculty. It states faculty rights, and procedures for faculty governance, more clearly. It removes confusion.
makes things easier to find. This is something that we should want to bargain to get these things sooner. Professor McGehee concluded by advising against entangling PS-36 with another document.

The proposed policy on administrators is somewhat worthless: Senator Crumbley said that he supports Senator Homberger’s procedural motion, because it will give us some leverage. He also said that the Council of Policy Committees met last week and studied the proposed policy on evaluating administrative performance, and found that it provides for very little evaluation of administrators. He urged Senators to look at subsections 1.a and 1.b of the proposed policy. He said that subsection 1.a says that the reviewing officer doesn’t even have to use a questionnaire or survey to solicit faculty members’ opinion. Likewise, subsection 1.b provides an escape clause for the evaluation of the Provost and the Vice Chancellor for Research and Graduate Studies, saying that the reviewing officer need not solicit the opinion of all faculty, and may instead adopt “other means” to gather a representative faculty opinion. Senator Crumbley therefore finds that this document is somewhat worthless. If this document is passed, then the Senate should come along and evaluate administrators its own way, he said. So he urged postponing the final vote on PS-36 until further study of the proposed policy on evaluating administrators. Senator Wascom added that the proposed policy amounts to administrators evaluating administrators.

Leverage? Purpose of the procedural motion is by now already achieved: Senator Ward asked how linking the vote on PS-36 to study of the proposed policy on evaluating administrators would give the Senate leverage. Senator Homberger began her reply by noting that her motion has by now taken on a life of its own, and that in many ways her original goal has already been achieved, because what she really wanted is for the Senate to be able to see what the proposed policy on evaluating administrators really is. She had not known how much different it now is from what the original committee had proposed. Now we know, she said, and now we can make a decision. This is what she had really wanted, that we know. We are in the business of knowledge, so we should want to know. In answer to Senator Ward’s specific question, she said that leverage was not her ulterior motive. She distinguished between pure faculty members, pure administrators, and academic administrators; the latter term refers to administrators who also have a faculty appointment. This is how the two documents are linked, she said.

Closing debate on the procedural motion: At this point President Advokat asked Senator Homberger to yield the floor to Senator Wittkopf, who then moved to close debate on Senator Homberger’s procedural motion. Senator Gauthier raised a point of order, namely that the Senate had not voted to correct the motion’s statement of the title of PS-36. Senator Rush asked Senator Homberger to re-read her procedural motion again, which she did. President Advokat put Senator Wittkopf’s motion to close debate on Senator Homberger’s motion to a vote; Senator Wittkopf’s motion was adopted by the required 2/3 majority.

Failure of the procedural motion: Accordingly, President Advokat put Senator Homberger’s (corrected) procedural motion to a vote. The vote was 13 to 32, and President Advokat declared the motion to have failed. Accordingly, President Advokat returned to seriatim consideration of the pages of the November 5, 2004 draft of PS-36 (as part of Senate Resolution 05-01).

First proposed amendment to title of the Nov. 5 draft of PS-36: President Advokat began by asking if there was any amendment to page i of the November 5 draft (the title-page). Senator
Rush moved to amend the title, by changing the last four words, “and Job Performance Enhancement” to “and Enhancement of Job Performance.” Senator Cowan seconded the motion.

Second proposed amendment to title of the Nov. 5 draft of PS-36--postponed: Senator Homberger said that she, too, had a proposed change to the title of PS-36, which she offered as an amendment to Senator’s Rush’s motion: instead of “..., Annual Reviews, and Job Performance Enhancement,” she recommended “..., and Assessment and Enhancement of Academic Performance.” Senator Perlis pointed out that in the complete, printed version of Senator Homberger’s amendment that had been distributed to senators, the two colons in the original title to PS-36 (after “PS-36” and “Faculty,” respectively) were missing. Senator Rush asked if Senator Homberger’s motion should be construed as a replacement to his motion; Parliamentarian McGehee said that Senator Rush’s motion must be voted on before considering Senator Homberger’s motion, unless there is unanimous consent to replace Senator Rush’s motion with Senator Homberger’s; there turned out to be at least one objection.

Failure of first proposed amendment to the title of PS-36: After a brief discussion, President Advokat put Senator Rush’s motion to amend the title of PS-36 to a vote. The vote was 18 to 20, and President Advokat declared the motion to have failed, and the original title of PS-36 to have been retained.

Second attempt to introduce the second proposed amendment to title of PS-36: Senator Homberger again stated her motion to amend the title of PS-36 to the following:

“A Proposed New PS-36: Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Advancement to Tenure, and Assessment and Enhancement of Academic Performance”

(this time with the two colons in the right places). She explained that the reason for changing “Annual Reviews” to “Assessment … of Academic Performance” is that we are not really tied to annual reviews; the word “Annual” simply means that we do it every year. What we really want to do, she said, is to assess the academic performance of the faculty. She clarified that she specifies “Academic Performance” rather than “Job Performance,” because we are not assessing the faculty (e.g., whether the faculty member has gone to the hairdresser or not), but the academic performance of the faculty. Senator Homberger’s motion was seconded.

“Annual reviews” more precise and clear than “assessment”: Senator Rush said, first, that people at LSU spend a lot of time working on annual reviews, and he doesn’t think that “assessment” and “annual reviews” mean the same thing at all, and that we should be precise. Secondly, he said that “enhancement of academic performance” is not the same thing as “enhancement of job performance,” which is what this part of PS-36 is about, he said. He asked what “enhancement of academic performance” means, and said that the term “enhancement of job performance” is specific.

Parliamentary rules on debate: At this point Parliamentarian McGehee reminded senators that Robert’s Rules says that no one should speak for more than 10 minutes on any one motion (which doesn’t seem to be a problem today), and that no one should speak more than twice on the same motion, nor more than once as long as someone else wants the floor. Furthermore, the Chair should try to go from people on one side of the question to people on the other.

Criticism of proposed amendment, because it excludes consideration of collegiality: Returning to Senator Homberger’s motion to amend the title of PS-36, Senator Day said that the problem with limiting consideration to “academic performance” rather than “job performance” is
that on p. 5 of the November 5 draft of PS-36, it talks not only about various academic considerations, but also about things that are not strictly academic, such as ethical behavior and certain things sometimes referred to as “collegiality” (though that term is not used on page 5 of the November 5 draft).

“Assessment” could include, e.g., five-year reviews as well as annual reviews: Senator Ajmera expressed concern about the proposed phrase “Assessment,” which, he said, could be construed to include five-year reviews, various types of post-tenure reviews, and other things beyond the traditional annual reviews.

Failure of second amendment to title of PS-36: President Advokat put Senator Homberger’s motion to amend the title of PS-36 to a vote. There were four votes in favor, and many more (uncounted) votes against, and President Advokat declared Senator Homberger’s motion to amend the title defeated.

Proposed amendment to change “quality” to “originality, creativity”; adopted: President Advokat then asked if anyone wanted to propose any changes to the three-page table of contents of the November 5 draft of PS-36; no one replied. She then moved to page 1 of the November 5 draft. Senator Homberger moved to amend page one, by changing the words “… and in order to encourage quality, innovation, and independence” to “… and in order to encourage originality, creativity, innovation, and independence.” Her reason for this change is that the word “quality” is empty: does it mean “high quality,” “low quality,” or what? We want to list terms that fully reflect the mission of the professorial faculty, and it will reinforce our basic contention that tenure is necessary for faculty members to be able to be original, creative, innovative, and independent in teaching and research, without fear of negative repercussions for political reasons. Senator Delzell seconded Senator Homberger’s motion. President Advokat put the motion to a vote. The vote was 28 to 16, and the motion carried.

Proposal to change “job performance enhancement” to “enhancement of academic performance”: President Advokat then moved on to page 2 of the November 5 draft of PS-36. In subsection II.A (“Applicability and Limitations”), Senator Homberger moved to replace the sentence

“It sets forth policies and procedures with regard to appointments, reappointments, promotions, tenure, annual reviews, and job performance enhancement” with

“It sets forth policies and procedures with regard to appointments, reappointments, promotions, tenure, annual reviews, and enhancement of academic performance.”

Her reason for changing “job performance” to “academic performance” was that the term “job” is very broad, and we must distinguish between academic performance (which consists of teaching, research, and service) and administration, she said. “Service” is distinct from “administration” (and therefore part of academic performance), because administration is allocated and paid separately from teaching and service. And further amendments that Senator Homberger plans to introduce to later pages of PS-36 will rely on this distinction between “service” and “administration,” she said. Senator Homberger’s motion was seconded by Senator Delzell.

Arguments against: conduct vs. academics, role of service, and inconsistency with title: Senator Cowan said that PS-36 deals with other things besides academic performance, such as conduct. He is concerned about emphasizing academic performance too much. Senator Day
added that the role of service is not consistent across different colleges and units at LSU. In his unit (the Manship School of Mass Communication), for example, service is usually built into the contract (say, at 25%), and this practice is required by their accrediting body, he said. Senator Perlis thought that the sentence to be amended above should be kept consistent with the title of PS-36; Senator Homberger’s amendment would make that sentence 80% consistent with the title, but not completely consistent, which would cause confusion, he said.

**Argument for: LSU already distinguishes administrative work from service:** Senator Delzell said that the University has a list of approximately 1000 job-titles, printed on approximately 30 pages, and each title has a code number. The job-titles include all kinds of administrators, ranks of professors, cooks, plumbers, and all other jobs on the university; but nowhere on that long list is there a job-title code number for, say, committee chairman, faculty senator, journal editor, or any of the other forms of service that most professors do, he said. When an outside agency, such as the Board of Regents, wants to know how many administrators the University has, it does not count faculty members who perform service; this is further evidence that the university already recognizes that service is different from administrative work, and PS-36 should recognize this fact, too, he concluded.

[A gap (less than 1 minute?) occurred here when a new audiotape was inserted.]

**Case of faculty member with good service, but poor teaching and research:** Senator Homberger said that if we don’t separate administrative work from service in PS-36, then a faculty member who performs significant service, but underperforms in teaching and research, could claim that he is doing a lot of administrative work. For if administrative work is service, then service is administrative work, she said. So such a faculty member could claim that he is an administrator, and should be evaluated under the PS for administrators.

**Academic assessment?** Senator Rush said that he finds the term “job performance” more inclusive than “academic assessment,” as he put it. He also found the latter term [which was not actually in the proposed amendment] hazy. He preferred that the phrase “job performance” remain.

**Failure of proposed amendment on academic performance:** President Advokat put Senator Homberger’s motion to vote. The vote was 7 to 39, and President Advokat declared that the motion had failed.

**Amendment to unify the evaluation of academic performance of faculty and administrators (adopted):** President Advokat then asked if there were any more proposed amendments to page 2 of the November 5, 2004 draft of PS-36. Senator Homberger referred again to subsection II.A, and moved to replace

“PS-36 applies only to tenured and tenure-track faculty, except when other cases are explicitly addressed, for example in VI.F, page 17” with

“PS-36 applies to all persons holding an appointment as tenure-track or tenured faculty, irrespective of any additional administrative appointment at the level of chair and higher, except when other cases are explicitly addressed, for example in VI.F, page 17.”

Putting this statement in PS-36 will ensure that there is only a single class of tenured and tenure-track faculty, she said. In other words, the privilege of having a tenured appointment automatically entails all the responsibilities described in PS-36. Senator Delzell seconded this motion. Senator Perlis noticed that the original statement uses the word “only,” while the proposed sentence uses the word “all,” and wondered if that was intentional. Senator Homberger
said yes. President Advokat put Senator Homberger’s motion to a vote. The vote was 25 to 19, and President Advokat declared the motion adopted.

**The “irrespective” clause is inconsistent, or meaningless:** Senator Cowan said that this amendment, combined with earlier amendments, introduces inconsistencies in the wording of PS-36. Professor McGehee did not see any inconsistencies so far; nor did he see how the new phrase, “irrespective of any additional administrative appointment at the level of chair and higher,” changes the meaning at all.

**Proposed amendment requiring administrators to do some academic work every 6 years:**
President Advokat then asked if there were any other proposed amendments to page 2 of the November 5 draft of PS-36. Senator Homberger moved that two interrelated changes be made to page 2. First, the title of subsection II.B should be changed from “Part-Time Appointments” to “Part-Time and Reduced Academic Appointments.” Second, after the existing paragraph of II.B (which provides that a tenured faculty member will lose tenure upon accepting a permanent, part-time appointment), the following new paragraph should be inserted:

“If a faculty member is offered a reduction in academic workload below 100% in order to perform administrative duties at the level of Chair or higher, he or she will lose faculty rank unless he or she performs the equivalent of at least two semesters of 100% academic work in his or her primary department within any six-year period of holding faculty rank. For example, an assignment of 25% academic work for eight semesters would be equivalent to an assignment of 100% academic work for two semesters. In any case, administrative rank may be retained at the pleasure of the Board of Supervisors.”

**Rationale for the amendment:** Senator Homberger went on to explain the rationale for this amendment, because it is actually not as radical as it sounds, she said. Currently, at least in her college (Basic Sciences), all administrators, as far as she knows, continue to perform some academic work (either teaching or research); they wouldn’t accept any administrative position without being able to do some academic work. The proposed new paragraph above ensures that tenure retains its original purpose, namely, to ensure academic freedom in teaching and research; there is no other way to defend the tenure system unless we defend it in terms of teaching and research, she said, because only in teaching and research do we need the protection of tenure. If she teaches a course in macro-evolution, she is in dire need of that protection; if she is an administrator, she does not. There are a lot of people in America who would like to have tenured positions; currently in America, only judges and faculty have tenure, she said. It is an extraordinary privilege. If persons were allowed to have tenure without teaching and research for which tenure is necessary, somebody will find out that tenure is degraded to a pure device for job security. Once this is established, we would have no way to defend tenure, because anyone in this country would like to have job security. For this reason, it is most important that we demand from every academic administrator, to a certain (debatable) degree, that he or she be engaged in academic work. Senator Lynch seconded the motion.

**Meaning of “lose faculty rank”:** Senator Perlis asked if the expression “losing faculty rank” means one would no longer be a full professor, or that one would no longer a faculty member at all. At this point a few senators spoke without being recognized; one of them said that that expression means “lose faculty status.”

**Continuation of salary for doing no work after losing job?** Senator Dooley said that this amendment is fraught with peril: he construed it to mean that if an administrator lost faculty
rank as a result of this amendment, and then lost his administrative appointment as well (by the existing power of the Board), then he would just sit at home and be paid.

*Would 50% academic work every year result in loss of faculty rank?* Senator Peckham said that there are many kinds of positions in the university; and this amendment would disturb them. His own position (running the creative writing program) is 50% “pseudo-administrative” performance, and he needs a lot of protection. He read this amendment as providing for his dismissal from the faculty for running the creative writing program for six years.\(^2\)

*Would one semester of academic work every year result in loss of faculty rank?* Senator Fuentes said that at UNC, for example, a faculty member can take partial retirement, and work only one semester per year. We don’t want to eliminate that possibility if it ever were to come to LSU, she said.\(^3\)

*High-level administrators should be allowed to keep tenure with no teaching or research (ever), because their administrative work is, in reality, academic:* Senator Homberger began to answer the above objections, but was not recognized by President Advokat; instead, the President recognized Professor McGehee. He advised against this amendment. He believes that we should promote more turnover in the positions of chair and maybe dean—certainly associate dean. We should have people who are faculty members and then administrators at as high a level as practical, and who then go back to being faculty members, he said. When it is practical, people who are academic officers should do research and teaching. However, it is a practical fact, in very large instutitions of higher education, that for the positions of chancellor, president, and to some extent dean, depending on the position, the only way to serve successfully, often, is to devote a full-time career to this work, he said. Faculty have to take the position that, as often as possible, the people who are appointed to these positions should be people with tenured faculty background, and, having earned tenure, they should be able to serve in these positions at 100% service; and depending on good performance as academic officers, retain it, he said. The job that they have is not just a job; it is not mere administration. These folks are academic officers. They carry with them, we hope, the values of teaching and research, representing the faculty best when they have this faculty background, he said. And they represent it and use that background, and that orientation and set of values, when they are meeting legislators and learning what legislators are interested in, when they are interpreting the university to alumni and to business, when they are raising funds, as well as when they are leading the faculty and evaluating tenure and promotion decisions. He said that if we in this document start drawing a line, and insist that there cannot be that kind of career, then we are just welcoming the advent of the mere administrator, who comes to us from the military or from business (though he doesn’t say that those folks are never appropriate for the university setting). He concluded that, as far as protecting tenure, this amendment is like firing the bullet into the air, straight up.

\(^2\) Secretary’s note: The above statement appears to have been a misreading of the amendment. Doing 50% academic work for 6 years (12 semesters) would be equivalent to 6 semesters of 100% academic work, the proposed amendment requires a minimum of only 2 such semesters, and so would have no effect in such a case.

\(^3\) Secretary’s note: This, too, appears to have been based on a misreading of the amendment. Doing one semester of 100% academic work, followed by a semester of 0% academic work, and repeating this alternating pattern for a total of six years, means that one would have done 6 semesters of 100% academic work in a six-year period; the proposed amendment requires a minimum of only 2 such semesters in a six-year period, and so would have no effect in such a case.
Good candidates for administrator will refuse if they are ever required to do academic work: Senator Christie endorsed Professor McGehee’s comments. This is an incentive issue. He said that if we pass this amendment, we will never again hire a good administrator from outside this university. Nobody in their right mind would enter into a contract with LSU with this hanging over their head, he said. He urged the defeat of the amendment.

This amendment gives administrators more flexibility than the current PS-36 gives to part-time faculty: Senator Delzell began to answer several of the above objections. First he pointed out that subsection II.B of the November 5 draft of PS-36 already contains a paragraph that is even more “dramatic” and “draconian” than what is being proposed. It says:

“... If and when a faculty member requests and accepts a regular part-time appointment, then his or her tenured or tenure-track status will be cancelled.”

Just a few minutes ago we heard about the desirability of part-time appointments; the above sentence says that they lead to loss of tenure. He said: “If this paragraph doesn’t bother you, then I don’t see why the proposed new paragraph should bother you.” (He also said that neither the existing paragraph nor the proposed paragraph bother him; he understands their purpose.)

The term “academic rank” is already precisely defined in System documents: Second, Senator Delzell recalled the objection that there are “too many” ranks, and that perhaps we don’t know what ranks we are talking about in this amendment. The academic ranks recognized by LSU are listed in PM-23
(http://appl003.ocs.lsu.edu/ups.nsf/PermanentMemoranda?OpenView)
an LSU System document), and in the Regulations of the LSU Board of Supervisors
(http://appl003.ocs.lsu.edu/ups.nsf/Bylaws?OpenView). There are approximately 25 academic ranks listed there, he recalled, starting with the rank of instructor and going up to the higher academic ranks, as well as library ranks and other ranks. So, the term “faculty rank” (used in the proposed amendment) is a precisely and perfectly well defined term, he said.

“Lose faculty rank” means “lose faculty appointment” (and hence faculty salary): Third, Senator Delzell recalled the question whether the amendment’s phrase “lose faculty rank” means that, if one also lost the administrative appointment, he would sit at home and receive his faculty salary for doing no work at all. No, he said: to lose faculty rank means to lose one’s faculty job, and hence to lose the pay derived from that job.

$890,000/year for five years is more financial security than $70,000/year for life; so why is tenure necessary on top of $890,000? Finally, Senator Delzell recalled that we hear often from the people who have given us PM-35 (“Review of Faculty Ranks,”
http://appl003.ocs.lsu.edu/ups.nsf/PermanentMemoranda?OpenView) that legislators are dubious about the tenure system. Perhaps one reason legislators ask why faculty need tenure is that they look around the country and see that at some universities, chancellors and presidents are earning up to $890,000/year; a legislator has a right to ask why $890,000/year for five years should not be enough, and why they need tenure on top of that if they are not even doing teaching or research. So there is a legitimate point there that legislators and other outsiders may have, and if we don’t make any distinction between those who do academic work and those who don’t, there is the danger that we all could lose the tenure system.

Changing rank upon converting to part-time? Senator Rush said that he agrees with the current provision that one loses tenure if one accepts a permanent, part-time position, thereby
reserving tenure for full-time positions. But he said a provision that one’s professorial rank would change if one becomes part-time doesn’t make any sense.4

Those doing service need tenure, too: Senator Gauthier noted that it is important for anybody in a service role to also have tenure. He said that a statement was made that service didn’t need tenure. When you’ve got a university talking about being an engine of economic development, you need all the tenure you can get, he said.

Administrators don’t have time to do academic work well: Senator Terrel said that the proposed amendment would create some bad incentives. Administrators would have an incentive to put themselves in 25% research, or teach a class, when they really don’t have time to do a good job in the classroom. He also said that you have to worry about the case where somebody decides to step down as provost after seven years; would you be giving them the incentive to stay on the job longer than they should be?5

The spirit of the amendment is right, but the six-year rule seems arbitrary and capricious: Senator Cowan finds the spirit of the amendment to be right: tenure should not be granted to everyone. But to specify any formula as specific as that in the proposed amendment is dangerous, because of the number of possible combinations of service, teaching, and administration that can exist with over a thousand faculty members. We have to be careful, he said; the amendment seems arbitrary and capricious to him, but the spirit makes sense. He didn’t see how to get from the spirit of the amendment to a good policy.

Does existing PS-36 bar 50% administrative and 50% academic appointment? Senator Trousdale returned to the “draconian” statement in the existing subsection II.B of the November 5 draft:

“... If and when a faculty member requests and accepts a regular part-time appointment, then his or her tenured or tenure-track status will be cancelled.”

She asked what a “regular part-time appointment” means. Does it mean that if a 100%, full-time professor accepts a rotating chair of something like Women’s & Gender Studies (a regular part-time appointment), then her tenure status is cancelled?

Part-time refers to total effort at LSU; and “regular” means “permanent”: Professor McGehee replied that that statement is unchanged from the current (1997) PS-36. It means that if you really go to 50% of effort in the entire university, on an ongoing basis, then you lose tenure. The word “regular” has a clear meaning to HRM: it means “permanent,” he said. But to take on a part-time directorship of some program, while still performing a total of 100% effort, is not envisaged by the above statement at all.

Senator Cowan asked how the above statement affects emeritus professors. Professor McGehee replied that it doesn’t.

The proposed six-year rule is not entirely arbitrary, but based on precedent: Senator Delzell replied to an earlier question, about where the proposed formula (two semesters of academic work in 6 years) came from. The longest contract at LSU that he was aware of (besides a tenure contract) is the five-year contract that we gave our last Chancellor, for example. So when this proposed amendment was being drafted, Senator Delzell wanted to make the period during which one may avoid academic work without penalty be long enough so that such

4 Secretary’s note: On the tape it was hard to hear this sentence, and I am not sure I understood it; in particular, I am unsure whether it refers to any provision actually in the proposed amendment.

5 At this point it was hard to hear the voice on the tape; I have rendered this sentence as well as I could above, but I am unsure what it has to do with the amendment.
administrative contracts would not have to be altered, and so that future chancellors could still be
given five-year contracts without jeopardizing their tenure. So the formula wasn’t arbitrary, but
was an attempt to follow precedent.

**Requiring academic work would result in administrators with no academic background (and who don’t appreciate tenure):** Senator Ajmera appreciated Senator Homberger’s point. But this amendment could be a double-edged sword. If we do this, we would end up with more people from outside academia becoming our leaders, he contended. From his limited experience of talking to such people, he finds that they have absolutely no concept of tenure--what it is, why it is, and what it means in the classroom, and for the freedom to do research. This will come back to haunt us if we put a barrier so that we cannot attract good people from outside to higher positions coming through academia who have gone through this experience and appreciated it. He finds the darker side of this amendment to be darker than the brighter side is bright.

**Closure of debate on amendment requiring academic work; failure of amendment:** Senator Cowan moved to close debate on Senator Homberger’s motion. President Advokat said that Senator Cowan’s motion requires a 2/3 majority to pass. Upon putting the motion to a vote, President Advokat declared that it had passed. Accordingly, she put Senator Homberger’s motion to amend subsection II.B as above to a vote. There were 2 votes in favor, and many more votes (not counted) against. President Advokat declared that Senator Homberger’s motion had failed.

**Changing “job performance enhancement” to “enhancement of job performance” (adopted):**

President Advokat moved on to page 3, when Senator Peck said that he had an amendment
to offer on page 2. Namely, he returned to subsection II.A (“Applicability and Limitations”),
second paragraph, second sentence, which, in the November 5 draft of PS-36, reads:

> “It sets forth policies and procedures with regard to appointments, reappointments, promotions, tenure, annual reviews, and job performance enhancement.”

He (like several others) was under the impression that the title of the November 5 draft of PS-36
had been successfully amended earlier in the meeting, and he wanted to make the sentence
quoted above contain the same wording (at the end) as the amended title contains (Senator Perlis
had mentioned earlier in the meeting the desirability of agreement between the language in the
title of PS-36 and the language in the rest of PS-36). Senator Peck therefore moved to change
the phrase “job performance enhancement” above to “enhancement of job performance,” which
would agree with the supposedly amended title. After some discussion and confusion, however,
it was eventually agreed that the two earlier attempts to amend the title of PS-36 had both failed,
so that the sentence above was already in agreement with the title of PS-36. Senator Peck
therefore withdrew his motion.

Professor McGehee said, however, that one could move to amend both the title of PS-36,
and the sentence quoted above, in such a way that they remain in agreement with each other.
After further discussion, someone moved, as Professor McGehee had suggested, to change “job
performance enhancement” above to “enhancement of job performance,” in both the title of PS-
36 and in subsection II.A. This motion was seconded. Senator O’Reilly moved to amend the
above motion, so that it makes this same word-order change anywhere else that it may occur in
the November 5 draft of PS-36. This motion was not seconded, discussed, or voted on, but it
seemed to have been accepted without objection. Then President Advokat put the amended
motion to a vote; there were many votes in favor (though the votes were not counted), and President Advokat declared the motion to have passed.

Reversing prior decision: Senator Griffin wanted to be sure that we had just reversed a decision that we had taken earlier in the meeting. President Advokat replied, “yes.”

Does teaching only one semester, and not the other, result in loss of tenure? Senator Terrel returned to subsection II.B in the November 5, 2004 draft of PS-36, and asked about the meaning of the sentence,

“... If and when a faculty member requests and accepts a regular part-time appointment, then his or her tenured or tenure-track status will be cancelled.”

He said that one of his colleagues teaches one semester and not the other, and wondered if he would lose tenure according to the above sentence. Professor McGehee reminded senators that this sentence is already in the current (1997) PS-36, and that “regular part-time” means a permanent change to less than 100% of total effort. So if someone is part-time for one semester, it is part of the agreement that his tenure status will continue.

Without the six-year rule, II.B of PS-36 violates II.A: Senator Homberger clarified what the above sentence says, and explained that that was part of the reason why she had earlier moved both to change the title of subsection II.B to “Part-Time and Reduced Academic Appointments,” and to insert the second paragraph quoted earlier (requiring some academic work, at least occasionally). She said that the above sentence means that LSU is precluding what other, progressive universities are doing, namely allowing split appointments between husband and wife, each one having a 50% appointment. And now, as a result of an earlier vote to reject her last amendment, we also have the situation that when an administrator is appointed to 50% academic work, it is OK, but when a regular faculty member is appointed to 50% academic work, it is not OK. And so what we have here is a contradiction to subsection II.A (as amended earlier today), which now says that every person who has a faculty appointment should be treated the same way [“irrespective of any additional administrative appointment...”].

Regular 50% appointments at LSU, and 50% at Southern University: Senator Waggenspack said that we currently have professors with half-time appointments between LSU and Southern University—there are several in physics and several in engineering—and it is a regular, permanent appointment, 50% here at LSU, and 50% at Southern—he knows that it is accommodated somehow. Professor McGehee said that if senators are worried about this, and the joint appointments between spouses, they could move to strike the whole subsection II.B [“Part-Time Appointments”], and see what happens. Then we might have to rebuild it in consultation with the administration. But we live with it now, and it is understood to have a certain restricted meaning.

Deleting prohibition of part-time, tenured appointments: Senator O’Reilly moved to delete the last sentence of subsection II.B (quoted above). Senator Crumbley seconded the motion. Senator Peckham said that if we delete the last sentence of II.B, then won’t the first sentence thereof still say the same thing? That first sentence reads:

“Tenured and tenure-track faculty appointments are understood always to be full-time except when there is a temporary change to part-time status or an approved leave for a specified period of time.”

Senator O’Reilly said that the difference between the two sentences is that the last one uses the undefined, confusing expression “regular part-time appointment,” while the first sentence of II.B speaks of “temporary” changes, which is clearer. Professor McGehee said that if you want to
insert the word “permanent” before “regular” in the last sentence of II.B, then that would take care of the problem that Senator O’Reilly just named. But you have to decide what you want.

Board Regs and System PM’s already deny tenure to part-timers: Senator Wittkopf recalled that there was a PM on this subject that defines such vocabulary, but she couldn’t remember what it is. Professor McGehee also couldn’t remember which PM that was (“my memory is still in kilobytes,” he said). If we delete any or all of II.B, we are come directly under a PM. Senator Delzell said that the Board Regs define a “faculty member” to be a “full-time member of the academic staff having the rank of Instructor or higher (or equivalent ranks).” So if you are not full-time in some academic position, then you are not a faculty member at all, and so you can’t have tenure, because only faculty members can have tenure. Professor McGehee said that that was right.

II.B at least advises faculty on this campus of the System rule: Senator Rush asked what the effect would be if we deleted subsection II.A. Professor McGehee said that when we go to the Provost with this proposed new PS-36, we will have to flag this subsection. Then there will be some discussion as to where we stand under the relevant PM. So maybe this provision would go away from PS-36, but it would remain in the PM. What would be lost is clarity in the documents on our campus of the LSU System. We would no longer be giving this advice here in PS-36. If that is the only change, it is probably to leave it.

McGehee will investigate meaning of II.B for 50% joint appointments at Southern: Senator Terrell was still not clear on what this provision says about people on permanent, half-time appointment at LSU, and permanent half-time appointment at Southern. These people are tenured on both campuses. Professor McGehee said that he would raise this question with HRM. Senator O’Reilly withdrew her motion, with no objection.

6. Adjournment:

After some discussion, President Advokat resumed seriatim consideration of the pages of PS-36, and asked if there were any amendments to page 3; there being none, she asked about page 4. At this point Vice President Pierce said that it appeared that there was no longer a quorum (35 senators) present. Upon taking attendance, this was confirmed. President Advokat pointed out that there were only a few more minutes left in the meeting, and suggested that we keep going a little longer. After some further discussion, Professor McGehee (the Parliamentarian) said that the only motion that is in order once a quorum is lost is a motion to adjourn, whereupon President Advokat declared the meeting adjourned at 4:50 pm.

Minutes prepared by Charles Delzell, Secretary; approved by the Senate Jan. 24, 2005.