

Faculty Senate Meeting Minutes
Wednesday, May 4, 2011
Student Senate Room, LSU Student Union



Attendance

Faculty Senate Executive Committee members present:

1. Kevin L. Cope (President, English)
2. Pratul Ajmera (Vice-President, Electrical Eng)
3. Ken McMillin (Member-at-Large, Animal Sci)
4. Priscilla D. Allen (Member-at-Large, Social Work)
5. Joan King (new FS member-at-Large, Food Sci)

Parliamentarian: Charles Delzell (present)

Senators present:

1	Mary Aime (Plant Path/Ag)	26	✓	Kristopher Fletcher (Foreign Lang/HSS)	51	✓	John Nyman (Renew Nat Res/Ag)
2	✓ Pratul Ajmera (Elect Eng/Eng)	27	✓	Joseph Francis (Compar BioMed/Vet)	52	✓	Rebecca Owens (Curricul & Instruct/Ed)
3	✓ Priscilla (Lilly) Allen (Social Work)	28	✓	Juhan Frank (Physics/Sci)	53		John Protevi (French Studies/HSS)
4	✓ Gabriel Beavers (Music/MDA)	29	✓	Craig Freeman (Mass Comm/MassCom)	54	✓	Suresh Rai (Elect & Comp/Eng)
5	Melissa Beck (Psychology/HSS)	30	P	Stephen Gaunt (Pathobiological Sci/Vet)	55	✓	Lawrence Rouse (Coastal Studies/C&E)
6	✓ Dana Bickmore (Ed Theory Pol Pract/Ed)	31	✓	Wes Harrison (Ag Econ/Ag)	56	P	Kresimir Rupnik (Chem/Sci)
7	Michael Bowman (Comm Studies/HSS)	32	✓	Dominique Homberger (Bio/Sci)	57	✓	Michael Russo (LSU Libraries/Lib)
8	Kathleen Bratton (Political Sci/HSS)	33	P	Andrea Houston (Info Sys & D Sci/BA)	58	✓	Cristina Sabliov (Bio & Ag Eng/Ag)
9	✓ Stephanie Braunstein (LSU Libraries/Lib)	34	P	Jennifer Jolly (Ed Theory Pol Pract/Ed)	59	P	Bhaba Sarker (Const Manage & Ind/Eng)
10	✓ Robb Brumbfield (Bio/Sci)	35	P	Benjamin Kahan (English/HSS)	60		Frederick Sheldon (Bio/Sci)
11	Renee Casbergue (Ed Theory Pol Pract/Ed)	36	✓	Rajgopal Kannan (Comp Sci/Sci)	61	P	George Stanley (Chemistry/Sci)
12	✓ Paolo Chirumbolo (Foreign Lang/HSS)	37	✓	Joan King (Food Sci/Ag)	62	✓	Suzanne Stauffer (Lib & Info Sci/SLIS)
13	Aaron Clopton (Kinesiology/Ed)	38		Jeff Kuehny (Horticulture/Ag)	63	✓	Padmanabhan Sundar (Math/Sci)
14	✓ Kevin Cope (English/HSS)	39	✓	Joseph Legoria (Accounting/BA)	64		Gail Sutherland (Phil & Relig/HSS)
15	✓ Larry Crumbley (Accounting/BA)	40	✓	Michael Leitner (Geog & Anthro/HSS)	65	✓	Carol Taylor (Chem/Sci)
16	Jennifer Curry (Ed Theory Pol Pract/Ed)	41	✓	David Lindenfeld (History/HSS)	66	✓	Dianne Taylor (ELRC/Ed)
17	William Daly (Chemistry/Sci)	42		Michelle Livermore (Social Work/SW)	67		Jeffrey Taylor (Geology/Sci)
18	✓ Josh Detre (Ag Econ/Ag)	43	✓	Mandi Lopez (Vet Clinical Sci/Vet)	68	✓	Phillip Tebbutt (Interior Design/A&D)
19	Neila Donovan (Comm Sci Disord/HSS)	44	✓	Kevin McCarter (Exp Stat/Ag)	69		Justin Walsh (Art/A&D)
20	P Kerry Dooley (ChemE/Eng)	45		Alison McFarland (Music/MDA)	70	✓	Wanjun Wang (Mech Eng/Eng)
21	✓ Susan Dumais (Sociology/HSS)	46	✓	Patrick McGee (English/HSS)	71		Michael Wascom (Environ Studies/C&E)
22	Kristi Dykema (Landscape Arch/A&D)	47	✓	Ken McMillin (Animal Sci/Ag)	72	P	Edward Watson (Info Sys & D Sci/BA)
23	✓ Bruce Eilts (Vet Clinical Sci/Vet)	48		Reem Meshal (Phil & Relig/HSS)	73		Hsiao-Chun Wu (Elect & Comp/Eng)
24	✓ Guillermo Ferreya (Math/Sci)	49	✓	Louay Mohammed (C & Environ/Eng)	74	✓	Yi-jun Xu (Renew Nat Res/Ag)
25	✓ John Fletcher (Theatre/MDA)	50	✓	Jeff Nunn (Geology/Sci)	75	P	David Young (Physics/Sci)

Guests Attending:

Robert Doolos	Thomas Rogers	Erin Kenna	Gil Reeve
Andrew David	Patti Exner	Will Hires	Judith Sylvester
Jeffrey McLain	Beverly Major	Celeste Ansley	Cody Wells

Consideration of Minutes for the meeting of April 11, 2011

Approved unanimously (provisionally, later revision possible)

Presentation by Wendy Simoneaux (LSU System Vice-President for Budget, Finance & Comptroller)

Kevin Cope: There have been many questions about the reallocation of funds within the LSU system. So to clarify this we have invited Wendy Simoneaux from the system office to fill us in on this important budgetary topic.

[Below is a summary of the key points discussed by Ms. Simoneaux. She mentioned a lot of numbers and had even more on her PowerPoints, but this has been pared down to what we consider the key essentials that were discussed verbally. For a complete discussion, please see the video of this Faculty Senate Meeting.]

- Dr. Lombardi apologizes for not being here, but he is at an important meeting downtown.
- To mitigate the \$189M shortfall for the 2011-12 higher education budget, the Governor proposed to let higher education make up the difference using higher tuition funds available via the LA-GRAD act and other tuition increase

legislation. That still left a projected higher education deficit of \$90.7M. The funds to plug this remaining deficit were proposed to come from the Higher Education Initiative Fund. That left a net cut to higher education of zero.

- The Board of Regents still had to distribute the \$189M in higher education cuts to each school due to the fact that the tuition increases and distribution of funds from the Higher Education Initiative Fund would occur during the 2011-12 fiscal year. This worked out to a \$79M cut for the LSU System.
- The LSU system projected that tuition increases and other revenue sources would cover this \$79M funding cut from the state. The difference between the funds generated by the tuition increases and the \$79M cut would be covered by the Higher Education Initiative Fund. Once again, leading to a zero net cut in the LSU system budget.
- When the BOR transferred money from the Higher Education Initiative Fund to the LSU System they ended up giving us \$42M instead of \$40.2M. The \$1.8M extra was distributed pro grata to the various campuses.
- The Governor's Office and BOR limited the loss of funds to any institution to a maximum of 4%.
- Within the LSU system different campuses had different projected gains or losses (limited to 4%) based on the increases in tuition for each campus vs. the overall \$79M cut to the LSU system. The LSU Ag Center, for example, will be short \$5M for 2011-12 unless they can raise funds from another source.
- The Higher Education Initiative Fund is really just a vehicle to transfer funds from one year to the next. There is no dedicated revenue stream for this fund. There will be a funding swap of monies raised from tuition with general state funds in order to build up funds in the Higher Education Initiative Fund for the 2012-13 fiscal year, which is projected to be another difficult year. Higher Education Initiative Funds do carry over from year to year, unlike state general funds.

Q&A Summary:

Ken McMillin: I still don't understand the \$27M and \$10M for the different years. We generate the most in tuition increases that are set to mitigate the changes in the Higher Education Initiative Funds but will only get paid back \$10M next year instead of the \$27M?

Wendy: The state is swapping funds on a 1:1 basis.

Ken: No, that dollar to dollar swap is giving tuition generated funds for state general funds. But it doesn't seem like we are getting all the tuition dollars back?

Wendy: You are.

Pratul Ajmera: What is the basis for giving back only \$10M? LSU A&M gets \$10M back and the Health Science Center gets \$15M.

Wendy: Once again, we are doing a dollar for dollar swap.

Ken: That is fine from a system basis, but we are talking about a campus where most of those tuition dollars are coming from. They do not come proportionally from the other campuses.

Wendy: But your dollars were swapped on a 1:1 basis.

Ken: But we aren't going to get those dollars back next year on a proportional basis.

Wendy: Right, but it is different dollars. You are still going to get your self-generated funds next year.

Ken: They are paying the system dollar for dollar, not every campus will get that from back from the system dollar for dollar. The system can reallocate funds to favor or disfavor specific campuses.

Wendy: Whatever they take in FY 10-11, they will give back in general funds. The distribution of funds from the system is a different matter.

Ken: What I see on your PowerPoint is that the BOR distribution is \$27M and that there is a \$17M to our campus. I want to know what happened to the \$10M difference that should be going to our campus.

Wendy: You got it here in this year. You got paid for the money you contributed in 10-11.

Ken: But we are going to generate a lot more than that in increased tuition, but we aren't going to be able to spend it since it will be distributed to the Medical Center to cover their \$15M hole.

Larry Crumbley: Why are we doing this swap? It look like fraud to me.

Wendy: The state is doing it to in order to meet the maintenance of effort so the K-12 can get the federal funding available via the EduJobs act.

Suresh Rai: This is being done to avoid cutting any campus by more than 4%. Was this made known to campuses before you did it or did you just do it?

Wendy: We discussed this with the campus CFO's prior to implementing it. The state is mitigating losses with state funds via this process.

Suresh: Self-generated tuition funds are not state funds.

Wendy: We paid you 1:1 for those funds with state general funds. You are getting all your funds from FY 10-11 and you are still getting all your tuition increases for FY 11-12.

Rebecca Owens: How does this work if UNO goes into another system?

Wendy: Things won't happen with UNO till the next fiscal year (12-13) so that doesn't have any effect on this.

[System President John Lombardi shows up around this point – 3:50 PM]

John Lombardi: The UL system will be distributing their money differently from us. We have medical centers and other operations that they do not have and which complicate the funding formulas and distribution of funds.

[Secretaries Summary: After listening to this section of the video for several hours I provide this summary which may or may not be accurate]

- 1) The funding swap of tuition funds into the Higher Education Initiative Fund with state general funds was done to satisfy the state's maintenance of effort to qualify for the federal EduJobs funds that are limited to K-12. Basically a case of money laundering.
- 2) The LSU System is using the Higher Education Initiative Funds (basically from our tuition) for FY 11-12 to cover some of the deficits for the LSU Health Sciences Centers. LSU A&M will, therefore, not get as much money from the Higher Education Initiative Fund for FY 11-12. That is, our campus gets screwed to some extent.

President's Report

Due to the length of this meeting, Kevin asked permission to skip the President's Report and noted that most of the items could be found in this month's Faculty Senate Newsletter.

Permission was granted by the Senate to move on to other items.

Presentation by Beverly Major of the LSU Foundation regarding a new Faculty-Staff Fundraising Effort.

I apologize for missing last month's Faculty Senate meeting. I'm the Director of the LSU Forever Campaign and I'd like to thank many of you for supporting that effort. We are now moving on to the next stage and have launched a specific faculty-staff campaign, which we plan to run each year. You can participate at any time and over 1000 faculty-staff contribute via payroll deduction or other giving efforts. Please check out the LSU Foundation web site for more information and on ways to donate to this campaign. We give you the option of donating funds to specific colleges, units, or programs. It is your money and you can designate ways that it is used.

Presentation by Ron Eldridge from Louisiana Self Help on Mineral Transport Tax Issues

Our coastline needs about \$350B to repair it. We are also facing education cuts and retirement funding issues. Here is a map of major pipelines coming out of the Gulf of Mexico that pass through LA. 83% of all Gulf of Mexico production is piped through LA. If one considers a one cent tax per gallon or per cubic foot of any kind of liquid or gas it would generate \$152B per year to our state. We've tried this before but it was thrown out by the Supreme Court that ruled it was discriminatory due to our taxing the rest of the country but not our own citizens. There are ways to get around this problem. I've generated a plan to tax all pipelines based on volume that are over 3000 feet long and at least 12 inches in diameter at the rate of 1 cent per cubic foot and 50 cents per gallon of liquids transported. This would raise \$213B/yr of which \$3.5B would be paid by LA residents. [The current LA budget is ~\$25B/yr] 50% of the taxes could be dedicated to coastal restoration to make it more palatable to the Supreme Court. Additional funds could be dedicated to education and alternative energy. You can then zero out income and property taxes. You can also zero out all corporate income taxes. With the leftover "profit" you can provide a tax refund to all taxpayers. It would increase the price of gasoline by about 50 cents per gallon and have a fairly minor impact on the price of natural gas. There are many variations on this plan, of course. Feel free to contact me at ron@laselfhelp.com

Old Business

Due to the length of meeting, the second reading of each resolution was skipped and instead a brief summary presented.

Second and Final Reading of:

Resolution 10-18, “Increased Spending on Higher Education and the Timely Pursuit of Excellence”

Sponsored by Senator Justin Walsh

Delayed till September meeting

Second and Final Reading of Resolution 11-03, “The Thanksgiving Break Schedule”

Sponsored by Senator Joshua Detre

Kevin tasked me with getting more research on dorms and food service about this proposal. I did finally hear back that it would potentially stress the dorms in getting ready earlier in the summer. I have not heard back from the food service as yet. I’m OK with postponing this until September when we hear back from food service.

Delayed till September meeting so more information can be collected

Second and Final reading of:

LSU Faculty Senate Resolution 11-08 “Smoke-Free Entrancesways”

Introduced at the request of Luigi Marzilli with co-sponsorship from Joan King

Whereas the 2006 U.S. Surgeon General’s Report states that “Exposure to secondhand smoke causes excess deaths in the U.S. population from lung cancer and cardiac related illnesses; and

Whereas the 2006 U.S. Surgeon General’s Report also states that “Approximately 60 percent of nonsmokers in the United States have biologic evidence of exposure to secondhand smoke”; and

Whereas the 2006 U.S. Surgeon General’s Report also states that “Sidestream smoke (released by the smoldering cigarette), generated at lower temperatures and under somewhat different combustion conditions than mainstream smoke, tends to have higher concentrations of many of the toxins found in cigarette smoke (USDHHS 1986)”; and

Whereas there is a national trend to minimize exposure to smoke on university and college campuses; and

Whereas the State of Louisiana Division of Administration Office of State Buildings Facilities Manual from January 26, 2011 page 7 states that “Smoking shall be confined to “designated” exterior smoking areas at each facility” and “There is no smoking allowed within 30 feet of any entrance/exit door for all facilities”; and

Whereas there is an ordinance (#13349) adopted by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge on August 10, 2005 which amends Title 12 (Nuisances), Chapter 9 entitled “Clean Air Act”; and

Whereas in the Clean Air Act in Section 12:602 entitled Prohibition of Smoking in Public Places part b.1. it states that “Smoking is prohibited in the following public places, whether or not in an enclosed area: (1) within twenty-five (25) feet of the entrance or exit to any public building or public facility occupied or operated by the City-Parish or any of its agencies”;

Therefore be it resolved that PS-76 be revised in the following manner to minimize exposure to second hand smoke while entering and exiting buildings on the LSU A&M campus.

PS-76 University Policy on Smoking

REVISION as PROPOSED by LGM, 7:40 PM March 28, 2011

DATE to take effect: July 1 2011 (changes coded mostly in red font and underlined)

POLICY

It is the policy of Louisiana State University to provide its students, faculty, staff and other members of the University community including children of all members of the community with a tobacco smoke free environment within its facilities and along pathways utilized by the community, especially before, between and after classes and during events scheduled to benefit the community. The University does not presently otherwise prohibit the smoking of tobacco by its students and employees and does not consider the use of tobacco products in employment decisions. However, this employment decision aspect of the policy is subject to change in view of the large number of peer institutions that have changed to or are considering changing to smoke free campuses.

Accordingly, except as otherwise provided by this policy and often by state law, smoking is prohibited within all covered University facilities. Persons choosing to smoke outside University buildings and other facilities should avoid exposing others to smoke. Therefore, no smoking is permitted within 75 feet of the entrance and exit areas of all buildings (including loading docks, etc.) and in any extended walkway.

1. Smoking in University residential buildings and food service areas shall be in accordance with state law. State law prohibits smoking within buildings with the few exceptions to the state law, such as bars, not common on our campus.
2. Smoking at special events open to the general public shall be in accordance with state law.
3. Requests for exemption to this policy shall be directed to the Office of the Vice Chancellor for Business Affairs, which will coordinate and monitor the review process with the Building Coordinator and others concerned for recommendation to the Office of the Chancellor for action. However, any exemption shall be in accordance with state law.
4. Smoking policies developed for exemptions to allow smoking in outdoor areas in accordance with Number Two and Three above shall address the following considerations:
 - a. Whether benefits to students, employees and visitors outweigh health, safety and environmental factors.
 - b. The specific area for which exception is to be made and appropriate signs for such designation.
 - c. Measures to protect the rights of non-smokers.
 - d. The time period for which the exception is requested.
 - e. No exception may be made which conflicts with PS-29, "Environmental Control in the Classroom" nor where smoking has been proscribed by the State Fire Marshal.
5. Smoking is prohibited in all University vehicles even if there is only one occupant.

Q&A Summary:

Larry Rouse: Any idea on how this would be enforced? Mostly peer pressure?

Joan King: Yes.

Larry: The student government association passed this. Did they have any comments about enforcement?

Joan: No, not that I know of.

Senator Andy: Why is there a difference between state law that states a 30 ft buffer and this resolution that sets it a 75 ft?

Joan: They asked Luigi that last time and I don't remember what he said. I think it might have been 75 ft at Emory where he was previously located.

Kevin: I believe that a 75ft separation would make it quite difficult to smoke in the central core of campus.

Larry Crumbly: I think 75ft is too much and I propose moving it back to 30 ft.

Seconded as a friendly amendment.

Voted and passed to change 75 ft to 30 ft.

Kevin: Any further comments?

Chip: I haven't experienced much second hand smoke and don't think it is that serious a problem. Nor does tobacco impair any brain function. It may be bad for your health, but this resolution will not stop people from smoking since they can do it as much as they want at home or away from LSU.

Pat McGee: I'm not going to vote for this and prefer the next resolution for a smoke-free campus.

Senator: I also agree that we either let people smoke or not smoke on campus. Not this 30 ft limit.

Lilly Allen: Does this also apply to residential areas?

Larry Rouse: The student resolution mimics this with a 75 ft limit and to work towards a smoke-free campus.

Vote is called for. A hand vote is called for due to closeness of voice vote. Resolution Passes 17-14.

Second and Final reading of:

Faculty Senate Resolution 11-09
“Resolution to Declare the Campus to be Tobacco-Free/Smoke-Free and to
Establish a Task Force for this Purpose”

Sponsored by Senator Michael Russo, Senator Stephanie Braunstein, Dr. Judith L. Sylvester, General Librarian JoAnn Henson, and the Student Health Center Administration

Whereas, the Surgeon General of the United States, in 1964, clearly established a direct link between cigarette smoking and its harmful effects on human health; and

Whereas, twenty-nine Surgeon General’s reports since 1964 have confirmed and strengthened the Surgeon General’s original conclusion; and

Whereas, according to the Surgeon General, cigarettes kill one thousand people every day in the United States; and

Whereas, the Surgeon General’s report of 2006 concluded that there is no risk-free level of exposure to second-hand smoke; and

Whereas, the Surgeon General’s report of 2010 validates and enlarges the conclusion of the 2006 report by detailing the mechanisms by which the toxins in cigarette smoke act against the body’s systems, and

Whereas, the Surgeon General’s 2010 report identifies and explains the *immediate* cardio-vascular effects of exposure to even a small amount of tobacco smoke, and

Whereas, the 1986 report of the Advisory Committee to the Surgeon General on the health consequences of using smokeless tobacco declares that smokeless tobacco “is not a safe substitute for smoking cigarettes,” and

Whereas, the Surgeon General’s 1994 report on preventing tobacco use among young people concluded that “Adolescent smokeless tobacco users are more likely than nonusers to become cigarette smokers,” and

Whereas, approximately 500 college and university campuses in the United States are now 100% tobacco-free, including the University of Florida (Gainesville), the University of Kentucky (Lexington), the University of Arkansas (Fayetteville), and the University of South Carolina (Upstate); and

Whereas, in Louisiana, the Louisiana University Health Sciences Center in Shreveport, Nicholls State University, Our Lady of the Lake College, and Louisiana Delta College are 100% tobacco-free;

Therefore, be it resolved that the campus of Louisiana State University and Agricultural & Mechanical College shall be declared tobacco-free and smoke-free; and

Be it further resolved that the Faculty Senate of Louisiana State University and Agricultural & Mechanical College calls upon the university administration to establish a task force to make ours a tobacco-free/smoke-free campus by the beginning of the 2012/2013 academic year.

Stephanie Braunstein: Suggested to us last time is to add that smokeless tobacco is not a safe substitute for smoking. We believe that LSU should be smoke-free and that we need a task force to work out the details.

Michael Russo: I just want to add that the students also voted for a resolution very similar to this. We have almost 2,000 signatures from students for this as well. It is a health issue not rights.

Q&A Summary:

Ken McMillin: Not everyone who is a smoker is fortunate enough to have stopped smoking early. We also need to educate and provide support for smokers to stop smoking.

Larry Rouse: Other campuses that have done this, are they completely smoke-free or just the core campus?

Michael: They are completely smoke-free

Senator: Old Miss has an enforcement procedure for dealing with this.

Larry Crumbly: I presume if someone brings in a pack of cigarettes onto campus that they could be locked up? Is that what you mean by “tobacco-free”?

Michael: This is an issue for the task force.

Senator: I see the last two therefore to be somewhat at odds. The first one declares our campus tobacco-free and the second one establishes a task force to get this done.

Larry: I still have problems with the tobacco-free language and would like to see that changed to tobacco-free use.

Stephanie: I’ll take that as a friendly amendment.

Friendly Amendment is Voted and passed unanimously.

Kevin: I’ll ask senators to keep their comments brief since we are running late.

Dominique Hombarger: I don’t see any problems with this resolution.

Senator: I propose a friendly amendment that the first therefore be deleted and the second therefore be changed to read: The university administration to establish a task force to investigate the feasibility to make LSU a smoke-free and tobacco-free campus.

Friendly Amendment is Voted and fails.

Question is called. It is seconded and passes.

Resolution is voted upon and passes. There are some no votes so a hand vote is taken. Passes 21 to 8.

New Business

Kevin interrupts Old Business and requests an Emergency Reading and Decision to vote on the following resolution, which the Senate Approves.

FACULTY SENATE RESOLUTION 11–13

“Diligence, Client Input, and the Privatization of the Office of Group Benefits”

Sponsored by the Faculty Senate Executive Committee

- Whereas** the portfolio of investments, obligations, and insurance instruments that comprise the resources of the Office of Group Benefits constitutes a long-term investment of state and employee resources and expertise;
- Whereas** decisions concerning the management, use, and governance of so vast and enduring a portfolio must be undertaken with great care and deliberation;
- Whereas** the midst of a statewide financial crisis is the most perilous context in which to make major decisions concerning large resources that are encumbered by long-term obligations;
- Whereas** neither state nor Office of Group Benefits administrators suggested the privatization of the Office of Group Benefits or its resources (or a segment of its resources) prior to the legislative session that will address Louisiana’s fiscal woes;
- Whereas** neither state nor Office of Group Benefits officials have answered or provided adequate information concerning the details of the proposed “OGB” privatization scheme but have only offered a letter in the form of a “pledge” and an array of evasions and euphemisms about the need to “unlock value”;
- Whereas** the extent of government communication with constituents concerning the privatization proposal has been an email letter sent to only a small portion of those eligible to participate in Office of Group Benefits programs;
- Whereas** neither the Office of Group Benefits nor the Louisiana Commissioner of Administration have received any purchase proposals from known financial or insurance companies but have instead sought blanket approval for an unknown plan;
- Whereas** the Office of Group Benefit presently possesses a \$521,000,000 surplus that poses a temptation to Louisiana officials eager for a quick budget fix;
- Whereas** that very large surplus sum was derived from employee contributions and premiums, not from tax or other state revenues;
- Whereas** Commissioner of Administration Paul Rainwater has steadfastly avoided explaining the destination of that surplus in the event of a full or partial privatization of the Office of Group Benefits;
- Whereas** the recent sudden and unexplained dismissal of the Office of Group Benefits director in favor of a new director whom Commissioner of Administration Paul Rainwater describes as someone who will “work with us” raises suspicions about the integrity of Office of Group Benefits management;
- Whereas** no clear or convenient means for client comment or input regarding the privatization plan have been provided;
- Whereas** recommendations that the state use this occasion to examine the offerings of the Office of Group Benefits and adapt those offerings to the needs of the various segments of its clientele have been ignored;
- Whereas** the Office of Group Benefits is not a business or possession that can be easily sold on the market, but rather a public resource that should be held accountable to citizens;
- Therefore** be it resolved that the LSU Faculty Senate opposes the privatization of all or part of the Office of Group Benefits or its holdings until due diligence can be exercised, until relevant studies and debates can be completed, until public comment can be solicited, until a full and complete set of proposals can be received,

studied, and explained by qualified personnel, and until participants in Office of Group Benefits plans approve any privatization plan.

Motion moved to debate.

Q&A Summary:

Guillermo Ferreya: What is the annual budget of the group benefits plan?

Kevin: I don't know, but it is a lot more than \$521M.

Guillermo: What is the relationship between LSU First and Office of Group Benefits?

Kevin: None.

Wes Harrison: What is the relationship between the Office of Group Benefits and unfunded liability?

Kevin: None.

Larry Crumbly: I move that we suspend the rules and vote on this today.

Motion and Resolution Passes Unanimously.

Old Business (Continued)

Second and Final reading of (updated sections shown in bold):

Faculty Senate Resolution 11–10

“On the Working Conditions of Instructors”

Sponsored by Senator Patrick McGee in consultation with Professors Lillian Birdwell-Bowles, Anna Nardo, Barbara Heifferon, and the Executive Committee of the Department of English

Whereas the Department of English provides two required courses for all LSU undergraduates, both of which, **given the financial resources of the university**, are possible to deliver only by employing Instructors;

Whereas the Department of English supports efforts to improve retention and graduation rates for LSU undergraduates, which may be endangered by the release of Instructors;

Whereas for the third consecutive semester, LSU has delivered notices of termination to Instructors;

Whereas term-to-term employment leaves the Department vulnerable to the loss of some of its most-experienced Instructors;

Whereas such an employment practice makes it difficult to replace these losses with comparable candidates;

Whereas the Department of English has long supported Instructors with full-time positions, adequate office arrangements, meaningful career reviews, travel to professional meetings, and some degree of job security;

Whereas many English Instructors have taught at LSU for over twenty years;

Whereas the Modern Language Association and the Coalition for the Academic Workforce have deplored “policies based on outdated assumptions that non-tenure-track faculty members are short-term employees who will make up no more than a small proportion of the faculty” (MLA Issue Brief: The Academic Workforce);

***Whereas* Section 2-7 of the Regulations of the LSU Board of Supervisors states clearly that Instructors “after two or more years of service” on campus require notice of termination at least a year before the expiration of an appointment¹;**

Whereas the Department of English has unanimously approved a petition to award three-year, rolling contracts to Instructors who have passed a rigorous sixth-year review, **and in this petition has requested a revision of Section 2-7 of the Regulations of the LSU Board of Supervisors to include an exception clause for Instructors in English modeled on the clause concerning the Pennington Biomedical Research Center²;**

And whereas other departments on this campus that hire Instructors to teach large numbers of students in required basic courses face a situation similar to that of the Department of English;

Be it resolved that the Faculty Senate expresses its objection to the practice of semester-by- semester, rolling termination notices as **violating the spirit of Section 2-7 of the Regulations of the LSU Board of Supervisors and as counter to the pedagogical mission of the university as well as the academic well-being of students. The Faculty Senate hereby expresses its support for the petition of the Department of English on three-year rolling contracts for senior Instructors, and** calls on the university administration to create appropriate

professional working conditions, including a reasonable degree of job security, for its Instructors **in every program**, possibly modeled on the current petition of the Department of English.

¹ **Here is the relevant passage from the Regulations of the LSU Board of Supervisors:**

When an employee, other than an Associate, is not to be reappointed, written notice to the employee will ordinarily be provided in accordance with the following schedule:

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of the year; or, if an initial one-year appointment terminates during an academic year, at least three months in advance of its termination.
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or if an initial two-year appointment terminates during the academic year, at least six months in advance of its termination.
3. At least 12 months before the expiration of an appointment after two or more years service on that campus.
4. When an Associate is not reappointed, the Associate shall be given written notice of termination no less than ninety (90) days prior to the expiration of the employment contract.

² **Here are the relevant passages from the petition dated April 20, 2010:**

In the following specifications regarding rolling contracts, we are following models adopted by the Pennington Biomedical Research Center (See Section 2-7 of the Regulations of the LSU Board of Supervisors), and under consideration by the LSU School of Veterinary Medicine:

Instructors in the Department of English do not acquire tenure through the passage of time. Upon individual recommendation and approval by the President, Instructors who have passed their sixth-year review may receive three-year rolling contracts, i.e., they may be appointed for terms of three years. Instructors with rolling contracts are reviewed annually and reappointments are for three-year terms. A recommendation not to reappoint is with a three-year contract. The Instructor will be notified of a decision not to renew the appointment at least three years before the end of the appointment. Instructors with rolling contracts or on terminal appointments may be terminated for cause at any time with due process.

In developing English Department Instructor policies and the above recommendation, we have consulted both the Board of Supervisors Regulations and PM-23.

Section 2-7 of the Regulations of the LSU Board of Supervisors states, "Those who rank as Associate or Instructor shall be appointed for a specified term and shall not be considered for indeterminate tenure; provided, however, Associates and Instructors hired for an initial term greater than two years may be terminated at the end of the first year if given notice during the first nine months of that year. Otherwise, the provisions of Section 2-7(1)-(4) shall apply."

PM-23, II.B, says "An appointment as an Instructor will be for a specified term, ordinarily no more than one year" (p. 4). "Faculty panel reviews are required as part of the procedure for reappointment decisions in which the term will be for a period longer than one year. . . . The length of reappointment shall be consistent with Bylaws and Regulations of the LSU Board of Supervisors" (p. 22).

Both these documents assume that Instructors may hold terms longer than one year.

Q&A Summary:

Dominique Homberger: Why is there only a 3 year rolling contract after a rigorous review? There are some instructors that have been teaching for many years.

Patrick: These are based on English Department practices. We are not abiding by the rules of the Board of Supervisors. But those rules are not especially clear. We've had many discussions in English about instructors, their accomplishments, and options for extended contracts. But we are not proposing that here.

Senator: When does an instructor become a senior instructor?

Patrick: I'm not sure. We have a category called career instructor which is someone that has been teaching for more than 6 years.

Vote is taken and passes unanimously.

Second and Final Reading of:

Faculty Senate Resolution 11-11
“Call to Support and Join LSUnited”
Sponsored by Senator Patrick McGee

Whereas LSU has suffered financial setbacks since 2008 that have dramatically damaged its morale and the intellectual climate here for research, teaching, and learning;

Whereas the Louisiana legislative bodies have cut critical taxes and failed to propose new ones that support higher education without proposing or permitting adequate alternative means of funding, particularly at LSU as the state’s flagship university;

Whereas in the most recent statistics on Gross State Product from the U.S. Department of Commerce, Louisiana ranks 23rd in the country¹; and at most flagship universities in states that rank below Louisiana in GSP, including Alabama, Connecticut, Delaware, Hawaii, Iowa, Kansas, Kentucky, Nebraska, Nevada, Oklahoma, Oregon, Rhode Island, South Carolina, Utah, and Wyoming, faculties have higher average compensation (salary and benefits) than the LSU faculty, according to AAUP figures for 2009-2010;

Whereas the Chancellor has been forced by the economic and political circumstances in this state to support unilateral actions of the LSU administration in order to cut the budget of LSU, and has had to seek and endorse private solutions to the university’s financial problems;

Whereas as a result of this crisis, termination notices are being extended from term-to-term to critical though untenured LSU faculty members, many of whom have either resigned or are seeking employment elsewhere;

Whereas students suffer from this crisis either directly through the loss of teachers and programs or indirectly through the instability of the faculty and staff of this university;

Whereas collective bargaining is a democratic practice that has played and continues to play a historical role in improving the conditions of labor, both intellectual and physical, in this country and elsewhere;

Whereas unionized research university faculties usually receive higher overall compensation by comparison with the LSU faculty²;

Whereas unionized faculties can speak with one voice to influence the educational agenda in their states;

Whereas unionized faculties can negotiate collective bargaining contracts that better protect faculty rights and limit managerial discretion through the construction of formal rules and procedures;

Whereas the Faculty Senate appointed the Ad-Hoc Committee on Bargaining and Representation, which led to the formation of LSUnited, the emerging LSU faculty union affiliated with the Louisiana Association of Educators and the National Education Association;

Whereas the general goals of LSUnited are: 1) to enhance job security, 2) to seek adequate and consistent compensation, 3) to improve and protect faculty benefits, 4) to create a rational work environment, and 5) to give the faculty a greater voice on the issues that these goals address;

And whereas the success and effectiveness of LSUnited depends on the free involvement of large numbers of faculty from different backgrounds and fields, who can determine the specific goals of the organization through democratic procedures and elect a leadership that will work with the faculty to achieve those goals;

Be it resolved that the Faculty Senate as a body hereby expresses its support for LSUnited and calls on its own members and their constituencies in the colleges, schools, and departments on this campus to join LSUnited in the struggle to improve the working conditions of the LSU faculty and the overall quality of this university.

1) See “Gross Domestic Product by State in Current Dollars 2008” on the site of the U.S. Census Bureau. The source of this table is the U.S Bureau of Economic Analysis (BEA) at the U.S. Department of Commerce. Another table at BEA ranks Louisiana 23rd in 2009 in “Chained (2005) Dollars” for “Per Capita Real GDP.”

2) For example, University of California—Santa Cruz by 30.5%, University of Connecticut by 27.8%, University of Delaware by 29.9%, University of Florida by 10.1%, University of Hawaii—Manoa by 21.3%, University of Massachusetts—Amherst by 7.9%, Wayne State University by 3.2%, Rutgers University—New Brunswick by 36.4%, State University of New York—Albany by 21.4%, University of Cincinnati by 5%, University of Rhode Island by 17.2%, and University of Vermont by 2.1%.

Patrick McGee: I’d like to postpone this till September when we have more time for debate.

Postponed till September meeting.

New Business (continued)

First Reading of:

FACULTY SENATE RESOLUTION 11-12
 “Ad-hoc Committee on Faculty Workloads”
Sponsored by Wes Harrison

Whereas the Office of Academic Affairs (OAA) has requested that colleges and their respective academic units identify and report faculty with “low teaching loads”; and

Whereas the formula for determining “low teaching loads” incorporates only organized class sections of lecture, lab, seminar and recitation and does not recognize low enrollment, special topics, or research contributions to credit hour production; and

Whereas the Faculty Handbook states that faculty workloads include not only formal classroom instruction but also various teaching related activities, such as:

1. course development,
2. scholarly activities,
3. supervision of theses, dissertations and independent study courses,
4. student evaluation and advising, as well as,
5. professional, University and public service; and

Whereas the Faculty Handbook also states that the distribution among these various duties (i.e., both formal classroom and teaching-related activities) may vary from one faculty member to another and from one semester to another, based on assignments made by the department chair; and

Whereas the University has no specific policy statement to provide guidelines on the appropriate credit-hour tradeoffs between classroom instruction and teaching-related duties; and

Whereas other national peer institutions have a faculty workload policy statement.

Therefore be it resolved that the Faculty Senate Executive Committee appoint a representative committee to investigate, report on, and make recommendations regarding the development of a University policy statement that defines faculty workloads and fully accounts for all formal classroom instruction and all teaching-related activities. The charge to such a committee shall include:

1. examining the standards and practices of peer institutions related to faculty workloads;
2. recommending whether it is in the best interest of the University to articulate a Faculty Workload policy statement; and if so
3. draft said policy statement.

Therefore be it further resolved that the report be presented to the Faculty Senate at or before the October, 2011 regularly scheduled Faculty Senate meeting.

Motion to accept into debate & approved.

Pratul Ajmera: Could we accelerate this and move it for a vote.

Kevin: Does anyone object to proceeding without a quorum.

No objections.

Kevin: We now vote to suspend the rules and move for debate and vote.

Passed without objection.

Q&A Summary:

Senator: I’m slightly confused since you start with teaching loads but then you use the phrase workload and service. I’m not sure what you are trying to get at.

Wes: Low teaching loads is not a phrase that I invented. The Office of Academic Affairs came up with this to measure faculty workload. But as we know there are other factors involved in determining faculty workloads. OAA is simply using workload to measure teaching in the classroom.

Senator: So you want to measure all faculty work and convert it into a teaching number. The College of Education runs into this problem all the time with faculty visiting K-12 classrooms and supervising a single student teacher but spending lots of time doing this.

Wes: Texas A&M and some other universities have developed policy statements on this. They have a “formula” to convert work into teaching loads. Universities are under a lot of pressure from legislatures to account for faculty time. This could address some of that.

Motion to call the question. Approved unanimously.

Vote to approve the resolution. Approved unanimously.

Adjournment at 5:50 PM