

Faculty Senate Meeting Minutes
Wednesday September 2, 2015
Student Senate Room, LSU Student Union



Attendance

Faculty Senate Executive Committee members present:

1. Kevin L. Cope (President, English)
2. Ken McMillin (Vice-President, Animal Science)
3. Bill Daly (Past President, Chemistry)
4. Suresh Rai (Member-at-Large, Elect. & Computer Eng.)
5. Mandi Lopez (Member-at-Large, Vet Science.)
- 6.

Parliamentarian: Louay Mohammed

Senators present (X = Present; A = Alternate; P = Proxy):

1	X	William Adkins (Math/ Sci)	24	X	Margaret Denny (Education/HSE)	47	X	Louay Mohammed (Civil Environ Eng/Eng)
2	X	Aghazadeh, Fereydoun (Mech Eng/Eng)	25		David Donze (Biological Sciences/Sci)	48	P	Evgueni Nestrov (Chemistry/Sci)
3		Fakhri Al-Bagdadi (Comp. Biomed Sci/Vet)	26		Susan Eades (Vet Clinical Sci/Vet)	49		Jim Ottea (Entomology/Agri)
4		Austin Allen (Landscape Arch./AD)	27	X	Kristin Gansle (Education/HSS)	50	X	Steven Pomarico (Biological Sci/Sci)
5	X	Paul Anderson (Foreign Language Lit./HSS)	28		Mette Gaarde (Physics/Sci)	51	X	Suresh Rai (EE and Comp/Eng)
6		Frank Anselmo (French/HSS)	29	X	Angeletta Gouridine (English/HSS)	52	A	Jeffrey Roland (Philos Rel Studies/HSS)
7		Paula Arai (Philos. Relig. Studies/HSS)	30	X	Rebecca Gouvier (Comm Stud & Dis/HSS)	53	X	Laurel Romeo (TAM/Ag)
8	X	Reid Bates (SHWRED/HSE)	31	X	Gundela Hachmann (Foreign Lang Lit./HHS)	54	X	Christopher Rovee (English/HSS)
9	X	Jennifer Baumgartner (Child Family/HSE)	32	X	Wes Harrison (AGEC/Ag)	55	X	Michael Russo (LSU Libraries/HSS)
10		Emily Beasley (Kinesiology/HSE)	33		Blake Hudson (Law Center)	56	X	Judith Schiebout (Geology/Science)
11	X	Brett Boutwell (Music/HSS)	34	X	Sherif Ishak (Civil Environ Eng/Eng)	57	X	Stephen Shipman (Math/Science)
12	X	Lillian Bridwell-Bowles (English/HSS)	35	X	Yongick Jeong (Mass Comm/HSS)	58	X	Alan Sikes (Theater/Music Dramatic Arts)
13		Konstantin Busch (EE & Comp Sci/Eng)	36		Joan King (Food Sci/Ag)	59	X	Linda Smith Griffin (Libraries/Lib)
14		Joseph Clare (Political Sci/HSS)	37	X	Ingeborg Langohr (Pathbio Sci/Vet)	60	P	Sabrina Taylor (RNR/Ag)
15	P	Lauren Coates (Enlgish/HSS)	38	X	Catherine Lemieux (Social Work.HSE)	61	X	David Terry (Comm Stud/HSS)
16	X	Kevin Cope (English/HSS)	39	X	Mandi Lopez (Vet Clinical Sci/Vet)	62	X	Arend Van Gemmert (Kinesiology/HHS)
17		Jon Cogburn (Philosophy Rel Stud./HSS)	40	X	Kanchan Maiti (Coastal Studies/OCS)	63	A	Dottie Vaughn (Math/Sci)
18	X	Christine Corcos (Law Center)	41	X	Kenneth Kip Matthews (Physics Astro/Sci)	64	X	Muhammed Wahab (Mech Industr Eng/Eng)
19	X	Belinda Davis (Political Sci/HSS)	42	X	Andrew Maverick (Chemistry/Sci)	65	X	Gregory Watson (Architecture/AD)
20	X	William Daly (Chemistry/Sci)	43	P	Alison McFarland (Music/Music and DA)	66	X	Yejun Wu (Library Information Sci/LHSE)
21		Jeff Davis (Entymology/Ag)	44		Jean McGuire (Management/Bus)	67	X	Jun Zou (Interior Design/AD)
22	X	Fabio Del Piero (Pathobiol Sci/Vet Med)	45	X	Ken McMillin (Animal Sci/Ag)			
23	X	Charles Delzell (Math/Sci)	46		Jacquelyn Sue Moffit (Acct/Business)			

Guests:

Ryan Landry	Pam Monroe	Cecil Eubanks	Ernie Ballard	Robert Doolos
Jane Cassidy	Elizabeth Vonell	George Strain	Linda Bonin	Barbara Reonas
George Eldrege	Louis Day	Ravi Rau	A.G. Monaco	Andrew Matook

Consideration of the Minutes from May 6, 2015

Motion by senator Aghazadeh, seconded by senator Van Gemmert.
 Approved unanimously with potential corrections.

President King Alexander remarks

The budget battle went down to the last minutes. We could have been looking at 20 to 40% budget reduction. Thanked everyone for helping and the students for marching and the report card by the students. His phone started running off the hook. He wants students to continue doing so. The legislators all say they support LSU and higher education. They voted to keep us whole. After facing an 82% reduction we threatened everything by taking the S off of the football helmet to reducing classes by 40%. We had a lot of legislative leaders who supported us and told us to hang in there. They came through for us, not necessarily unscathed. We bought six months of time because we brought a \$1.8 billion deficit down to \$700 million. That six months will require a meeting with the gubernatorial candidates. We need them to call a special session in January to get a lot of things undedicated so we aren't the only ones hanging out there when it comes to reductions. Working with them will be our strategy to keep higher education a priority. The last minute work by the legislature saved us so we could hire 70 to 80 plus people. Regarding the save tax credit it charges our students \$1222 each, but doesn't charge our students that.

The parents are accessed that cost and it is taken out of a tax credit and it is sent to the Board of Regents. He tells students that 40% of your course credits were saved. We did autonomy away from the state legislature. In California, there is no tuition it is all fees. Fees give us flexibility in lab groups and students services. We will talk more about that in the coming semester at some board meetings to see what type of fees that we can work with our students that we think are very important to expand programs, courses and to address many needs that we have on campus that may be implemented next spring or next year. We were given the states medical marijuana responsibilities. At first Dr. Bill Richardson and he were called by the legislature and asked do you want medical marijuana or not and we said no. Fifteen minutes later they called and said you got it. We actually have been doing research on medical marijuana in our medical center in New Orleans for ten years and we are already making the oils and pills. We have to buy our medical marijuana from Ole Miss. We will be in a position to grow it and do our research and getting it to market. A lot of things stand in the way and there are numerous naming opportunities for at that research lab for anyone.

Enrollment wise we are up 400 students, a little more than 2%. Graduate enrollment is still down and 32% of our applications were never responded to. That is one reason why we are at a five year low in graduate education. If it is our graduate stipends, graduate assistantships we need to fix. We are going into this with a fresh mind and with a new dean and we will work with our deans to get graduate education back on track. Many of you will be involved in those discussions as well. A reminder is if you are carrying a laptop around with student data, please take care to secure your laptops. There was a laptop stolen on New Orleans at our medical center that had patient data on it and we are in the process of notifying 1000s of people that their name was in the laptop. Be sure to secure your laptops, do not leave them sitting in your cars. Once that data is out it throws us into a serious quandary.

He thanked the faculty on the barge issue this summer, pushing back the political might and showed up at meetings downtown talking to people to make sure they knew what this really meant. The outcome was a complete rezoning. As we work on our master plan we will incorporate it with our city understanding what we really want to have around our campus and what we really do not want to have around our campus.

We are in the middle of the Higher Education Authorization Act (HEA) which is \$170 billion in financial aid. Our senators open to the ideas that we are throwing out there. There are some presidential candidates who are using our ideas to use federal money to stabilize state appropriations. It has worked in the past, but we have a couple of barriers. Senator Alexander in Tennessee is chair of the health committee. Senator Cassidy is on the health committee. We think we can transform what HEA looks like so it is not just putting \$200 more in the Pell grant, it would be rewarding states for funding higher education and penalizing states for cutting higher education so many times over the previous years.

Over the summer, we announced that we raised over \$193 million which is \$100 million more than we ever raised. It was an outstanding year for us in so many ways, we obtained software for engineering and geosciences. We acquired three of the largest gifts in our history last year. We are in the early stages of talking about a future capital campaign as we go forward. Our people and capacity is out there and we just have to go raise the funds. Chapel Hill raised \$500 million in the worse academic year they had because of the athletic scandal. They have raised the most resources they can raise and we can do that too.

He urged everyone to work with Dereck Rovaris on searches for diversity. We are looking to try to build diversity on our campus for our faculty, staff and our students are changing. Last year we had the largest African American and Latino graduating class in our history.

We will work with any presidential candidate who supports higher education and have spoken to Secretary Hillary Clinton and Senator Marco Rubio about using federal leverage to stabilize higher education.

He read from facts that his lawyers said he could state regarding the decision LSU made in June to dismiss a tenured faculty member. The action was taken to protect our students, faculty and institution from potential violations of federal and state law and university policy. LSU supports both tenure and academic freedom as essential aspects of a nationally respected research and teaching institution. The dismissal was neither about tenure nor academic freedom. The allegation that the faculty members use of salty language was the reason for the dismissal is wrong. A LSU faculty committee concluded that the professor created a hostile learning environment including recurring sexual harassment. The university could not allow that to continue and took necessary action. Coverage of the dismissal has primarily centered on the characterization by the individual questioned of her termination as due to use of salty language and framed only on the issues of academic freedom and tenure. This is irresponsible and grossly misinterprets the facts. The evidence obtained by the faculty committee, university administrators, students and other faculty is that in the course of several years the faculty member had berated, embarrassed, disparaged, maligned and denigrated especially female students who aspired to become elementary schools teachers. The investigation further revealed that at least one K-12 school principal forbade this faculty member from being in contact on school grounds with the schools teachers and children which significantly damaged her ability as a supervisor of student teachers to perform her duties. The number of student complaints about this faculty member would likely have been much higher had it not been for the fear that the students were reporting that the faculty member would have led to retribution. The national council of teachers of English recently observed that student teachers are the most vulnerable members of the teaching authority chain and many student teachers, "fear never getting a teaching job if they speak down about sexual harassment". The students are captive in the process and must be protected. As the US Court of Appeals of the 5th circuit states certain, students are a captive audience and they pay to be taught not vilified in indecent terms by the faculty member and/or supervisors. The faculty members dismissal came only after extensive investigation by the university administration and a due process hearing by a university faculty at which the faculty member was advised by legal counsel. Further due process was provided to the faculty member when she was provided with and opportunity to present her case to the LSU Board of Supervisors at its June 2015 regular meeting. This dismissal action was taken upon the recommendation by the President after she was heard by the board. As the faculty advisory committee stated the faculty members actions created a hostile learning environment including sexual harassment which violates university policy as well as

potential state and federal law and the US Department of Education civil rights advisements. University policy clearly states the university is committed to providing a learning, working and living environment that promotes integrity, civility and mutual respect in an environment free from discrimination on the basis of sex and sexual misconduct which includes sexual discrimination and sexual harassment. Moreover the university regulations prescribe that employees are responsible for their conduct during working hours on campus, LSU sponsored activities, and when representing LSU or when the conduct would adversely affect LSU's image. Importantly this regulation prohibits students and employees from creating hostile environments that are persistence and pervasive that limit the students ability to participate in or benefit from the educational program or to create a hostile or abusive educational work environment is against LSU policy. The LSU policy further provides that a person violating the sexual harassment prohibition be subject to disciplinary action which includes dismissal. The Office of Civil Rights in the US Department of Education have advised universities that harassment does not have to include the intent to harm, be directed towards one specific target or involve repeated incidents in order to contravene federal law. The faculty member was dismissed by LSU for both targeting and generally verbally abusing not only one student but many students over a period of years and for creating a hostile working environment. The behavior of the faculty member places the university at substantial risk. A university that tolerates, inadequately addresses, or is deliberately indifferent towards sexual harassment is subject to lost of federal funds and/or may be liable for monetary damages under Title IX and the Civil Rights Act. The faculty member was warned by university administrators to desist in her behavior and in these tactics that created the hostile environment. Yet she refused to take any measures to correct said conduct, in fact the faculty member made it clear that she would not change her offensive classroom behavior. The faculty member's classroom behavior even drew the attention of her department peers who attempted to intervene but their efforts were immediately rejected. The university's decision to dismiss the faculty member was well considered coming after extending to the faculty member a grace period of almost two years during which time the faculty member still received full pay despite being removed from the classroom due to concerns to current and future students. Beyond violations of university policy and issues of state and federal law, it is important to remember that when a faculty member engages in uncivil behavior and creates a hostile environment in the performance of his or her professional duties and is not approved by his or her colleagues and is not called not called into account by the university, not only are the students harmed but profession is demeaned and university is degraded as an institution. Due to pending litigation this is all he could say. When the university has to take action because of law and has to take action that has been approved by the faculty committee stating that sexual harassment and a hostile environment occurred, we are put in a position of having no choice but to take action. As to the AAUP, we see four major problems with the AAUP's recent statement with LSU's recent removal of the faculty member. Reported facts are wrong, the statement ignores and misinterprets federal and state law and doesn't follow AAUP's own statement of principles and in the report the AAUP ignores the interests and well being and civil rights of students. Possessing only limited information pertaining to this issue the AAUP should not advocate for continuing teaching practices that potentially violate university, state and federal law. The AAUP continues to diminish its relevance by violating its own statement of principles which hold that "university faculty as scholars and educational officers should remember that the public may judge their professional institution by their utterances, hence faculty at all times should exercise appropriate restraint and should show respect to the opinion of others and "creating a hostile learning environment not only potentially violates the students civil rights but clearly violates the AAUPs own fundamental tenets. The AAUP should reconsider a censure of a university that must abide by their own policies, state law and federal law which guarantee that higher education and our higher education students will have a safe intellectual learning environment.

Q&A Summary:

Ravi Rao

A lot of disingenuous, selective and incorrect statements you have read for ten minutes here. He will not debate the President because this is what was said to the audience and this is supposed to be done, but this is a Faculty Senate body. The faculty member you speak of, was she informed to be here to be able to rebut any of this? Does this body speak for the faculty and who is going to speak back to rebut many of the incorrect, selective statements including your bringing that the faculty committee advised this without mentioning that there was a unanimous recommendation on the that faculty committee on revocation of tenure that it is not justified. Will you face that because your lawyers haven't? They keep issuing these disingenuous statements with female students rapped around them but it seems to me that somebody needs to speak for the faculty. If this faculty senate doesn't speak for the faculty I don't care what you are defending. You are taking about federal laws and so on but someone has to speak up for the faculty member involved and for the faculty.

President King Alexander

I would hope that all of us as faculty members, when we see problems like this in our departments that we take action so it never gets to this level. We know instances when its recurring and it is professed not to stop, we as faculty need to take action and ensure that this doesn't happen.

Kevin Cope

He congratulated everyone for participating in probably the freest forum on campus. We assure everyone whether a senator or not has an opportunity to speak out. In regard to the invitation to Dr. Buchanan, he did not see it as a function of this body and address these issues that have already slipped into court. Some may have a different opinion and if so he can issue such an invitation. If he didn't think that far in advance he apologizes. When we come to debate on this issue everyone will have an opportunity to speak although we have senators and we have members the faculty council present and nobody will be silenced.

Ravi Rao

If you have a forum for ten minute attack here with unsupported accusations upon faculty members, then what kind of due process is understood? He has been at this university with policy statements that do not even alert the faculty member or anybody to represent her to rebut any of this. We sit here captive because somebody is called the Chancellor-President and then he calls himself a faculty member but what kind of due process is being informed even in proceedings in the last ten minutes regardless of what has happened before.

Kevin Cope

No one should be forbidden to speak at the faculty senate no matter who that person might be. It is true that Professor Buchanan didn't know that the meeting was going to take place today. He is not Professor Buchanan's defender or advocate so he did not know why she decided not to attend.

Mr. Strain

She is working right now and could not be here. She gets contract work and that's all she has been able to do since she was improperly terminated by this university so she could not have been at this meeting.

Kevin Cope

We don't know how long this issue is going to continue. There is no limit or closure on debate today.

Senator

We only have information from the newspaper and from the chancellor of LSU. We have no idea who's role was right and what was correct or incorrect. He suggests if the faculty senate want to take action going to the grievance committee because they can access any kind of document from the university, Dr. Buchanan or from anywhere and have them report to the Faculty Senate from the grievance committee what it is about.

Kevin Cope

We have a resolution on the floor that pertains to matter and we are going to debate that at length and presumably some information will be presented.

Charles Delzell

He believes the grievance committee has no jurisdiction over PS-104 cases, which is a dismissal for cause.

Kevin Cope

There could be grounds for grievance for somebody if somebody thought that administration was preventing someone from appearing in a public forum. He did not know. He has seen so many grievances in his time that there is tremendous ingenuity in the area. We have a packed agenda today primarily because of this matter. He assured everyone that there would not be any cap on debate.

President's Report

1. The master planning committee is beginning its work. The campus did not emerge from what anyone would style a rational plan. We have bids from four major design firms and there was good vetting of those plans. He was on the committee and those firms will make their presentation next week. He urged everyone to go see those presentations and to let people know which firm they think would do the best job for LSU.
2. He congratulated those involved in the barge cleaning operation issue. It was considered to be one of the biggest acts of the faculty senate and there is a resolution regarding the primary inspires of that action.
3. We have followed up on the long standing resolution regarding an elected Graduate Council. They met yesterday with the new dean of the Graduate School and after considerable administrative resistance on the matter and after two years of stonewalling on the matter, it appears that are about to have an election so there will be an end to the appointing of Graduate Council. Also discussed were technical concerns with the English as a Second language examination report. He is hoping that the committee in the Graduate School is addressing that to come up with a more just and equitable system so that our foreign students are not discouraged.
4. We have a spousal and opportunity hire program which will make it easier the next few years to carry out spousal hires in the same way that institutions around the country do, but also minority hires. That may be extended into the direction of on campus equity for those who have had the fortune or misfortune to marry here after they arrived. It is a curious situation where someone new has a spousal hire and those who have been here ten years are suddenly left behind.
5. The library committee has reactivated. One of our faculty senate executive committee governance members has pointed out that the library in a grievous situation owing to lack of support over the years but they have five people working hard on that.
6. They had a consultation with Steven Moret, the new head of the LSU Foundation and made clear our concerns about the actions of the foundation in the past and talked about funding priorities in the future. Jane Cassidy will be talking about resolution 14-11.
7. For the Tiger Athletic Foundation some of you may have gotten an invitation to the coaches' wife's event. In response to that we have informed the Tiger Athletic Foundation that this approach to an event is so dependent on gender roles and might not be in the best interest of the reputation of the university.
8. Some of you have received the announcement today about the branding of the university. We are going to invite Linda Bonin here next month to talk about this whole idea of branding. This is not obligatory. The branding initiative is going to come under question by this body.
9. Today the AAUP issued a supplementary letter concerning the situation here at LSU. That will be brought up later on but he wanted to note that there are four items involved in LSU censure, its not a one issue matter. Two of them are related to colleagues in the past who have had difficulties and have been in fact resolved or have come to a solution. One remains and that is job security for instructors who serve over a period of seven years. LSU is a stand alone in this area, there are only a handful of institutions in the thousand or more who can't seem to get this right. Progress was made with the introduction of the senior instructor rank, but that is also an issue in the background in regards to academic freedom status of those who are not in possession of job security.

10. LSU continues to fight the retirement lawsuit. This summer a victory was won in state judicial court, 19th district. Judge Clark ruled that there was indeed cause to proceed in the lawsuit against TRSL and the LSU Board of Supervisors concerning the retirement funds.
11. In a debate at Southern University system, Southern University system President Ray Belton was forced to create a faculty committee that will review the compensation policy. This is something that LSU is also long lacking with its highly irregular way of rewarding people. We hope that the example at Southern University system will encourage LSU to come up with a compensation policy here.
12. The Board of Regents came out with a program to create Veteran friendly campuses to give certain concessions with regard to registration, fees, etc. to veterans. Another is a reverse transfer program in case a student can't finish a bachelor's degree but is already qualified for an Associate's degree.
13. The Commissioner of Higher Education has created a statewide committee comprised of five top level faculty governance officials from the various systems to review with consultants the structure, the financing, the mission and purposes of Louisiana Higher Education. The first meeting will be around September 8.
14. There will be a Statewide Faculty governance committee meeting in Alexandria on September 26. Everyone is welcome. There will be Ray Belton from the Southern University system but there will be a number of colleague presentations.

Q&A Summary:

None.

Presentation by Senior Vice-Provost Jane Cassidy, Office of Academic Affairs

Based on Faculty Senate Resolution 14-11 last year which dealt with all the red tape we have at LSU, the Provost and the Vice-President for finance has established a committee and she is chairing it with Sandy Gil from finance and administration. It is called the Administrative Process Improvement Committee, APIC. The charge of the committee is to have a forum so faculty and staff can let them know of processes on campus that are difficult to navigate and to suggest opportunities to them improve their effectiveness and efficiencies on campus. They are trying to establish a mechanism to give them feedback. They will make recommendations for prioritization; they can't tackle all of them at once. They will try to communicate the progress to us. They met yesterday for the first time. They came up with ideas for areas that they feel need to be looked at, policies, procedures and processes, facilities and infrastructure, safety and logistics, and communication training needs. They will not be the group that you call if the toilet is overflowing in your building. If there is a process that creates so much red tape for example, Short's Travel. Those are the types of things they would like to know about and they will bring them to the committee. The committee has seven people including the co-chairs, Ken McMillin, Faculty Senate Executive Committee, Fabio Del Piero, Faculty Senate Judith Sylvester, faculty at large, and two people from Faculty Senate, one on the academic side and one on the non-academic side. They started to make a list of some of the items that they thought should be looked at. They will take one or two issues at a time and every time they have a meeting they will have the appropriate people on campus who can help them figure out how to deal with those things come to the meeting. They will have a list of their concerns and what they feel needs to be changed. They will find out what can be changed and what cannot be changed. They will see if they can move forward with as many things as they can.

Ken McMillin

He agreed to be on the committee because he has had a lot of bureaucratic problems. For any problems you have they will establish a mechanism so we can anonymously if we want so they can initial feedback from us, have a mechanism in the future. There will be a campus wide website where you can say this is the problem that I have. Obviously the committee will have to say is this a valid policy procedure or red tape concern or just a complaint because we faculty have to find something to complain about. They will have to do some sifting. One of the aspects that has been brought out is that some of our bureaucracy and paperwork is due to the old, antiquated computer system that we have. The new program Work Day will speed up some of that and allow us to have online forms and fill in the blank forms rather than having a per trail of everything. The things that we will tackle immediately may not see immediate results.

Jane Cassidy

There will be a website with a form that you can fill out and submit. Based on this faculty senate resolution it empowered her to speak up on something in her craw that drove her nuts. She has to sign every single international travel form. The only thing that comes to academic affairs now is if you are going to a high risk area. As a committee that has to review it she works with Donna Torres on that. She is happier because she doesn't have to sift through a hundred emails that came through. There are ways to streamline. That was leftover from way back, many, many years ago, when faculty were not doing much international travel. Now faculty going to Montreal or Paris is no different than going to Austin, TX or San Francisco. I think we have a lot of those on campus and that is what the committee was charged with.

Q&A Summary:**Gundela Hachmann**

Can you state when this website will be available?

Jane Cassidy

I want to say by the end of the week but that may be a little quick. They will send out an email to everyone when it's up and running.

Ken McMillin

One other point is that this was a result of one of the resolution we passed. Our work is important is saying this is what we can do to make our campus a better place.

Election of member of the Faculty Senate Executive Committee from the newly elected senators

Kevin Cope

He explained the duties of the Faculty Senate Executive Committee and the process of election and asked for nominations.

Charles Delzell

He nominated Professor William Atkins from the math department.

Vote on Election of Professor Atkins: Unanimously approved.

Old Business

Second reading, Resolution 15-11, “Reaffirming the Importance of Mid-Semester Grades and Abolishing the Designated Mid-Semester Examination Period”, Sponsored by Senator Charles Delzell

Read by Charles Delzell

LSU Faculty Senate Resolution 15–11

Reaffirming the Importance of Mid-Semester Grades and Abolishing the Designated Mid-Semester Examination Period

Sponsored by Charles Delzell

Whereas midterm grades are important not only for students, but also for academic counselors (who generally do not have access to instructors’ Moodle pages) needing to identify struggling students before the semester is over, and

Whereas the academic calendar’s designated “mid-semester examination period ” is voluntary,

Therefore be it resolved that the Faculty Senate reaffirms the importance of mid-semester grades (also called “mid-Term grades” in summer session A) for courses numbered 4999 and below.

Therefore be it further resolved that the Faculty Senate recommends that the designated “mid-semester examination period” (also called the “mid-Term examination period” in summer session A) be abolished from future academic calendars.

Q&A Summary:

None.

Vote: Passed unanimously.

New Business

First reading, Faculty Senate Resolution 15–13, “Thanking and Commending Judith Schiebout, Sophie Bart, and Lillian Bridwell-Bowles for Outstanding Service”, *Sponsored by the Faculty Senate Executive Committee*

Read by Kevin Cope

Faculty Senate Resolution 15–13

Thanking and Commending Judith Schiebout, Sophie Bart, and Lillian Bridwell-Bowles for Outstanding Service

Sponsored by the Faculty Senate Executive Committee

Whereas the Faculty Senate expressed, through Resolution 15–06, its concern regarding a proposal to build a hazardous barge cleaning plant near the LSU A&M campus;

Whereas that expression of concern took the form of a call for community engagement and for direct action by faculty members;

Whereas the providing of examples of free debate and of the role of knowledge, reasoning, and leadership in the solving of difficult problems is one of the noblest enterprises of the academy;

Whereas faculty members demonstrate the value of shared governance when they help members of the administration detect, understand, and respond to unexpected, sometimes elusive challenges;

Whereas three faculty members—Judith Schiebout, Sophie Warner, and Lillian Bridwell-Bowles—recently distinguished themselves by leading both a university and a public movement in opposition to locating the aforementioned, dangerous facility in close quarters with LSU’s Baton Rouge campus;

Whereas, during their campaign, Professors Schiebout, Warner, and Bridwell-Bowles also demonstrated consummate mastery of social media, internet resources, and all those modern communication utilities that have become integral to the modern educational project;

Whereas these educators provided an unrivaled example of good citizenship to students and administrators;

Whereas this tirelessly ingenious trio attained great, indeed, unprecedented success by arranging public forums, testifying at public hearings, and, in the end, prevailing in their cause, all to the good of LSU;

Therefore be it resolved that the LSU A&M Faculty Senate both thanks and commends Professors Judith Schiebout, Sophie Warner, and Lillian Bridwell-Bowles, both for their successes and achievements and for convincingly revealing the unity of education, duty, and courage.

Moved into discussion and seconded.

Q&A Summary:

None.

First reading, Faculty Senate Resolution 15–14, “Updating the Name of the ‘International’ Committee”,
Introduced by the Faculty Senate Executive Committee at the request of the International Education Committee

Faculty Senate Resolution 15–14

Updating the Name of the “International” Committee

Sponsored by the Faculty Senate Executive Committee at the request of the International Education Committee

Whereas the leadership of the International Education Committee has requested that the name of the committee be revised to reflect its current prerogatives and duties;

Whereas the LSU Faculty Senate has passed several resolutions and held multiple consultations with administrative official stressing the centrality of international engagement to the entire research and educational project of a great university;

Whereas an outside consultant’s report has also identified myriad opportunities for enhancement and expansion of LSU international programs;

Whereas the present name of the “International Education Committee” seems inadequate to the full range of committee duties, arrange that includes such diverse undertakings as consultation with learners in developing nations and the bringing of internationally prominent achievers to campus;

Whereas the recent and continuing dislocation of LSU campuses tends to diversify and enlarge the portfolio of any committee charged with advancing international outreach;

Therefore be it resolved that the name of the International Education Committee shall be changed to the Internationalization Committee.

Moved into discussion and seconded.

Q&A Summary:

None.

Senator

What is the makeup of this committee?

Kevin Cope

The makeup of the committee is described in the constitution. In effect there are not representatives from every college but a number of colleges. It includes as an ex officio member the director of internal programs and it includes two or three appointees from the faculty senate executive committee who are specifically competent in areas of internationalization. It is a fairly large committee with ten or eleven people on it.

Angeletta Gourdine

In the second paragraph official needs an 's'.

First reading, Faculty Senate Resolution 15–15, “Regarding the Case of Dr. Teresa Buchanan”, *Introduced at the request of Cecil Eubanks, James Garand, Robert Hogan, and Pamela Monroe*

**Faculty Senate Resolution 15–15
Regarding the case of Dr. Teresa Buchanan**

Introduced at the request of Cecil Eubanks, James Garand, Robert Hogan, Pamela Monroe, Lillian Bridwell-Bowles, Brooks Ellwood, Carl Freedman, Petra Hendry, Dominique Homberger, Stuart Irvine, Patrick McGee, Richard Moreland, John Protevi, A. R. P. “Ravi” Rau, and George Strain

Read by Cecil Eubanks

PREAMBLE

Affirming that an environment of free and fearless inquiry is the cornerstone of academic freedom and a great university, as it is necessary for sustaining received truths and discovering new insights;

Believing that the principles of academic freedom, so essential for teaching and research, include toleration of what we might find offensive, as well as of what might challenge our principles both in substance and style of expression;

Recognizing that great universities have in place three significant measures to ensure the continued observance of academic freedom: Tenure; faculty governance; and due process;

Convinced that all three measures have been violated in the case of Associate Professor Teresa Buchanan;

Aware that the standards initially used by the LSU’s administration to justify the termination of tenure and dismissal for cause of Associate Professor Teresa Buchanan were the creation of a hostile environment and consequent sexual harassment through the use of vulgar language, even though it is not clear that any specific individual brought such charges;

Alarmed by a standard that is as chilling in its breadth and ambiguity as it is absurd in its apparent connection to sexual harassment;

Further aware of a second set of standards, announced in the aftermath of national and international outrage over the actions by LSU’s administration, which based the dismissal of Associate Professor Buchanan on having “created a hostile environment in the classroom”;

Convinced that this second set of standards is equally contrary to academic freedom as it reveals that LSU’s administration regards itself as the sole guardian of student welfare and is unable to define what constitutes a consistently hostile environment;

Noting further that a faculty committee, chosen to hear the case of Associate Professor Terry Buchanan, unanimously recommended that she be censured for specific behaviors, but decided that removal is not warranted and found that the procedural actions by LSU’s administration were flawed;

Deeply concerned that LSU’s administration ignored the recommendations of its own faculty committee and created a second set of standards that were not part of the initial charges against Associate Professor Buchanan;

Emphasizing that once the LSU administration decided to pursue charges against Associate Professor Buchanan its most egregious violation of due process was its failure to follow the guidelines of PM-35 and the procedure required by PS-109, both of which mandate a specific iterative process by which faculty behavior and/or performance is reviewed in a context of remediation designed to salvage both the faculty member's career and the University's investment in long-serving faculty;

Concluding that the violation of tenure, the creation and implementation of vague and chilling standards of discourse that violate all precepts of free inquiry and speech, the failure to follow faculty counsel in these matters, and the outright abrogation of proper due process by LSU's administration have placed the LSU community in a state of confusion and outrage about the lack of commitment of LSU's administration to an environment of freedom of inquiry and of speech.

RESOLUTION

Be it therefore resolved: That LSU Chancellor-President F. King Alexander, Provost Stuart Bell, and Dean Damon Andrew of the College of Human Sciences and Education be censured for their failure to adhere to due process standards in faculty review proceedings and for their pursuit of confusing, dangerous, and untenable standards for dismissal of a tenured faculty member at Louisiana State University.

And Be it further resolved: That the Faculty Senate requests of LSU's administration that the decision in the case of Associate Professor Teresa Buchanan shall be reversed and all necessary and continuing matters related to her case be considered in a proper PM-35/PS-109 review process.

Moved into discussion and seconded.

Q&A Summary:

Michael Russo

In a controversy such as this in a court setting there is a record that is generated with documents and testimony. Is there such a record?

Cecil Eubanks

There is such a record and if requested it will be given to you. There is a record of the faculty committee decision, a record of the 12 hour hearing and there are others records associated with the case.

Michael Russo

Do you know who the custodian of the records is?

Cecil Eubanks

Probably Dr. Buchanan though there may be other sources for some of them.

Michael Russo

There was a committee that investigated this, they would not have the record?

Cecil Eubanks

HRM handled most of the investigation, they may have the record and you can ask them. They should be able to supply them.

Senator

Your resolution is saying that Chancellor Alexander, Provost Bell and the Dean will be censured. What does that mean?

Cecil Eubanks

Short of a vote of no confidence which is what we were searching for, we wanted to hold the administrators responsible for this action. In our view that was the best way, maybe the only way we could think of was to censure. What will be telling is if the senate were to vote on the second resolution.

Fereydoun Aghazadeh

Are any of the sponsors of the resolution from Dr. Buchanan's department?

Cecil Eubanks

Yes.

Fereydoun Aghazadeh

There was a comment made that faculty had problems with her previously.

Cecil Eubanks

I am not aware of the problem other than this.

Cecil Eubanks

The question was is there any faculty from her department on the sponsorship list, yes right there.

Fereydoun Aghazadeh

The question is did the Chancellor make that call?

Cecil Eubanks

He has been a teacher for over 15 years at various universities. Over that time and at the very beginning he developed an adding affection for the university. It is an institution of such diversity and talent that it engages us and our students in this great adventure of discovery not the least of which is discovery of self. He has come to see how fragile life of the mind can be if not properly nurtured and the conservation and strengthening of that which we all value so highly is too important to be left to administrators and bureaucratic entities such as Human Resource Management policies no matter how well intentioned. The latest release read to you today by the administration justifying its position was a disingenuous litany of various fears associated with the use of profanity and confrontational teaching manners including breaking state, local and federal laws, loss of funding and loss of students. The only thing Dr. Buchanan was not charged with was the decline in the Western Civilization. This was compiled with a condescending assertion that the 'new' must protect students from ravages of too much profanity and discomfiting classroom demands. Fear and paternalism are not the foundations on which academic freedom is to be nurtured, nor do they reveal a sophisticated and dedicated commitment to that freedom. That is our responsibility. We must own it. As faculty and as faculty who govern we are keenly aware of the importance firsthand of fairness in the evaluation process, the importance of academic freedom and critical importance of the institution that protects its existence, namely tenure. Sadly all three functions have been violated which is the reason why he and others have sponsored the resolution in protest and we hope inquiry. We know that a nearly 20 year veteran of scholarly teaching and research whose promotion to full professor had passed mustard in her department, her college, and academic affairs. We know that at the time that the promotion lie on the desk of the Provost, Professor Buchanan was summarily placed before a long investigation that culminated in a dismissal hearing without any attention paid to counsel and remediation. We know that the offenses of conduct for which Professor Buchanan was charged and dismissed were largely matters of speech, pedagogical philosophy. We know that a faculty committee chosen to hear and review those charges, agreed that her speech was reprehensive and worth of reprimand, but not dismissal. We know that once it was claimed that Dr. Buchanan was guilty of unacceptable performance, a set of university procedures should have been instituted to salvage a career and thus protect the university and that career. They were not, not at the college level, not at the level of the sitting Provost and not at the President's office. We know that the faculty committee alluded to most of those matters in their statement of finding. The faculty statement of finding stated that "removal of cause should not be considered in this case. The opinion of the committee that Dr. Teresa Buchanan has violated PS-73 dealing with sexual harassment and PS-95 sexual harassment of students through her use of profanity, poorly worded jokes and sometimes sexually explicit jokes in her teaching methodologies. Violations fall into the category of creating a hostile environment. Identified violations occurred on and off campus there is no evidence that this behavior was systematically direct at any particular individual. There was some evidence that some of the people observing the behavior were disturbed by the behavior. There was no evidence of a quid pro quo violation. The charges of ADA violation were not substantiated by the testimony. The most notable incidences occurred in the fall of 2012 during a creative time where Dr. Buchanan was under apparent severe emotional stress. She was suffering through a divorce, the first red flag that demanded intervention and counseling. It is also the opinion of this faculty panel that the response of the university to this situation must fall in that a) the department chairperson did not offer appropriate opportunities for counsel prior to HRM engagement; b) the closed nature of the HRM investigation did not allow Dr. Buchanan an opportunity to resolve charges once the specifics of those charges were known, and c) did not offer Dr. Buchanan sexual retraining prior to implementing PS-104 procedures. It is the committee's recommendation that 1) she be censured in writing for this behavior, 2) she must be required to agree in writing that she will cease the behavior, i.e. that she will modify her methodology to eliminate her use of potentially offensive language and jokes. No additional actions are recommended given 1) the nature of the violations, 2) the failure of the university to follow its own guidelines for response to behaviors of this nature like in feedback and retraining opportunities. Stress already inflicted upon Dr. Buchanan by the PS-104 hearing process itself is seen as an additive punishment given the nature of the apparent infrequencies of these behaviors."

He would not have agreed that the speech and the pedagogical philosophy was in fact harassment. The committee's findings were so measured and balanced that they will be under the rules of LSU policy that they were correct. The sponsors believe that the administrators involved in this case were culpable for breach of due process and for creating a chilling environment of

uncertainty about its understanding of and its commitment to academic freedom. The resolution calls for a reversal of the decision, a remand of the matter might be necessary to follow PS-35 and PS-109 format.

George Strain

He has been teaching about 40 years with 37 at LSU. He was heavily involved with faculty governance and was on the grievance committee and other things of that nature. He has also been on the other side of that line and spent five years as Vice Chancellor for Research and has been interim dean and interim department chair. He thinks what happened here is very similar to the university of Illinois where external political pressure was applied to this university and the senior administration of this university came to that with this action not anticipating it would generate a negative response for the actions that LSU has taken. They have come to the realization that it looks bad for them so they have come out with these new press releases. There is an organization called FIRE which is any organization for faculty called Foundation for Individual Rights and Education. They had a response to the press release saying that “LSU’s allegations that the AAUP is not following its own principles or that it doesn’t care about students is simply insulting. Professor Buchanan made occasional remarks that students didn’t like and sometimes used coarse language putting her in the company of at least two thirds of the faculty according to the President of the Faculty Senate. Nobody likes to be told their work so bad, but it is Professor Buchanan’s job to deliver that unwanted, unwelcomed message to student teachers who are not succeeding in the classroom. She did not sugar coat feedback and some students got their feelings hurt and complained. LSU had years of her service and now claims every time she had a bad day it implicated federal and state law and created a hostile environment for LSU students. They claim that this case is about student welfare and not academic freedom. As Professor Buchanan points out, the faculty committee heard 11 hours of testimony, they were provided with the complete HRM report, they determined unanimously that she had done nothing to warrant dismissal and the university did not follow policy. The AAUP carefully read all documents including the hearing transcript and they also saw the HRM report. They agree with the faculty ruling. Experts on academic all agree that Professor Buchanan belongs in a classroom. It goes on from there.

This is a very frightening action the university has taken. Whether the allegations are correct in part or in whole the university is not following its own policies. The university is a faculty member. The timing of this taking right before summer I suspect they felt the impact would be lower because most faculty are gone. As a former member of this body I hope that you will not allow that to happen and you will support this resolution.

Ravi Rao

The senator pointed out the grievance committee, actually there was this PS-104 committee which is the committee for revocation of tenure. There was a whole day of hearing with both HRM and LSU lawyers presenting their case and of course Dr. Buchanan and her lawyer and five or six person committee itself who did their own investigation. Their recommendation was unanimously against revocation of tenure. He pointed out that the PS-104 committee to this day did not even get an acknowledgement from the chancellor/president even though they pro forma thank you. Their unanimous recommendation is not mentioned including in the statement in the ten minutes that the chancellor/president read out to you in which he tries to pull out that the faculty senate committee as having agreed on sexual harassment. The full five points mentioned by Dr. Eubanks puts it in a very different politics, so there is a slanting which I see is continuously being done. The first instance of this surfaced in May, caused a national furor and at that point Mr. Ballard, an LSU spokesman shoots some statements to the Advocate. Part of what he sees as a deliberate slanting was that it was mentioned that she used foul language in front of teachers and young children. Notice how it was phrased and in the Advocate there were immediate comments you would expect from many parents, such as in front of young children you would use the F word. She is not a teacher of young children; she teaches secondary school teachers who are adults. Then they mention female students as if LSU is not protecting female students. PS-104 hearings and the PS-104 report should be available. I hope this faculty senate will look into what these PS-104 statements actually are and why is it that the administration feels that some unknown HRM person’s findings trump the faculty committee we just set up. We have this policy and I agree as policy statements are recommendations to the chancellor/president but if you are going to have that any policies will be simply set aside then we have no policies and it is really a one man room. You have probably seen that there are new procedures now for PS-36 which governs promotion, tenure and appointments that it doesn’t know have to go anymore to the board so it is essentially decided at the chancellor/president’s level. Basically what it means is that we have 100 or more policy statements and none of them is going to be followed and one man takes it on himself to say that he is the determiner. Then it seems that all of us have to worry about more than just the question of academic freedom but that anything means anything here at LSU. The chancellor/president read out this statement which at the end makes a broadsided attack on the AAUP. The national AAUP has just celebrated its 100th year. It is the one defender and promulgated of questions about academic freedom and governance. Many universities look to it. If the chancellor/president thinks that he will get some leeway by making this as though the AAUP can be denigrated it is not going to stand. The AAUP does a very thorough job. He advised us all to see the supplementary report that was issued two days ago. The committee on academic freedom of the AAUP does a very thorough investigation. LSU already has been under censure by AAUP. This supplementary censure on administration is one of only seven such issued in the AAUP century of existence. He read from the AAUP comments. They have no specifics there in bringing up sexual harassment and the ADA. In the

paperwork distributed today, the mention of the ADA is completely dropped because it was unsubstantiated. Then they spin it as though this has been occurring a long time. In the AAUP report you will see the guideline; on December 9th 2013 after all of the procedures through the department and so on a recommendation including a recommendation at the Provost's committee was for promotion. On December 20th it had fell apart, so an investigation can reveal what kind of influence came as some education board emailed the chancellor/president and for whatever reasons he overruled PS-104 and continued with revocation of tenure. He said that due process was afforded and that she was allowed to present to the Board of Supervisors. There is a two minutes uplink of comments from the Board Supervisors meeting in July where she was allowed to speak. They are holding that up as having been a due process. The document they have circulated today is not only an insight but shows that they have absolutely no comprehension of academic freedom or what faculty governance in an institution should be. They are worried about repercussions. They said perhaps there might have been more complaint and this kind of hypothetical shows that what they are actually doing is to violate their own policies. Any kind of due process should require that one presents the full case. He has been at this university for 42 years and has never had an administrative position because he feels that being a professor is the position to have. He has never seen an egregious action like this on this campus. He believes this Faculty Senate needs to take a stand and do its own investigation and come up with a conclusion. This was three months out over the summer and it's today just when this resolution is coming at the 11th hour our chancellor/president shows up here and reads that statement. There was not reply to the faculty and no reply to the PS-104 committee and its recommendation was set aside.

Brooks Ellwood

He was asked to come to the meeting as one of the co-signers. He was asked by Terry Buchanan, who he did not know, to attend her trial as an independent observer. The transcripts are available and they are out there. There are a couple of points that really need to be made. She was really trashed by the President, but recognize that all of her evaluations were good all the way through, there was nothing negative. There were no negative evaluations for 18 years up until December 2013. She was never asked to tone down her language and never asked to anything like that. Of all of the times she was here teaching she had only one semester where she had bad student evaluations. All the other semesters they were really quite good. That one bad semester in 2012 was when she was going through a divorce, but all of the other semesters she had good evaluations. She was nominated by more than one student as honors teacher of the year and she won that award. Her program which she has been denigrated for is one of the most outstanding programs in the country. She has published a lot of papers and generated a lot of funding including NSF funding. This is an outstanding faculty and has nothing there to say differently. The idea that she has this long term terrible record in the classroom is not manifested in any actual published document. You can find some of these points he was making in the documents.

Michael Russo

One of the clauses in the resolution is not clear that any specific individual who brought such broad charges, so who initiated this complaint.

Brooks Ellwood

It didn't come out in trial and as far as he knew they did not testify.

Senator

The actions began with the Dean of her college. It was never made clear who made the complaints and it appears it was an external to the university. He saw the abbreviated report from HRM and they make allegations of all different kinds without substantiations. She was never given the opportunity to know half the charges or to confront her accuser.

Lillian Bridwell-Bowles

She has been at this for about 40 years herself. I can identify rhetorical spin when I see it. This is post hoc defense of actions that were taken that did not follow LSU procedures. She has worked with Teresa Buchanan since she came to LSU, she was a wonderful colleague and she never heard the F word come out of her mouth. If there had been this pattern it would be there in the record in her teaching evaluations, etc. There are three things that matter a lot to Lillian in the case. One is that we live up to our role in faculty governance. An entire committee unanimously voted not for her dismissal. If our decisions are overturned we have a right to know why. We have a right to challenge this and that is what our resolution is doing. She is a senator and signer of the resolution. Two other things are accountability and responsibility. If anyone among us is creating a hostile environment and is doing a bad job in the classroom, maybe even offending people out in other schools, it is our job to remediate those people or to follow proper procedures so that whatever happens to them should happen. That was not done in this case. It is our job to see this through.

Fereydoun Aghazadeh

Usually these things start at the department level, if he or she was responsible for it how come that person is not censured or what happened?

Senator

The chair of the department has resigned. He resigned four months after this case began. He is no longer here. He did not attend the proceedings. My understanding is that the first step in due process in terms of due process is once a complaint is filed it would start at the chair and move up the chain of command. This started in the dean's office and was never kicked back down to the chair. The chair retired in May so he has not been involved in this at all. The chair never received a file of a formal complaint at that time. She was chair of the promotion and tenure committee at the time Dr. Buchanan went up. She said Dr. Buchanan had been outspoken and she went to the chair to ask if there had been any formal complaint by students against Dr. Buchanan in regards to her teaching and it was reported that there were none. This was in the fall of 2013.

Arend Van Gemmert

He had the same question and if the chair was involved he should have been on this list as well because we have Stuart Bell on there and he is not here now either.

Senator

I have heard there was outside pressure and that one of the groups was the school district? Is that substantiated?

Cecil Eubanks

You will notice that that is not in the resolution at all. There are only news reports of that.

Senator

He fully supports the resolution and he found the President's speech very offensive and its creating a hostile work environment. What is the makeup of the co-sponsors? It might be best to have more members of this body as co-sponsors.

Cecil Eubanks

They only asked full professors to participate because of possible repercussions. One associate professor insisted on being involved. They come from a number of different departments.

Senator

Support of this resolution would show support defacto for those who are not full professors so it would be less likely they would be subject to retaliation.

Senator

As far as he is concerned the university did not follow its own policies so it's an automatic do over in his mind. Is it right that no one would actually be able to put their hands on a record of what professor Buchanan actually did or said? Is there a record out there somewhere but we cannot get it due to confidentiality?

Cecil Eubanks

There is a little bit and it's documented in the transcripts. One of the students was asked specifically how often did she use profanity in the classroom. The student said once or twice. That's in a semester.

Senator

In the proposal that we have before us it says "termination of tenure and dismissal for cause of Associate Professor Teresa Buchanan were the creation of a hostile environment and consequent sexual harassment through the use of vulgar language", then it says "second set of standards" "created a hostile environment in the classroom". It sounds like the sexual harassment allegations were dropped otherwise are these two sets of standards essentially the same other than the fact that the sexual harassment was dropped?

Cecil Eubanks

He does not know that it was dropped. The court speaks of both.

Senator

It was in the third paragraph on the second page. "Further aware of a second set of standards, announced in the aftermath of national and international outrage over the actions by LSU's administration, which based the dismissal of Associate Professor Buchanan on having "created a hostile environment in the classroom". Why did the admiration take out sexual harassment in that second set of standards?

Cecil Eubanks

We wondered the same thing.

Ravi Rao

LSU has changed its story of this as things came out. Americans with Disability Act was mentioned and then it was dropped. He mentioned a sentence in the President's remarks about the faculty committee concluding that the professor created a hostile learning environment and recurring sexual harassment. The PS-104 committee did not see any kind of pattern of recurring sexual harassment. It is not in the quote but they are saying that the LSU faculty committee concluded. They are also saying that the allegations made by some that the faculty member used salty language was the reason for termination is simply wrong. They are the ones dropping it for whatever reasons. He has found that as they change the rules in their defense they are bringing in this statement about protecting the students from an increasingly hostile environment. In a slightly related issue, in PS-36T about a year ago it was slipped in the by academic affairs in section two related to academic freedom. There are some words of this nebulous variety. This change was made in a similar fashion.

Gundela Hachmann

She is not entirely clear what the resolution is asking for in regards to censure.

Kevin Cope

What censure is is one step short of a vote of no confidence, which is a call for removal from office of the party involved. Often times in the hostile environment created by the Board of Supervisors one gets a rebuff, there is no response. On a national level this is a more significant matter. The press locally, regionally and nationally covers this matter and this is something administration cares about for a variety of reasons, LSU's reputation and personal career prospects. There is some action involved in censuring as it becomes a matter of public record. It may come up in the next hiring committee where the candidate asks about what is this censure all about here? Within the college level this raises questions and put the parties who are censured on notice that the faculty are watching. It is a kind of mercy in that we are giving a warning and giving the opportunity for remediation.

Charles Delzell

He also supports the resolution and is appalled by the two page statement by the President. He mentioned the part in the President's statement about Dr. Buchanan being warned and to desist but she refused. As far as he knows she was told that after she was already removed from teaching. We need to go further than just censure and we need to go no confidence. There was a chancellor who was removed from LSU back in 1990 or sometime and before the senate voted to remove him there was a petition to look into it. Maybe we need to look into this two page memo to see how many distortions of fact there are and the committee should recommend some action against the chancellor and other people involved. Basically he deserves no more due process than Dr. Buchanan got, she wasn't allowed to face her accusers which is part of due process.

Kevin Cope

He explained various options for dealing with Charles Delzell's suggestions such as voting no confidence which would require a separate motion. We can make changes in wording and vote next month. We can propose a motion to suspend the rules and vote immediately which would allow amendments now.

Angeletta Gourdine

She was in a situation akin to this about mysterious accusation in a hostile learning environment. Fortunately for her she had a different result. The case of Dr. Buchanan bodes negatively for all of us regardless of what our rank is. Full Professors are as equally imperiled as are Assistant Professors. There is something a little untoward about the various iterations as to why this decision was made. When you talk about a faculty hearing and the availability of a transcript, in whose possession is that transcript and how does one acquire it.

Kevin Cope

One transcript is in the possession of Dr. Buchanan, the other would be in the possession of the custodian of records which would be the university counsel and the university President. You can ask Professor Buchanan and it's her option whether or not she wants to give it out. For the university counsel it would require a public records request. This is a gray area as the university may attempt to say this is a personnel matter and therefore not covered by the sunshine laws, but might be worth an attempt.

Stephen Shipman

Is it possible to have a supplementary document to go along with the resolution that actually explicitly refutes some of the statements the administration said? The resolution is vague because it has to be.

Kevin Cope

There are two ways to do that, the next time we meet you can include that as a friendly amendment or provide a separate resolution which would probably be a more economical approach.

Stephen Shipman

The biggest problem for him is the lack of due process. Now he is concerned about the accusations themselves. If as the President says, the accusations have nothing to do with policy, then how was Dr. Buchanan actually creating a hostile learning environment?

Lillian Bridwell-Bowles

She said that such a document could be produced by the next meeting. She is not sure who would do it. We may ask for censure if they refuse to review as the resolution calls for. If that review does not come then I think we have a case for censure.

Ravi Rao

I need a clarification about what you said. Since PS-104 was formulated by the Faculty Senate, what is the role of the Faculty Senate in this committee? Can the Faculty Senate ask for a copy of the PS-104 recommendations? It is already out there. Professor Buchanan has already released it, AAUP has a copy of it. Isn't the Faculty Senate itself in a position to get a copy of the PS-104 report?

Kevin Cope

That is an interesting question and relates to the chaotic dimension of the LSU experience and that is consolidation of the campuses. Nobody knows exactly what this campus is at the moment. It used to be LSU and part of the system and at the moment we have an under articulated merger. There was some motion towards clarification over the summer at the Alexandria summit meeting, but the question still exists as to whether PS-104 is a campus or system document and whether it would be under the jurisdiction of the Faculty Senate or the system wide committee of faculty advisors. Then you have the administration has its own level of appropriating PS-104 and made its own and then you add to the fact that the Faculty Senate was material to the hearing process itself and in some sense is involved in confidentiality. Sixteen of the faculty members who were candidates for the hearing panel were all members of the Faculty Senate so we are caught up in the confidentiality ourselves. It would be best to take some other route because of this.

George Strain

It is unfortunate that the media gives greater credence to a press release issued by a university President and issued right before this discussion took place as opposed to the coverage of the discussions that would happen in the deliberations as we discuss the rules ourselves. The resolution is to say that you guys screwed up in the way you handled this. What wasn't done is a distraction from what this resolution is trying to do. Our President has high national visibility right now in all of higher education. A resolution from the faculty of his institution to censure him would perhaps have an impact on his credibility so it is not a trivial thing.

Gundela Hachmann

As she understands it there is a trial underway already against the university. Does anyone know? How is that going to affect what happens here at LSU?

George Strain

There is no trial yet. She has retained an attorney. The AAUP is raising funds from contributions from individuals but it has been filed and has not yet gone to trial.

Ravi Rao

He had a comment on the word censure. AAUP has a censure on the university now and the university has been shutting it off. In questions of this kind the national AAUP can help. We faculty at LSU have to fight this battle inside. To add this faculty's censure will have that weight. Even the national AAUP will see that we ourselves are fighting for the faculty. Faculty rights are being violated here. We have got to make a stand.

Senator

He feels the language is quite measured and would not prohibit us from making comments in the future. Given that the press release came out today, given that the censure has come out today. We are at a time when we have the most leverage if we support the resolution. It is better to act now.

Kevin Cope

We have a motion on the floor to suspend the rules for an immediate vote. He asked for a second.

Motion to suspend rules seconded. Vote to suspend rules to on vote on resolution now: yays 20 nays 13

Charles Delzell

He believes it has to be 2/3 vote.

Kevin Cope

The vote fails.

Ravi Rao

I don't believe you have to have a 2/3 vote.

Charles Delzell

The senate constitution would trump Robert's Rules if there was a conflict. Robert's Rules says 2/3 vote.

Senator

I have nothing here but what they said and I would like the opportunity to get more information before voting.

Kevin Cope

Currently we are not taking a vote.

Charles Delzell

Someone here is checking the constitution.

Arend Van Gemmert

We are asking to censure the President. Everybody tells what goes wrong with what the President did. Also the Dean and Provost Bell, did they also not follow procedures?

Cecil Eubanks

All of them are culpable. In his opinion a dismissal for cause hearing should never have been held. Dr. Buchanan received a letter from her Dean with the heading unacceptable performance. To me that triggers PM-35, the PS-104 process which is a specific process for review, consultation, counseling and remediation. It is very involved and administrators don't like it because of that. It involves faculty in the process. Her dean presented that so he is culpable. Stuart Bell allowed it to happen and he stopped the promotion that had been approved by academic affairs and acquiesced on the hearing for dismissal for cause. The President made his decision in contradiction to the faculty committee. That same committee did find a violation under LSU rules of sexual harassment and a violation of hostile environment, but did find sufficient cause for dismissal.

Arend van Gemmert

All we are talking about today is procedures nothing to do with the case itself.

Cecil Eubanks

Many of us are perturbed about the whole notion of a hostile environment, what that means, what is the trigger there. He will try to get copies of the documents.

Kevin Cope

If you get those documents we can make them accessible on the Faculty Senate website.

Reid Bates

If the problem is about procedure then any documents we can see about what did or didn't happen would be helpful.

Senator

As far as a timeline, when was the letter?

Cecil Eubanks

He thought it was early 2013. There is a timeline that he can put into the document.

Pam Monroe

Which letter are you talking about?

Senator

The letter from the dean.

Pam Monroe

The letter from the dean is dated December 20, 2013.

Senator

The committee that met?

Pam Monroe

March of 2015. As of December 20, 2013 she was suspended. The procedures to which we are referring are predicated on unsatisfactory findings in an annual report with unsatisfactory findings in a review of over two or three years. Her annual evaluations are satisfactory across the board. She was in fact recommended by her department and by the Provost advisory committee and she was recommended by her dean for promotion to full professor. Terry will show you everything, she has nothing to hide. The dean gave her a letter indicating support for her promotion to full professor indicating that it would go forward to the Provost. Within ten days or two weeks he pulled it. It says here that there was specific pressure from a school superintendent in Iberville Parish.

Senator

It seems like a conflict between what you are saying and what is in the third paragraph related to evidence obtained in a university hearing about the faculty berating and disparaging students over a number of years. Someone needs to be investigating the major differences between this statement and other evidence.

Arend van Gemmert

The hearing we are talking about was only five months ago so how is that even possible.

Senator

The resolution is about the fact that the administration did not follow procedure for which we have ample evidence. There is no question, they did not follow procedure. There are additional causes for action from this body that have to do with other elements in this case. The resolution is basically saying you have to follow the rules of the university; you don't just get to make them up. Evidence that that did not happen is 100% clear. I have not heard any evidence to the contrary that procedures were actually followed. He is disappointed that we are not going to try to vote on this resolution today.

Michael Russo

The statements in the resolution are not evidence. Is that what you are referring to?

Senator

There is ample evidence that the administrators did not follow the procedures.

Michael Russo

What do you base it on?

Senator

There are things that did not happen that should have happened. There might be other issues that come up that might require additional resolutions.

Michael Russo

Maybe you know more than I do, because this is not evidence.

Senator

We have heard from those on the committee about what happened and what didn't happen.

Arend van Gemmert

Some people have said that procedures are not followed and I have not seen evidence of that. We need to know what happened exactly to know that those procedures were not followed. At the moment I do not see real evidence.

Angeletta Gourdine

The conversation is circularizing. There is a dispute between testimony and evidence. Anyone can testify having witnessed certain things but then there comes the corroboration of that testimony which would valid it as evidence. That is sort of where the break up is. She understands the need for this record so she can evaluate what exactly she thinks is going on. She made a motion to suspend debate to the second reading.

Motion was seconded.

Vote to suspend debate until the second reading: yays carried the vote.

Charles Delzell

He moved to have the executive committee appoint a committee to these allegations in the resolution and to review the two page statement from the chancellor and make a recommendation to the faculty senate.

Seconded by many.

Kevin Cope

He asked for suggestions on committee members from Charles Delzell. He opened the floor to discussion.

Ken McMillin

There were actually two PS-104 committees that were convened. The first committee could not be formed because one of the members who were going to be on the committee took a different position and another retired from the university. That was a month of time that was lost. The faculty committee that was convene was composed of all full faculty member each of whom had served as a faculty senator, at least half of them on the executive committee at least once in their career. He is not comfortable with any of us going back and second guessing their report.

Bill Daly

This statement that the President/Chancellor read was drafted by a lawyer. If we want to rebut it we need a lawyer.

Senator

There is a difference in voting for a resolution that we do not know what the facts are, the difference is he is trusting the members of the university when they said that a meeting took place and a vote happened. It may be as simple as having an outside body saying that all the allegations are indeed factual.

Wes Harrison

He likes the idea of posting the transcripts on the faculty senate webpage and just reading it so we can make up our own mind. We do not need a committee to see if due process was followed or not.

Fereydoun Aghazadeh

We started in the forest and got down to the trees and need to go back to the forest. The whole thing is whether or not the administration followed procedure instead of what evidence we have or not. If you could have a committee report that is all we need.

Mandi Lopez

How was the committee selected for PS-104 hearing?

Kevin Cope

It says that eight candidates must be selected from the Faculty Senate and the AAUP nominates the other eight. Faculty Senate assisted the AAUP in this matter. The committee was completely stabilized in the spring of 2015.

Mandi Lopez

Their call was to represent us as a faculty and they saw all of the evidence and the report that Professor Eubanks read today.

Cecil Eubanks

The findings of this committee were based on written correspondence collected as part of the HRM investigation, documents that are part of the LSU record and testimony that was given on March 9, 2015. Third party references and matters outside the specific purview were not considered.

Alan Sikes

He wants clarification the current motion which is to look at the particular statement from the President and to investigate whether there are any distortions or mistruths. That is a related but separate issue.

Kevin Cope

He suggests that we appoint two persons to do that.

Alan Sikes

Then we should appoint someone with full professor status.

Angeletta Gourdine

She doesn't think the committee being proposed is a challenge to the work that was done by the PS-104 committee. She doesn't think we need a lawyer to ascertain whether or not a statement prepared and presented by the President matches the facts that were compiled by the event in question.

Vote to have an appointed committee or person to review allegations: unanimously approved

Kevin Cope

He asked for volunteers.

Senator

He suggested that three people be chosen.

Lillian Bridwell-Bowles

She suggested that Pam Monroe and her serve.

Kevin Cope

The committee will be composed of Pam Monroe, Lillian Bridwell-Bowles, Fabio del Pierez and Cecil Eubanks. He asked the committee to have the document for the next meeting.

Lillian Bridwell-Bowles

She had a concern about someone requesting that the people be neutral and she is not neutral. If someone would call into question the work of the committee because of her name being associated with it, she would be happy to have someone who feels neutral to do it.

Senator

Being neutral is one thing and being objective is another.

First reading, Faculty Senate Resolution 15–16, “Zoning of East Baton Rouge Parish Property Near LSU”, *Sponsored by Lillian Bridwell-Bowles*

Faculty Senate Resolution 15-16
Task Force on Long-Range Planning for the Academic Environment
Sponsored by Senators Lillian Bridwell-Bowles and Judith Schiebout

Whereas the surroundings of a great University contribute greatly to the reputation of and success in recruiting at an institution such as LSU;

Whereas the recent support of the LSU Faculty Senate played a visible role in the deliberations leading to recommendations from the Baton Rouge Planning and Zoning Commission and the Baton Rouge Metro Council to re-zone property south of Baton Rouge to insure that industrial pollution would not endanger LSU students, faculty, and staff;

Whereas the LSU Faculty has members with regional, national, and international reputations in areas related to land-use policy, scientific study with regard to the environment, law and the environment, and public media communications;

Whereas faculty members in many disciplines are already engaged in deliberations about specific buildings (e.g., the Water Campus on the riverfront, the Louisiana Museum of Natural History) and their settings;

Whereas the Faculty should be in dialogue with administrative leaders involved in recommending future growth and development of the Main and South Campuses of LSU;

Whereas environmental factors and land-use policies should be a matter of great concern to all members of the LSU community;

Be it therefore resolved that the LSU Faculty Senate Executive Committee establish a Task Force on Long-Range Planning for the Academic Environment charged with communicating with existing campus planning entities, public planning and zoning

groups (e.g., the Planning and Zoning Commission, the Metro Council) about appropriate land-use policies that impact the academic mission and environment at LSU;

Be it further resolved that this Task Force present an annual status report to the Faculty Senate during Spring Semester with specific recommendations for Faculty Senate involvement and resolutions for deliberation.

Moved into discussion.

Q&A Summary:

None.

Senators moved to adjourn, many seconded.

Adjourned at 5:37 pm