SUMMARY
Faculty Senate Meeting
Wednesday, March 20, 2019
LSU Foundation Building, Harrison Board Room 107, 3:00pm

ATTENDANCE

Executive Committee
1. Ken McMillin (President, Animal Science)
2. Mandi Lopez (Vice-President, VCS), Chair
3. Joan King (Secretary, Food Science)
4. Fabio Del Piero (Member-at-Large, PBS)
5. Judith Sylvester (Member-at-Large, Mass Comm)
6. Nan Walker (Member-at-Large, Oceanography & Coastal Sciences)

Senators:

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<tr>
<th>#</th>
<th>Senator Name</th>
<th>Faculty</th>
<th>Proxy/Alternate Name</th>
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<tr>
<td>1</td>
<td>Fereydoun Aghazadeh (ENGR)</td>
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<td>Katherine Henninger (HSS)</td>
<td>P Laura Riggs (VET)</td>
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<td>2</td>
<td>Kwame Agyemang (HSE)</td>
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<td>Paul Hrycaj (LIB)</td>
<td>50 Tracey Rizzuto (HSE)</td>
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<td>Priscilla “Lilly” Allen (HSE)</td>
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<td>Stuart Irvine (HSS)</td>
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<td>Brendan Karch (HSS)</td>
<td>X Dan Sheely (SCI)</td>
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<td>Kayanish (Kai) Aryanana (AG)</td>
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<td>Kyla Kazuschyk (MDA)</td>
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<td>Kelli Scott Kelley (AD)</td>
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<td>Yunjungh Kim (HSS)</td>
<td>55 Carlos Slawson (BUS)</td>
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<td>Julia Ledet (SCI)</td>
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<td>Proanta Chakrabarty (SCI)</td>
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<td>Vincent LiCata (SCI)</td>
<td>X Kristen Stair (AG)</td>
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<td>66 X Sonja Wiley (BUS)</td>
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<td>19</td>
<td>Cyndi Dicarlo (HSE)</td>
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<td>Rafael Orozco (HSS)</td>
<td>67 X Cathy Williams (AG)</td>
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<td>Niki Pace (Sea Grant)</td>
<td>68 A Donghui Zhang (SCI)</td>
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<td>Brooks Ellwood (SCI)</td>
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<td>Megan Papesh (HSS)</td>
<td>69 X Christian Dufresne (HSS)</td>
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<td>Kenny Fasching-Varner (HSE)</td>
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<td>Tracy Quirk (Coast)</td>
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<td>Gregory Griffin (ENG)</td>
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<td>Suresh Rai (ENG)</td>
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<td>24</td>
<td>Kristen Healy (AG)</td>
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<td>Maria Rethelyi (HSS)</td>
<td>72 X Yunjungh Kim (HSS)</td>
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Proxies/Alternates:
Nathan Lord for Kristen Healy
Stuart Irvine for Bryan McCann
Costas Busch for Bhaba Sarker
Costas Busch for Aly Aly
Costas Busch for Fred Aghazadeh
Matt Vangjel for Gregory Sioles
Matt Vangjel for Kyla Kazuschyk
Sophie Warny for Brooks Ellwood

Guests:
Rachel Vanek, Judith Schiebout, Mallory Danzy, Taylor Bourgeois, Sarah Temple
Cameron Barne, Arend Van Gennert, Hope Dawan, Stacia Haynie, Stanley Wilder
Lois Kuyper Rushing
CALL TO ORDER
President Ken McMillin called the meeting to order at 3:00pm.

ATTENDANCE
There was a quorum with 16 alternates/proxies noted.

APPROVAL OF MINUTES
Approval of February 18 Minutes passed with minor corrections to be added later.

PRESIDENT’S REPORT
- Meetings
  - AVP HRM search, Interim VP ORED, EVP and Provost Haynie, Board of Supervisors meeting
- Faculty Senate elections
  - Executive Committee, Budget and Planning Committee, Committee on Committee, April Elections for senators
- Announcements
  - Conference of Louisiana Colleges and University Faculty Panel
  - Capital Campaign March 28 and 29
  - Faculty Club 80th anniversary, March 29

GUEST SPEAKER, SARAH TEMPLE, CAMPUS SUSTAINABILITY
- Zero Waste Event Planning, April 5th
- 2019 Spring Greening Day, April 11th

OLD BUSINESS
Second Reading of 19-02 Resolution, Student Rights and Responsibilities
Sponsored by Faculty Senate Executive Committee on behalf of the Staff Senate

Whereas a student enrolled at Louisiana State University should be aware of rights granted and upheld by the administration and their responsibilities necessary to receive these rights, and
Whereas students of the University are protected by established policies, which are numerous and not always easily accessed, and
Whereas there is no central document that informs students or faculty members of these rights and responsibilities, and
Whereas a central document will emphasize and clarify such rights and responsibilities that a student at the University may have and of which faculty members should be aware, and
Whereas violations of these student rights may be addressed by filing a complaint to the Student Government Judicial Branch, and
Whereas the Judicial Branch may offer an endorsement of the validity of the student complaint through a judicial opinion, and
Whereas the proposed list of student rights and responsibilities is not exhaustive and based upon existing policies and practice, including the Code of Student Conduct, Faculty Handbook, PS-22 Student Absence from Class, PS-29 Management of Courses and Classes, PS-30 Student Privacy Rights, PS-44 Student Grading, PS-45 Courses and Curricula, PS-48 General Appeal Procedure Available to Students, LSU General Catalog, LSU Schedule Booklet, and the Family Education Rights and Privacy Act of 1974.
Therefore be it resolved that the LSU Faculty Senate affirms the Student Senate request that the LSU Student Bill of Rights and Responsibilities will be:
1. Students have the responsibility to know and follow the Student Code of Conduct.
2. Students have the right to meet with professors or instructors concerning their classes.
3. Students have the responsibility to attend class and to seek out work for which they have missed in the case of an excused absence.
4. Students have the right to make up course work for absences deemed excusable by PS-22 Student Absence from Class or an individual professor.
5. Students are responsible for providing reasonable advance notice and appropriate documentation to be excused from class or an assignment.

6. Students have the right to access the syllabi in their courses and to any changes that are made during the semester in accordance with PS-29 Management of Courses and Classes.

7. Students have the right to view updated grade information during the semester.

8. Students have the right to appeal the decisions of their professors in accordance with PS-48 General Appeal Procedure Available to Students.

9. Students have the responsibility to make appeals of final grades within 30 days after the beginning of the next regular semester.

10. Students have the right to re-schedule a final examination if there are three final examinations scheduled within a 24 hour time period per the Final Examination Schedule for each semester.

11. Students have the responsibility to request to the Dean of their College that their exams be re-scheduled when this occurs per the Final Examination Schedule for each semester.

12. Students cannot have their opinions weighed negatively when expressed within the context of a course and the course material. Students have the right to express their opinions within the context of the course and the course material and to be graded on mastery of course material and not on personal philosophy or other personal characteristics.

13. Students have the right to appeal the decisions of their professors in accordance with PS-48 General Appeal Procedure Available to Students.

Q&A:
- What if a student comes to a faculty member concerning final exams?
  - Refer the student their respective Dean. They must request 3 weeks in advance of the final exam.

Vote: Unanimously approved.

Second Reading of 19-03 Resolution, Establishment of a Legal Defense Fund

Sponsored by Faculty Senate Benefits Advisory Committee

Whereas legal defense funds have long served to defend the rights and advance the interests of diverse professional and public interest groups, such as the Legal Defense and Educational Fund of the National Association for the Advancement of Colored People, the Sierra Club Legal Defense Fund, and the American Association of University Professors Legal Defense Fund; Whereas such legal defense funds pay expenses involved in lawsuits when such groups are forced into justifiable litigation, whether as plaintiffs or as defendants, to defend their rights or advance their interests;
Whereas beginning in at least 2010 employer contributions to LSU’s ORP (Optional Retirement Plan) failed to meet the legally required minimum, and university faculty members have been forced to sue the Teachers Retirement System of Louisiana and the LSU Board of Supervisors for relief (http://upload.lsu.edu/senate/lawsuit%20regarding%20retirement.pdf);
Whereas the plaintiffs (Profs. Kevin Cope and Roger Laine) have since 2014 paid the costs of that litigation out of personal funds and individual contributions;
Whereas that litigation might eventually result in substantial relief for the plaintiffs and all other participants in the ORP, with estimates ranging up to over $100 million;
Whereas the lawsuit is proceeding slowly and will certainly incur further costs before resulting in a judgement;
Whereas that lawsuit is only one of several issues that involve conflict between LSU’s faculty and its management, other examples including violations of academic freedom and due process for which LSU has since 2012 been under censure by the American Association of University Professors;
Whereas the foregoing conflicts are longstanding and persistent, with no indication from management of interest in working toward a resolution, so that any reasonable person would expect them to continue for the foreseeable future;
Whereas the continued underfunding of higher education by Louisiana’s state government has persisted for more than a decade, so that any reasonable person would expect additional conflicts
to arise between LSU’s management and its faculty related to low salaries, poor benefits, scarce resources, and a deteriorating physical plant;  
Whereas the faculty’s ability to seek legal recourse could encourage management to seek solutions to such existing and potential conflicts through a more robust and comprehensive shared governance of the university than currently pertains;  
Whereas the major impediment to the faculty engaging in justifiable litigation remains a scarcity of funding to retain lawyers;  
Whereas the faculty might be able to secure funding for the purposes of such litigation through individual donations, as have already been used to support the ORP lawsuit;  
Whereas the faculty might be able to secure additional funding from foundations, professional associations, private benefactors, philanthropic organizations, public appeals, and other sources;  
Whereas standing as a not-for-profit corporation is necessary in order to issue tax receipts for such donations and otherwise solicit, manage, and spend funds in a transparent and appropriate manner;  
Whereas the faculty of other postsecondary institutions as diverse as Kent State University, Diablo Valley College, Windsor University, Southern University, and the University of Washington have at various times created legal defense funds to defend faculty rights and advance faculty interests;  

Therefore be it resolved that an ad hoc committee of this body, made up of members with relevant expertise, be timely formed to investigate the possibility of establishing a 501(c)(3) not-for-profit corporation tentatively named the “University Faculty Legal Defense Fund of Louisiana,” associated bank accounts, crowdfunding campaigns on GoFundMe or similar services, and/or anything else necessary to a legal defense fund for the protection and advancement of faculty rights and priorities.

Vote: Unanimously approved.

NEW BUSINESS  
First Reading of 19-04 Resolution, Election of Graduate Council Membership  
Sponsored by Faculty Senate Executive Committee

Whereas the LSU Board of Supervisors Regulations Article I Section 2.B.2 Duties authorizes the faculty or Faculty Council to establish curricula, fix standards of instruction, determine requirements for degrees, and generally determine educational policy, subject to the authority of the Board, and  
Whereas the Faculty Senate possesses all of the powers conferred upon the Faculty Council by regulations of the Board of Supervisors or otherwise, and shall exercise such powers in a manner consistent with the policies of the Faculty Council, and  
Whereas Faculty Senate Standing Committees, including Admissions, Standard, and Honors; Budget Planning and Advisory; Courses and Curricula; General Education; and Library, have shared governance with Office of Academic Affairs, and  
Whereas Faculty Senate Resolution 10-03 “Replacing the Current System of Appointments with a New System of Elections for Members of the Graduate Council” noted that appointment of Graduate Council members is incompatible with principles of shared-governance and recommended election of Graduate Council members was adopted on March 15, 2010, and  
Whereas Faculty Senate Resolution 11-17 “Elections for Members of the LSU Graduate Council” restated the need for election of Graduate Council members to advise the Graduate Dean and was adopted on November 3, 2011, and  
Whereas the Graduate School and Graduate Dean have implemented requirements that do not necessarily further graduate education as indicated in Faculty Senate Resolution 12-1 “Graduate Faculty Status: Confidence in Colleagues and their Credentials” on annual certification of Graduate Faculty Status of each faculty member, and  
Whereas recent Deans and Interim Deans of the Graduate School have indicated agreement with the election of Graduate Council members to be advisory to the Dean, but have not taken any actions to implement this change, and  
Whereas recent changes in Graduate School policies were not voted upon by the Graduate Faculty, which is not aligned with shared governance principles,  
Therefore, be it resolved that the LSU Faculty Senate authorizes the Faculty Senate Executive Committee to immediately conduct elections from among the full Graduate Faculty members in the Colleges of Engineering, Human Sciences and Education, and Humanities and Social Sciences and School of Coast and the Environment to fill the vacancies in the Graduate Council that will occur this year, and  
Therefore, be it further resolved that the LSU Faculty Senate will conduct elections for Graduate Council representatives each spring semester to fill vacancies in the respective Graduate Council College or School member terms that expire each year.

Q&A

- What is the function of the Graduate Council?  
  o To represent graduate faculty in their respective college and graduate faculty at large.
- What is the difference between the Faculty Council, the Faculty Senate and the Graduate Council?  
  o The Faculty Council are faculty members, Faculty Senate is a delegated body of the Council that makes decisions, Graduate Council advises the dean

First Reading of 19-05 Resolution, LSU Elsevier Subscription Package
Whereas the cost of academic journals has increased 521% between 1986 and 2015, threatening the scholarly communication system in every discipline; and
Whereas journal expenses at the LSU Libraries currently consume 48% of its total budget, up from just 24% 10 years ago, which has resulted in an unacceptable decrease in library support for books, databases and other collections, staffing, and services; and
Whereas LSU’s current 5-year contract with the commercial publisher Elsevier expires at the end of 2019, at which point it will cost at least $2M/year; and
Whereas new document delivery technologies have become available, giving LSU alternatives to subscriptions that are fast, convenient, and free to users; and
Whereas limiting expenditures for Elsevier journals will free up funding that will allow the Libraries to address long-standing collection deficiencies; and
Whereas similar initiatives are in progress this year at research institutions around the world,
Therefore, be it resolved that the Faculty Senate of Louisiana State University supports the LSU Libraries’ effort to reduce Elsevier expenditures, subscribe to the most important Elsevier journals and replace cancelled journal subscriptions with expedited document delivery services.

Q&A:
- How many ILL journals can be requested at a time?
  - Used to be a rule of five, being discarded
- How will you determine the most important journals to keep?
  - Create a listing of highest to lowest use of journals; keep those highest use journals totaling 1M
- Why is this only about Elsevier? Why not other publishers?
  - Elsevier consumes over a third of the library operating budget.

First Reading of 19-06 Resolution, Support for the LSU 100% Tobacco-Free Policy & Anti-Vaping Education Program
Sponsored by Judith Sylvester

Whereas LSU was required by Act 211 to establish a tobacco policy on campus by Aug. 1, 2014
Whereas the policy is 100% Tobacco-Free, including combustibles, vaping devices (e-cigarettes) and smokeless tobacco (chewing tobacco)
Whereas LSU has failed to enforce the policy and ignored all warnings that vaping, especially the use of Juul, is a trend on campus
Whereas LSU further ignored that the lithium batteries in vaping devices can explode, causing serious injury or death from the flames and shrapnel expelled during the explosion and failed to ban e-cigarettes from campus as it had hoverboards
Whereas a campus-wide stratified random sample survey (referred to in this resolution as “the survey”) was conducted during the fall 2018 semester by Dr. Judith Sylvester through her SmokingWords program with 1,242 responses collected from undergraduate students, graduate and professional students, administrators, faculty and staff indicated that the percentage of students who are aware of LSU’s 100% tobacco-free policy has fallen from 93% in 2015 to 79% in 2018
Whereas the percentage of students using combustibles on campus has remained at about 12 percent, the percentage using vaping devices on campus has increased from 4% in 2015 to 27% in 2018
Whereas students reporting seeing vaping devices (e-cigarettes) used on campus has increased from 63% in 2015 to 93% percent in 2018
Whereas 77% of the students who vape prefer Juul, a product that delivers about 5 percent nicotine — which is roughly as much nicotine as is in a pack of cigarettes, according to the company
Whereas vaping devices are essentially nicotine delivery systems, and nicotine is a highly addictive substance
Whereas of the 190 students surveyed who use tobacco products, 42% said their tobacco use had increased since entering LSU, 35% said it had remained the same and 23% said use had decreased
Whereas 23% of the students reported having asthma, allergies or other breathing problems, and 46% of students reported avoiding areas of campus to prevent exposure to secondhand smoke or vapor
Whereas both the Centers for Disease Control and the Food and Drug Administration have declared vaping to be of epidemic proportion in middle/junior high schools and high schools but has not addressed the problem on college campuses
Whereas 99% of tobacco users started before age 26, and every day more than 1,200 people in this country die due to smoking
Whereas FDA-sponsored research indicates that nicotine has negative effects on the brains of teenagers and adolescents and that vapor from e-cigarettes contain chemicals that can be detrimental to both the user and secondhand to non-smokers/vapers
Whereas the FDA has taken steps to prohibit tobacco companies from marketing Juul and other vaping products to adolescents and young adults, including candy-like flavors

Whereas the Louisiana legislature will soon consider a law raising the tobacco purchasing age to 21

Whereas LSU has a responsibility to educate its students about the dangers of all types of tobacco use and to enforce its 100% tobacco-free policy for health and safety reasons

Whereas an earlier survey Dr. Sylvester conducted with colleges/university with established tobacco policies indicated that while student support is useful, public support from top administrators is critical to the success of the policy

Therefore, let it be resolved that LSU take the following steps immediately:

1. Establish a permanent community committee including representatives from Student Health Services, Student Life, the Athletic Department, Student Government, Campus Sustainability, LSU Public Affairs/Strategic Communication and any other interested group or organization that will promote LSU’s tobacco-free policy to students, faculty, staff and campus visitors.

2. The committee will track trends in tobacco use, especially among students, to determine the best ways to promote and enforce the policy and to maintain adequate funding for educational initiatives and possible tobacco cessation programs for students, faculty and staff.

3. The committee will further provide educational information regarding vaping and smoking research, FDA regulation of tobacco products, changes in Louisiana tobacco laws, up-to-date health information and to create counter messages to tobacco company promotions. Such information should be delivered through signage, posters, handout materials, social media messages and sponsorship of events, such as the national Great American Smokeout in November and Kick Butts Day in March or campus events that are promoted as tobacco-free. Establishing a peer to peer tobacco education program is recommended.

4. Establish and promote a hotline on campus so that those with questions about the policy, who are seeking cessation information or who are sensitive to secondhand smoke/vapor, are pregnant or have other health concerns can report infractions of the policy, such as vaping in classrooms and congregation of smokers/vapers in spaces that pose a health risk to employees and students. Tobacco-related trash accumulation also should be reported.

5. Request that faculty include a notice in their syllabi that vaping in classrooms is prohibited by the LSU 100% tobacco-free policy.

6. Require strong, public administrative support for LSU’s 100% tobacco-free policy that is maintained from year to year so that all incoming students and new faculty and staff are aware of the policy and any penalties attached to it and so that visitors to campus are made aware that LSU is 100% tobacco free.

Q&A:
- People smoke more than tobacco. Are we aware of that?
  - Yes. The FDA regulates tobacco.
- Are there punitive actions for catching anyone smoking? What about enforcement?
  - Incorporating a tobacco-free policy in your syllabus aids enforcement, punitive actions are in the LSU policy, report violations to campus police, confiscate e-cigarettes, ask for student IDs
- What about game day enforcement?
  - Athletic department can do more, education programs would help.

MOTION TO ADJOURN
Motion made to adjourn the meeting. Seconded and unanimously passed at 5:03pm.