

Faculty Senate Meeting Minutes
Tuesday, January 25th, 2022
McKernan Auditorium, LSU Law School



Attendance

Faculty Senate Executive Committee members present:

1. Mandi Lopez (President, VCS)
2. Ken McMillin (Past- President, AG)
3. Joan King (Vice-President, Food Science)
4. Marwa Hassan (Secretary, Engineering)
5. Inessa Bazayev (Member-at-Large, Music)
6. Roger Laine (Member-at-Large, SCI)
7. Jeffrey Roland (Member-at-Large, HSS)

Parliamentarian: Joan King

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

1	X	Scott Baldrige (SCI)	25	X	Edward Gibbons (HSE)	49		Kevin Ringelman (AG)
2	X	Heather Kirk-Ballard (AG)	26	X	Jason Harman (HSS)	50		Jeffrey Roland (HSS)
3		Estanislado Barrera (HSE)	27	A	Marwa Hassan (ENG)	51	X	Julie Wright Rollins (HSE)
4	X	Inessa Bazayev (MDA)	28	X	Roy Heidelberg (BUS)	52	X	Sarah Peppin Rosser (HSS)
5	X	Hana Beloglavec (MDA)	29	X	Matthew Hiatt (Coast)	53		Kirk Ryan (VCS)
6	X	Pam Blanchard (HSE)	30	X	Rosemary Peters-Hill (HSS)	54	A	Alan Sikes (MDA)
7	X	Margo Brault (HSS)	31		Robert Holton (AD)	55	X	Parampreet Singh (SCI)
8	X	Kellie Brisini (HSS)	32	A	Samithamby Jeyaseelan (VCS)	56	X	Wei-Ling Song (BUS)
9	X	James Canfield (HSE)	33	X	Joan King (AG)	57	X	Shane Stadler (SCI)
10		Elizabeth Carter (Law)	34		Gerry Knapp (ENG)	58		Brenton Stewart (HSE)
11	A	Chantel Chauvin (HSS)	35	X	Lauren Lazaro (AG)	59		Daniel Tirone (HSS)
12	X	Senlin Chen (HSE)	36		Carlos Lee (HSE)	60	X	Adriano Vatta (VCS)
13		Jin-Woo Choi (ENG)	37	X	Joseph Legoria (BUS)	61	X	Meredith Veldman (HSS)
14		John Church (Law)	38	X	James Madden (SCI)	62	A	Mark Wagner (HSS)
15		Robert Cook (SCI)	39	A	Bob Mann (MC)	63	A	Muhammad A Wahab (ENG)
16		Jeff Davis (AG)	40	X	J. Michael Martinez (HSE)	64		Paulo Waltrich (ENG)
17	X	William Doerrler (SCI)	41	X	John Miles (LIB)	65	X	Wei-Hsung Wang (Energy)
18	X	Kerry Dooley (ENG)	42	X	Louay Mohammad (ENG)	66	X	Jinan Wu (BUS)
19		Peter Doran (SCI)	43	X	Ioan Negulescu (AG)	67		Louis Haber
20	X	Thomas Douthat (Coast)	44	X	Robert Newman (BUS)	68		
21	X	Jake Esselstyn (SCI)	45		Derick Ostrenko (AD)	69		
22	X	Lori Favela (HSS)	46	X	Arthur Penn (VCS)	70		
23		Matthew Freeman (HSS)	47	X	Theda Daniels-Race (ENG)	71		
24	X	Lisa Fultz (AG)	48		Helen Regis (HSS)			

Guests: (I= In-person, V=Virtual)

<i>I</i>	Arend Van Gemmert	<i>I</i>	Traci Fontenot
<i>I</i>	Charles Delzell	<i>I</i>	Russell Fontenot
<i>I</i>	Carol Friedland	<i>V</i>	Jane Cassidy
<i>I</i>	Matt Lee	<i>V</i>	Charles Berryman

Alternates:

Fabio Del Piero for Samithamby J Jeyaseelan	Ayman Okeil for Marwa Hassan
Fereydoun Aghazadeh for Muhammad Wahab	Carmela Mattza for Mark Wagner
Edward Shihadeh for Chantel Chauvin	Judith Sylvester for Robert Mann
Kyla Kazuschyk for Alan Sikes	

- President Lopez called for a motion to approve the agenda for January 25th meeting. A motion was made and seconded.
- Senator Veldman stated that resolution 22-04, titled "Amendment to Article III of the Louisiana State University Faculty Senate Bylaws," was not included in the agenda.

- In compliance with Louisiana Open Meetings Law, a motion was made to amend the agenda to include resolution 22-04.
- The motion passed with Senator Meredith Veldman abstaining.
- LSU general counsel Winston DeCuir is here to offer legal counsel to the Faculty Senate.
- Attendance was taken via email for both senators attending in person and via zoom. All senators and guests were asked to send an email to faculty senate@lsu.edu with Subject: Faculty senate meeting attendance; Body: full name and guest or senator indicating whether they are alternate and for whom.
- Dr. Lopez announced the alternative representatives.

Public Comments on Agenda Items

No registered public comments.

Consideration of the Minutes from December 7th, 2021

Professor Veldman recommended revisions to the December 7th meeting minutes. The revisions were related to the discussion of the anonymous resolution 21-11. She said that the first paragraph for the anonymous resolution should be omitted as it is an incorrect summary of events. In addition, some lines from the Q/A summary should be omitted as well. She also recommended a few other changes related to the anonymous resolution in the minutes. She stated that she brought these changes to the FSEC, where she was told not to worry about something of "little importance."

A motion was made to suspend the consideration of the minutes until everyone had time to review the changes. The motion passed with Professor Sylvester abstaining.

Welcome and University Update, Matt Lee, Interim Executive Vice President, and Provost

Provost Lee thanked Dr. Lopez and Faculty Senate for inviting him to the faculty meeting. Provost Lee has been serving as the interim vice president and role at LSU office of academic affairs for about seven months. Firstly, Provost Lee shared some of the indicators for student success. He informed that in the Fall 21, LSU set an undergrad enrollment record along with the number of African-American and Hispanic students enrollment records. He added that LSU continues to grow rapidly and diversify the student body while maintaining high quality. Provost Lee stated that LSU undergraduate online program also continues to succeed and has set another year-over-year enrollment record. Provost Lee added that a significant piece of enrollment growth had been out-of-state enrollment. A record has also been made with fourth-year graduation and fifth-year graduation rates. Last fall was the largest graduating class in history. Furthermore, toward the end of last summer, an all-time high record for external research dollars, i.e., 166 million dollars in research awards, was brought in, laying the foundation to shoot for \$200 million. He stated that the office of research historically had research funds for seed grants, which were discontinued. Yet, Provost Lee immediately dedicated funds from the provost's office and reestablished with half a million seed grants. He mentioned that he has been doing this job for a period of time and will continue to support the research efforts of the faculty across the spectrum of the research and creative activities for faculty.

Provost Lee stated that in Jan 2021, a new internationalization officer, Samba Dieng, was hired, and he has been reporting to the vice provost position for all international programs. The reporting line has now been permanently redirected to the Executive VP and Provost position. Provost Lee mentioned that it establishes priority when reporting to the chief academic officer of the institution. As such, whoever the President decides the next provost will be, that reporting line maintains and stays because it's part of an overall push to ensure a strong international and global profile for the institution. He stated that Samba got the office into the American Council on Education Internationalization lab, and we are one of 13 institutions in the cohort right now. He stated that Samba is fast-tracking it, so it is anticipated it will be first time in LSU history comprehensive strategic plan for internationalization and globalization for our institution.

Provost Lee mentioned that professor Warner from chemistry recently retired, and he's been leading the Office of Strategic Initiatives. He added that the office of strategic initiatives would move under the leadership of the vice provost and dean for the graduate school, which will help the graduate school to elevate the stature of graduate programs across the institution. The board of regents (BOR) is the legislatively mandated body that oversees all public higher education in the state. As they have legislative authority, Provost Lee emphasized that it is important to maintain a positive

relationship with them. So, Provost Lee has worked closely with BOR to monitor, review, and revise statewide policies, as they relate to a variety of academic educational policy issues that are credible for LSU, i.e., admissions placement policy, dual enrollment, transferability of degrees across institutions, student support and success. He further added that BOR recently hired Dr. Triston Dentley as a new Deputy Commissioner for Academic Affairs and Innovation. Provost Lee contacted Dr. Dentley to talk about LSU and system schools to watch out for collective interests and maintain the integrity of academic programs.

Regarding COVID-19, Provost Lee mentioned that faculty were told they could have flexibility in the modality for the first two weeks with which they were going to deliver the class. Regarding the positivity rate, students' positivity rate is down 32%. Provost Lee explained that the deans and department chairs were asked to report to the office on what number of their course sections opted to change modality. While about 18% of the course's modality was changed to online, about 8.5 % were already established as fully online. As such, about 72.5% of the course sections are starting as a fully face-face class. He acknowledged that we are marching forward strong as an institution through the great efforts of faculty. He mentioned that the faculty awards ceremony was held in November, and next week there will be a 10-year promotion celebration. He also stated that in a December Board of supervisor' meeting, Graça Vicente, professor of chemistry and the Charles H. Barré Distinguished Professor, was honored Boyd Professor, which is an extraordinary accomplishment and is the highest academic honor that one can receive as a scholar in an LSU system. He added that we're going to have an event that recognizes everything about their family and colleagues.

Lastly, he mentioned that the Science Café is still running and it is one of those kind of activities that makes the faculty an intellectual community. Faculties at the end of the day are committed scholars who are committed to the learning and teaching efforts that are conducted with the students into research and creating the scholarly activities .

Q&A Summary

Shahada: Dr. Triston Dentley was involved in the Georgia tenure issue. He has been called as a "architect" for the "death of tenure." How are conservations going and should we be worried?

Matt Lee: The board of regents brought him over to do a presentation for us on math pathways as he's a mathematician by training and he's considered an expert on math pathways and he has other experience in innovative academic programming in terms of transferability of degrees. I directly spoke to him about the tenure issue. A strong impression that I got from him is that we have a shared set of academic values that focuses on the sanctity of tenure and on academic freedom. He did tell me that it was a two-year process in which he was doing everything he could to walk back, yet, there were some pretty strong political forces to eliminate tenure. He shared with me that Georgia was one of the first states to have a post-tenure review system about 25 years ago, which was not used. As such, not using it drew the attention of some of the political players in the states. I am 100% certain that the BOR did not bring him over to do anything related to tenure in the state; instead, it was because of his expertise in academic innovation. I spoke with President Tate this morning and he mentioned that if anyone tries to tinker with tenure, they will die on the hill, and I agreed with him.

Meredith Veldman: What do you mean by Samba fast-tracked International Lab.

Matt Lee: What I meant by fast-tracked International Lab is that the process to develop a comprehensive institutional strategic plan normally takes about 18 months, Samba got it well organized on the first end, and it is likely that it will be accomplished by the end of this calendar year.

Fereydoun Aghazadeh: What is the % of vaccinated students?

Matt Lee: End of October, maybe early November, we were at 84% vaccinated last semester and were highest at one point in SEC.

Carol Friedland: Fully vaccinated does not include boosters? Vaccines weighing significantly, what will be the requirement for the student to submit their booster documentation?

Matt Lee: This is something that we're going to talk about with the health and medical advisory committee in our next discussion.

President's Report

- a. Professor Lopez thanked all Senators for their efforts and commitments. She thanked the executive committee members and mentioned the important function of the college policy committees, and requested to communicate as senators to the respective chair of the policy committee.
- b. The council faculty advisors met with the chair of the board of supervisors at the December 10th meeting and reiterated expressive support of faculty tenure and first amendment rights. The highlights from the faculty senate report to the board of supervisors included congratulations to professor Vincette for her huge success at being named a Boyd professor requested that the board of supervisors work to secure the right of each campus to set tuition and fees. In addition, faculty advisors continued to ask them to prioritize raises, especially since LSU is 15% below the SEC average, and asked BOS supervisors to respond to the resolution by the LSU, Baton Rouge faculty senate for tuition and fee remission for faculty children and spouses. Furthermore, feedback was requested to the faculty expectations that administrators from the dean level will undergo regular evaluation, including those in interim status.
- c. The state attorney general's office will conduct Open Meeting Law training at the March Faculty Senate meeting.
- d. The faculty and staff requested consistent application of the tenants defined in PM 63 and to update the policy. The administration responded to faculty senate requests, and there are revisions underway. Revisions included improved standards for communication of colleagues passing, while respecting the family's wishes, for communications about when LSU flags are to be flown for an LSU colleague so that people can pay their respects if they wish (once LSU flight is flown, it will be available to the families).
- e. President Tate has agreed to include one member of the faculty senate in the President's Health and Wellness Committee. President Lopez asked for volunteers to serve and requested a page of information (i.e., a short description of more than half a page of your qualifications) to send to Dr. Noel at LSU faculty center email, which will be forwarded to the committee. Committee will select the member.
- f. The survey will be going out to query faculty about classroom IT as mentioned by Dr. Wooley in last December Faculty Senate meeting. Dr. Lopez requested faculties to respond to the survey when it comes out to help guide the centralized faculty team toward positive and helpful change.
- g. LSU's zoom license with LSU student license can store up to 80 TB of recordings. As of January 1, 2022, faculty recordings account for about 70 percent of that. Chief information officer (CIO) Wooley has proposed some solutions and requested feedback. Write-up from CIO Woolley will be shared after the meeting and should be responded directly to CIO Wooley.
- h. A new day student workday will be joining the LSU IT collective.
- i. There exists an inconsistent format for online credit and the college. Faculty have expressed concern that the basic template for online credit or remuneration is to be provided by the administration
- j. With the recent changes regarding LSU Faculty360, faculty may need additional time for the activities report.
- k. FSEC had an advisory committee meeting last week and met with Trey Jones from the general counsel's office to discuss all available options for open meetings, with consideration of current pandemic conditions. FSEC also discussed Student Advocacy and Accountability procedures with Jeremiah Shinn and Dean of Students, Brandon Common. Concerns were raised about faculty authority over grading policies and what might be perceived as inequitable treatment of students, which may be found responsible for the same violation of the student vote fundament. It seems that faculty do not decide rate changes associated with any form of confidence and punishment, so, the executive committee will work to resolve these inconsistencies, and with the approval of the Senate, Shinn and Dean Common will be requested to join one of the faculty senate meetings.
- l. FSEC also met with the enrollment management about transfer credits, that is, the introduced application of 2.75 credits from universities among colleges and the rather lackluster participation development transfer student marketing, including a rather objective presence on Transferology. Members of the Admissions, Standards & Honors Committee (ASH community), Professor Cathleen Williams and Kanchan Maiti joined FSEC for the discussion and a resolution that is anticipated from ASH committee on the topic of Transferology.
- m. Faculty Senate voted to change the constitution in October 2020 (found last constitution vote in 2004). Faculty Senate is tracking down the constitution and will send it along with all recent changes to the faculty.

Q & A Summary:

Judith Sylvester: LSU Faculty360 is way behind, so we will not be doing faculty reports on it. Faculty coming up for P&T need to know how it will be done.

Mandi Lopez: I have been one of the most vocal individuals about this issue. I was less enthusiastic about from day one, so, yes, I totally agree, and I question the amount of money, effort, and time that went to have it.

Meredith Veldman: A big portion of March will be spent on open meeting training in regards to concern by A.G. office. Do you know who registered this concern and what it says agreed to by the university?

Mandi Lopez: The information was provided by the general counsel's office. We have been told that we have to do it, but do not know by who or when.

Winston DeCuir: The complaint was made with the A.G. office, so Faculty Senate is a subcommittee of the BOS, so enforcement action occurs to the university as a whole.

Mandi Lopez: We had to agree. We are serving as representatives of the entire school.

Shada: What was the nature of the complaint?

Winston DeCuir: The complaint was that Faculty Senate was not following Open Meetings Law in one of the faculty senate meetings. I wasn't given the specific allegations, but I believe the meeting was the one where a lawyer sent from the attorney general's office was present. The concerns that were relayed to me was that all votes were conducted by voice following the proper procedure to go into executive sessions

Joseph Legoria: There were visitors in the back that were not faculty, so there were no barriers; there was a violation?

Winston DeCuir: They did not tell us there was a violation; they simply informed us that there were concerns that the votes were taken by voices.

Joseph Legoria: Was it from the public or someone from the Faculty?

Mandi Lopez: We do not know. The agreement is that we will receive the training as representing the university. Will try to focus on what applies to us.

Margo Brault: How much of the meeting will take up the meeting?

Winston DeCuir: It depends on how detailed they will go. 35 to 45 minutes to cover an overview of Open Meetings Law.

Old Business

a. Withdrawn: Second Reading, Resolution 21-06, "A Call to Bring LSU's Vaccination Mandate into Conformity with State Law and National Guidelines"

Sponsored by Faculty Senators Inessa Bazayev, Robert Mann, Jeffrey Roland, Daniel Tirone, Meredith Veldman

On behalf of the sponsors for this resolution, Professor Veldman moved to withdraw the resolution. She explained that the coping situation now is not the same as it was when the resolution was proposed. She further added that the Omicron variant has made it clear that all vaccinated and unvaccinated need to be tested regularly. In addition, the Louisiana Department of Health has already updated policies, which require COVID-19 vaccinations for students. Notably, this also requires boosters. If there's any debate about vaccinations, the place for it is at a state level and not at the Senate level. Lastly, she explained that the LSU administration's decision to resume the mask mandate and recommendation to upgrade to higher grade masks and allow faculty to change their teaching modes are consistent with faculty messages and voices heard. She stated that all these indicate that the message has been

conveyed, and 84% of students being vaccinated is another achievement (which is not the case in peer south institutions). With these powerful reasons, Professor Veldman moved to withdraw the resolution.

The motion was made to withdraw the resolution and seconded. The motion passed and the resolution is removed from consideration.

b. Second Reading, Resolution 21-09, "Correcting LSU's Misquotation of the FDA's Vaccine Letters"

Sponsored by Charles Delzell, Charles Berryman, Carol Friedland, Robert Rohli, and Boris Rubin

Some minor changes (i.e., a sentence was added) were mentioned by Professor Delzell. A motion was made by Fereydoun Aghazadeh to postpone the resolution indefinitely and seconded. The motion passed with 6 abstentions (Pam Blanchard, James Madden, Julie Wright Rollins, Joan King, Fabio Del Piero, Carmela Mattza) and 4 nays (Kerry Dooley, Adriano Vatta, Scott Baldrige, Theda Daniels-Race)

New Business

a. First Reading, Resolution 21-10, "Bringing LSU's COVID-19 Policies into Compliance with State Law"

Sponsored by Carol Friedland, Kerry Dooley, Boris Rubin, Charles Delzell, and Charles Berryman

Dr. Friedland thanked Dr. Veldman for her valuable comments on resolutions 21-06. Dr. Friedland explained that LSU has for decades that has operated under state law, where there are required vaccines, where there is an exemption process that works. She mentioned that the objective of this resolution is to bring the practices and the policies that LSU is implementing in line with state law.

Dr. Friedland read the resolution.

1. **Whereas** President William F. Tate IV stated before the Louisiana House Health and Welfare Committee on August 16, 2021, that LSU's practices for COVID-19 vaccine requirements and exemptions were following the same guidelines in place for decades;¹
2. **Whereas** COVID-19 is not a vaccine-preventable disease² and no significant difference has been found in viral load between vaccinated and unvaccinated, symptomatic and asymptomatic groups;³
3. **Whereas** the Louisiana Revised Statutes (R.S.)⁴ establish the requirement that students entering universities for the first time be immunized against vaccine-preventable diseases or present satisfactory evidence of immunity according to a schedule approved by the Louisiana Department of Health (LDH) Office of Public Health;
4. **Whereas** no student seeking to enter any Louisiana school is required to comply with school entry immunization requirements if a written statement from a physician or a written dissent from the student or his/her parent is presented;⁵ therefore "[m]edical, religious, and philosophic exemptions will be allowed for compliance with regulations concerning... school enterers;"⁶
5. **Whereas** the COVID-19 vaccine is not listed on the LDH schedule for enrollment at schools of higher learning;⁷
6. **Whereas** LSU requested and was granted approval from LDH to add the COVID-19 to LSU's vaccination schedule, LDH specifically noted that "the legality of any action taken in this regard" had not been determined;;

Whereas no authority is given to either the institution or LDH to discriminate between immunized and unimmunized students, other than the empowerment of school administrators, upon the recommendation of the Office of Public Health, to exclude unimmunized students from attendance during an outbreak of a vaccine-preventable disease⁸ but only until the appropriate disease incubation period has expired, which for COVID-19 does not exceed fourteen days;⁹

7. **Whereas** testing of unvaccinated students but not vaccinated students, when both groups can carry and spread COVID-19, violates the civil rights¹⁰ of students to obtain education without discrimination and places a burden on a student's exercise of religion;¹¹
8. **Whereas** the state health officer and LDH are prohibited by statute from imposing any mode of treatment against a person's religious tenets;¹²
9. **Whereas** the Louisiana Constitution guarantees that no law shall discriminate against a person because of religious beliefs, nor shall any law unreasonably discriminate against a person because of physical condition;¹³
10. **Whereas** Louisiana Medical Consent Law further guarantees the rights of adults to refuse treatment are not limited;¹⁴
11. **Whereas** the Louisiana Health Emergency Powers Act requires tailoring disaster emergency plans to include the unique aspects relevant to public health emergencies, including "[p]rovisions permitting persons for reasons of health, religion, or conscience to refuse medical examination or testing, vaccination, or medical treatment;"¹⁵
12. **Whereas** the responsibilities of school administrators are explicitly defined by statute, and thus limited, to 1) checking that students' immunization records, evidence of immunity, or exemptions are submitted and 2) transmitting immunization compliance reports to LDH;¹⁶
13. **Whereas** the state health officer prepares, promulgates, and enforces rules and regulations embodied within the state's Sanitary Code covering all matters within their jurisdiction, including an immunization program¹⁷ and that no other powers related to the immunization program or Sanitary Code are given to school administrators;
14. **Whereas** "nothing in the immunization programs shall authorize the state health officer or the department [LDH] to overrule the limitations in either R.S. 40:5.2, or R.S.
15. **Whereas** the state health officer and LDH Office of Public Health of have "exclusive jurisdiction, control, and authority" to enforce a sanitary code for the entire state,²¹ meaning that no entity outside of these have the authority to enforce Louisiana's Sanitary Code nor do they have the jurisdiction to create a Sanitary Code (and thus immunization program) outside the statewide Sanitary Code;
16. **Whereas** LSU Policy Statement (PS) 72 "Immunization Policy" does not mention or require immunization against COVID-19 nor provide the definition of adequate immunization for COVID-19;²²
17. **Whereas** PS 72 was last revised April 1, 2016 and is not currently in revision;²³
18. **Whereas** the latest version of the LSU Presidential Directive on COVID-19 Safety (effective date August 5, 2021) does not specify that COVID-19 immunization is required for LSU students²⁴ but does specify three separate types of discrimination against unvaccinated students: testing upon entry, periodic testing, and close contact quarantine;
19. **Whereas** LSU "takes due care to assure that Policy Statements, when issued, are in compliance with applicable controlling laws, rules, and regulations,"²⁵ but such care is not evident in the current implementation of LSU's COVID-19 student vaccination and testing requirements, which are being promulgated and enforced outside of published LSU Policy Statements;
20. **Whereas** the LSU COVID-19 Roadmap²⁶ states that all students are required to be vaccinated against

COVID-19, including continuing students, and that students who have not submitted evidence of vaccination or an exemption are not allowed to register for the spring semester;

21. *Whereas* the LSU COVID-19 Roadmap states that those unvaccinated due to medical, religious or other reasons must complete an electronic waiver that cannot be submitted without 1) relinquishment of rights not relinquished by vaccinated students and 2) agreement to comply with assigned COVID-19 testing requirements and other prevention guidance, which is unspecified;²⁷
22. *Whereas* LSU does not accept evidence of immunity as compliance with its COVID-19 vaccine requirement, despite citation of this requirement in LDH's approval letter to LSU, along with CDC statements²⁸ and other research²⁹ that cite long-lasting immunity from natural SARS-CoV-2 infections;
23. *Whereas* the President of LSU exercises complete executive authority for the LSU campus, subject to the direction and control of the Board of Supervisors;³⁰
24. *Whereas* the LSU Board of Supervisors received a letter on August 23, 2021 from Attorney General Jeff Landry stating that those who dissent from vaccination should not be subjected to discriminatory actions;³¹ and
25. *Whereas* the rights of Louisiana students relative to vaccine requirements for students entering schools in Louisiana were further clarified by Attorney General Jeff Landry in an open memorandum to Louisiana citizens on November 10, 2021;³²

Therefore, be it resolved that the LSU Faculty Senate recommends that the LSU Board of Supervisors exercise due diligence in its direction and control to bring LSU's protocols and practices into compliance with state law and present a report of the updated practices at a Faculty Senate meeting within two months of the passage of this resolution.

The motion was made by Kerry Dooley to move the resolution into the discussion and it was seconded by Inessa Bazayev.

Fereydoun Aghazadeh: The Senate has been ineffective because of these resolutions that cause division of the Senate and complications. Although I am an at-risk person, because of LSU policy, students have been vaccinated, and COVID rate is going down, I feel safe in class.

Fereydoun Aghazadeh made a motion to table the resolution indefinitely. The motion was seconded by many, including Muhammad A Wahab. The resolution entered the discussion.

Louay Mohammed: I am in support to table the resolution indefinitely as article 2 in the resolution is not peer-reviewed. It is clearly mentioned that it is a treatment and has not been peer-reviewed; it is reported as medical research that has yet to be evaluated. I just checked this article; there could be other information from the article that was not peer-reviewed.

James Madden: I agree with the point that was just made, and I was concerned about the same thing. Also, foot number 2, claims that COVID-19 is not a vaccine-preventable disease, but the references there are political statements by the Governor and a statement by Dr. Joseph Kanter as an opinion.

Adriano Vatta: I agree with professor Aghazadeh. I wonder whether we should be voting on these resolutions, is it not appropriate just to vote down rather than table indefinitely?

Carol Friedland: The main concern is that LSU is significantly infringing on the rights of students, and I apologize if I made a technical error. Yet, I think faculty members can be a little more understanding and comprehensive about the overall idea, which is that unvaccinated students are being treated differently by these testing requirements. We as a Faculty, do we really want that?

Meredith Veldman: The discussion is not on the current motion.

Joseph Legoria: I agree with Aghazadeh. Does LSU's Council have a policy not to follow state law?

Carol Friedland: LSU has received quite a number of communications from elected officials and from state agencies that they are in violation of the law. I submitted a public records request to that effect in December and LSU has still not replied to that but I know that these two letters they have received, telling them that they are directly violating the law.

The motion was made to "Call the question" (to close the resolution debate) and seconded. The motion to close the debate was passed with one nay (Kerry Dooley) and one abstained (Joseph Legoria).

The motion to table the resolution indefinitely was passed with 5 Nays (Kerry Dooley, Robert Newman, Adriano Vatta, Roy Heidelberg, Julie Wright Rollins) and 2 abstentions (Carmela Mattza, J. Michael Martinez).

b. Postponed: First Reading, Resolution 21-12, " An Expression of No Confidence in Faculty Senate Practices, with Recommendations for Reform "

Sponsored by Margo Brault, Jin-Woo Choi, Robert Mann, Helen Regis, Daniel Tirone and Meredith Veldman

The motion was made by Professor Veldman to postpone the resolution to February meeting since most of the sponsors were absent due to medical concerns. The motion was passed with 2 nays (Kerry Dooley and Adriano Vatta) and no abstentions.

c. First Reading, Resolution 22-01, "Call for Enforcement of LSU's PS 118 100% Tobacco-Free Policy and an Education Campaign for Students"

Sponsored by Dr. Judith Sylvester, Manship School of Mass Communication/LSU SmokingWords

The resolution was read by Professor Sylvester.

Whereas state law [RS 40:1291.23](#) required LSU to adopt a smoke-free policy (including traditional smoking and vaping) and also authorized LSU to adopt a 100% tobacco-free policy (PS 118), which was enacted Aug. 1, 2014, all forms of tobacco, cigarettes, e-cigarettes (including all vaping devices) and smokeless tobacco are prohibited on all areas of the campus, including classrooms, residence halls and Greek housing;

Whereas the American Medical Association (AMA) cites more than 20 studies, which have looked at smoking status and COVID-19 complications, finding in more than 80% of those studies, smoking resulted in a statistically significant increase in adverse outcomes;

Whereas research shows that, compared to nonsmokers, smokers with COVID-19 are twice as likely to be admitted to the intensive care unit, to need mechanical ventilation, or to die;

Whereas the AMA further cites the 2020 U.S. Surgeon General's Smoking Cessation Report indicating the impacts of smoking—which includes an increased risk of upper and lower respiratory tract infections—a substantial risk for COVID-19 infections and complications;

Whereas tobacco use is now concentrated in subpopulations of society, such as those with mental health and substance abuse issues, especially individuals who are dealing with other major challenges in their lives that makes quitting even more difficult;

Whereas a study that tested more than 4,300 young people for the coronavirus found that those who vaped regularly were five to seven times more likely to test positive, likely because vaping harms the lungs, increasing the risk of coronavirus infection or a more serious case of COVID-19;

Whereas vaping is a social activity that can include sharing tobacco devices with others, increasing the chance of infection.

Whereas when people are smoking or vaping, they are also exhaling particulates from deep within their lungs into the environment around them, exposing anyone sharing a living space or classroom to exhaled secondhand smoke or aerosol. Such exposure also impairs immune function in both children and adult nonsmokers, which increases susceptibility to infection;

Whereas 31% of LSU students are regular or social tobacco users and, 39% live with or near a person who uses tobacco products;

Whereas only 10% of all LSU students receive information about the health effects of vaping from freshmen orientation and less than 5% receive information from faculty members, while 51% had received information from social media that often promotes use;

Therefore the LSU Faculty Senate requests that the administration immediately publicly support LSU's 100% tobacco-free policy;

Therefore inform students of the added risks of contracting and spreading COVID among those who smoke and vape by adding a public health message to all University announcements regarding COVID;

Therefore enforce the policy along with mandatory masking requirements or other appropriate means, especially in classrooms, residence halls and Greek housing -- with special attention given to the regular vaping groups in the Quad and other hot spots that have long ignored the 100% tobacco-free policy;

Therefore be it further resolved that LSU reconstitute the LSU Smoking/Tobacco/Inhalants/Vaping (STIV) committee for the sole purpose of developing educational materials, increasing signage and suggest re- occurring messages from top administrators to support our 100% tobacco-free campus.

A motion was made to move into discussion and seconded.

Q&A Summary

Kerry Dooley: How much more are we going to try to order the lives of the students and the staff on campus? How many more regulations are we going to put on? They come here for an education, they don't come here to be indoctrinated or to be told that whatever practices they're engaged in are wrong. If you keep putting on vaccine mandates, mask mandates, testing mandates and anti-smoking mandates on both the students and the staff here, sooner or later a legislature is going to say I'm going to put an anti-tenure mandate on you.

Judith Sylvester: This is not new, we have had this policy and it's based in state law since 2014. There has just been a failure in this entire time for the administration at LSU. To acknowledge that we have this to educate students about it and it is now a serious public health issue. We have long since had an indoor policy, but vapors have broken that policy.

Kerry Dooley: What are we going to do with this resolution? I'm in an old chemical engineering building and I share it with facility services. The people from facility services smoke inside the building. What am I supposed to do? Do you want me to go to those people and say top doing that unsafe practice? You're asking for additional enforcement, not just education.

Adriano Vatta: Are there clinics to help students stop smoking? Enforcement without appropriate support is not helpful. What is available to them on campus?

Judith Sylvester: We do have help, but it's not included in the information sent out. The student health center has a tobacco cessation program and specialists but again, they're not often sent to them or referred to them unless the administration chooses to enforce the policy. If they can't do it on their own, there's a smoking research lab on campus in the psychology department for a long time and they do research on the various things that we've seen here. In addition to that, Ochsner is creating a wellness. On campus, we do have a policy in place but there's just never been any interest from the administration and publicly saying that we need to deal with it and this is why we have not

developed any educational material. The committee that was formed to do this in 2019. The former committee has not developed the educational materials. So this is actually a follow-up to a resolution that the Senate passed in 2018 and formed STIV committee.

Robert Newman: I find this resolution as draconian resolution. It takes a legitimate argument for imposing a restriction on somebody else's behavior is that it creates a cost to you otherwise, it's their decision. Students range from 18 upper 20s. They're capable of making their own assessment as to the risks they bear. We are not in a position to make that decision for them, rather we are imposing your value system on students who should have the freedom and the right to make their own decisions.

Shahada: Word that scares me is enforcement. I am a criminologist not a cop. What does enforce mean?

Judith Sylvester: That's the problem. Most of you don't even know we have a policy or what it says. We actually started, and I was on the committee that put this policy together. We actually said at that point that we were going to be self-enforcing. It was up to us as a community to explain why it was hard, why it was bad for all of us because of the problems with second-hand smoke and now the aerosol from vaping, and how that can affect non-users' non-tobacco users. Now, we're going to say have to wear your mask on campus you can't have a mask on in vape at the same time. So, what are students going to do they're going to remove their mask if they don't understand that it's going to be a problem for them to do that. The enforcement can go through Student Advocacy and Accountability, Faculty and staff through HRM.

Mandi Lopez: Professor Sylvester if you can hear this feedback and refocus this on reactivating the STIFF committee. I would suggest taking out enforcement and keep advertisement and committee formation.

Fereydoun Aghazadeh: I agree with President Lopez.

Judith Sylvester: Law has changed, so students have to be 21 to buy tobacco products. We enforce alcohol and marihuana policies.

Louay Mohammad: Freedom to do what they want to do is fine if they do not hurt others, but not in a public forum.

Charles Delzell: Prohibited smoking in 1980s or 1990s, then outlawed outdoor smoking and I brought this up back in 2014. It's a matter of degree of how close they are to you. Every policeman said they could enforce every law; then we would never have a moment of rest and the people would never have a moment of rest. So, police are sometimes generous; they overlook small interactions. I don't want to see any more enforcement.

Theda Daniels-Race: I just wanted to add a point, one anecdotal point, and then one question, anecdotally speaking. Maybe three years ago or so there was a problem with a number of people who occupied rents space in the building, and a number of their employees smoked quite openly at the front doors of the building. The complaint about this came from parents who were escorting young children into the building. When made known director spoke to whom they needed to speak. These things can be handled. Particulars affect the samples they use, which could become contaminated by smoke. The resolution to me seems to have two parts one is to provide educational materials and part two to be more proactive. So, part a of the question is that am I correct? And the second part of my question is in terms of enforcement and I believe that to my understanding, the resolution is simply asking the faculty senate bring it to the attention of the administration that some activity needs to be built around enforcement or I think that the resolution is to ask faculty to do some sort of enforcement. My interpretation is that the enforcement piece is simply asking the senators to vote on bringing this to the administration's attention such that policy that is already in place can be activated. So, is it educational materials part one and is it about bringing attention to the administration part two, or is there are there additional components that I've missed?

Judith Sylvester: That really was my intention. I think the educational material is important, but it involves constant reminders. So, it is extremely important that we have a consistent campaign and that's really what this is all about. I have been working on this for 22 years and it's we just lost a lot of momentum with COVID coming in, and people feel like we didn't have students on campus so we didn't have to enforce anything or even talk to students about it I am just trying to revitalize discussion about this intention is good. Thank you for summarizing that, professor.

Mandi Lopez: Thank you professor Sylvester. This is the first reading so certainly FSEC is happy to work with you to reconfigure the resolution as advised.

d. First Reading, Resolution 22-02, "A Resolution for Fair and Equitable Cost of Living Salary Adjustments for LSU Faculty Based on Annual Inflation Rates"

Sponsored by the Faculty Senate Benefits Committee

None of the sponsors committee members were present, so the motion was made by Professor Veldman and seconded to postpone the resolution to the February meeting. The Motion was passed with 4 nays (Adriano Vatta, Hana Beloglavec, Sarah Rosser, and Scott Baldrige) and 1 abstention (Judith Sylvester).

e. First Reading, Resolution 22-03, "Formation of a Planning Committee to Hold an Annual Faculty Council Meeting"

Sponsored by The Faculty Senate Executive Committee

The resolution was read by Professor King.

Whereas Faculty Council voted in favor of forming a faculty senate and to adopt the Constitution of the Faculty Senate which was adopted March 1, 1973. (*Faculty Council Records, Box 9/Faculty Senate Records, Box 9, Faculty Handbook 1973*).

Whereas in May 14, 1973 the Board of Supervisors approved the formation of a Faculty Senate (*Faculty Council Records, Box 9/LSU Board of Supervisors, Reel 16*) (*Faculty Council Records, Box 9/Faculty Senate Records, Box 9, Faculty Handbook 1973*).

Whereas the Faculty Senate Constitution, Article I, Nature and Function Section 2 states: "The Faculty Senate shall possess 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 stated expressions of policy of the Faculty Council. Such powers shall be exercised by the Senate at any and all times when the Council is not in session. The Senate shall represent the Council in all matters and shall be deemed to voice the policies, opinions, and sentiments of the Council on any matter within its jurisdiction."

Whereas the Faculty Senate Constitution Article I Nature and Function section 6 states that "The Senate shall present a report of its activities and actions to the Council at each regular meeting of the Council and at such other time or times as requested by the Council".

Whereas the Faculty Senate Constitution Article I Nature and Functions section 7 states that "at any meeting of the Faculty Council, the Council may, by vote of a majority of those present and voting, review, modify, overrule, or otherwise deal with any action taken by the Faculty Senate when the item is on the Agenda distributed prior to the meeting. Upon the written request of 50 members or 10 percent of the Faculty Council, whichever is the smaller number, final action of the Senate shall be submitted to the Council for review. Upon written request of a majority of the Senate, any pending matter may be referred to the Faculty Council for final action".

Whereas Faculty Senate Constitution Article VII Amendments states that "Amendments to this Constitution may be proposed by the Faculty Senate or by any member of the Faculty Council and introduced at a Faculty Senate meeting at least one month before the vote".

Whereas the Board of Supervisors Regulations Article 1 Section 2 states "Each faculty or Faculty Council shall meet at least once each academic year. It can be convened on the written request of 50 members or 20 percent of the membership, whichever is the smaller number. A council quorum may not be less than 25 percent of the membership".

Whereas the last known vote on changes in the Faculty Senate constitution by the faculty as a whole was in February 2004, with the resulting vote being 619 yes and 23 no as reported by email by Carruth McGee on March

1, 2004.

Whereas Faculty Senate voted on October 29, 2000 to adopt changes to the Faculty Senate Constitution which have yet to be approved by the faculty as a whole.

Therefore Be It Resolved that an email ballot be sent as soon as feasible to all faculty members requesting their vote on the October 29, 2000 changes to the Faculty Senate Constitution.

Therefore Be It Further Resolved that the Faculty Senate form the Faculty Council Planning Committee whose mission and duties would be the following as discussed and proposed by all FSEC members:

"The mission of the Faculty Senate Faculty Council Planning Committee is to ensure that there is an annual Faculty Council meeting."

"The Committee will be responsible for preparing an agenda, in cooperation with the Faculty Senate Executive Committee and input from any Faculty Council member who chooses to contribute, and for developing plans for when the meeting will be held and coordinating logistics for the location of the meeting and how it will be conducted, in cooperation with the President's or their designee's.

The motion was made to move the resolution into discussion and seconded.

Robert Newman: We create an annual meeting at least for the faculty council, at which point we don't know what they're going to do, but they can have an agenda which may include overruling whatever the senate does. Then we're in direct conflict, so we're back to an issue of who will report to the BOS, FS or Faculty Council?

Mandi Lopez: In our constitution and historically, the faculty council has the right to meet, to support, endorse or overrule a decision by the faculty senate. This has been in our constitution since the beginning of time to make sure the faculty senate does not go against the wishes of the faculty.

Robert Newman: Still issue with who's representing the faculty to BOS? if there was some compelling reason for the faculty-at-large to have an issue with the faculty. They still have the right to call the meeting, but short of that, we, the faculty senate, now represent the faculty to the board of supervisors.

Mandi Lopez: Our goal was to make sure we comply with our own constitution. Now you recommend that we change the constitution not to have a meaning of the faculty council, it's just that we're following our own rules right. We're not having the meaning of general faculty each year and that's where we're at. So, we either have to revise the constitution and the meeting is presided over by the President of the faculty council, who is the President of the university, one willing to take reform. So, we do not desire.

Judith Sylvester: Is the Faculty Council not just the LSU A&M faculty, but it's the whole of LSU faculty?

Mandi Lopez: With respect to our Faculty Senate, Faculty Council refers to our LSU faculty, the faculty on our campus. We don't have any jurisdictions over others.

Joseph Legoria: Why the faculty senate has to facilitate the meeting? President could call a meeting, or faculty can call a meeting. There is a mechanism now. Why do we say that we are calling a meeting?

Mandi Lopez: The BOS also says there has to be an annual meeting.

Charles Delzell: BOS ByLaws defines faculties of LSU also as college faculty, etc. It doesn't say college faculty could vote down college issues. Another part of regulations says that each faculty can delegate to a senate, but if they want to overturn the action of the Senate, they retain their own power.

Mandi Lopez: The point is that we are trying to comply with our own constitution. And, our present constitution calls for an annual meaning. If the consensus is that we'll change the constitution, it does require a vote of the entire faculty. That is an option as well, it's just that we have to follow our own constitution.

Adriano Vatta: We need to include the Faculty Senate constitution comment about needing to have Faculty Council annual meeting.

Senator: The faculty council and faculty senate agreed on the last faculty council meeting on the resolution. Let's get people interested in being involved.

Charles Delzell: Nothing about annual meeting required in Faculty Senate constitution.

Robert Newman: Why do we have the power to force the faculty council to meet annually?

Adriano Vatta: Who takes the leadership role to get the faculty council together to have the annual meeting as circulated by the supervisors if we don't do that?

Mandi Lopez: The President of the university is responsible for doing that, and if he doesn't, I guess we can kind of push him along; that's the main idea.

Professor Veldman moved to end the discussion.

f. First Reading, Resolution 22-04, "Amendment to Article III of the Louisiana State University Faculty Senate Bylaws"

Sponsored by Inessa Bazayev, Pamela Blanchard, Peter Doran, James Madden, Robert Mann, Rosemary Peters-Hill, Jeffrey Roland, Parampreet Singh, Daniel Tirone, and Meredith Veldman

The resolution was read by Professor Veldman.

Whereas, many of the Faculty Senate 's most important purposes are fulfilled in consideration of old and new business; and

Whereas, the current Order of Business for Faculty Senate meetings places consideration of business as the last two items on the agenda; and

Whereas, a pattern has developed of Faculty Senate meetings concluding without due consideration, and in many cases with no consideration at all, of business;

Therefore, be it resolved that Article III of the LSU Faculty Senate Bylaws, which currently reads:

1. Registration and recognition of attendance for each member or alternate and guests for recording in the meeting minutes.
2. Recognition of individuals having public comments on agenda item(s).
3. Approval or revision of minutes.
4. President's report.
5. Committee report(s) and invited speaker(s).
6. Agenda business item(s)
7. Introduction of new business

amended to read:

1. Registration and recognition of attendance for each member or alternate and guests for recording in the meeting minutes.
2. Recognition of individuals having public comments on agenda item(s).
3. Approval or revision of minutes.
4. President's report.
5. Agenda business item(s)
6. Introduction of new business

7. Committee report(s) and invited speaker(s).

The motion was made to move the resolution into the discussion by professor King and was seconded by professor Vatta.

J. Michael Martinez: We won't have invited speakers to come if they have to wait until 5 or 5:15 pm. I would suggest limiting the number of resolutions or limiting speaker numbers. Also, public comments take up a lot of time.

Joan King: Will, all the senators, stay until the end if we move speakers to the end?

Meredith Veldman: If it's not important, then perhaps not, but I hope the information will make them want to stay.

Mandi Lopez: Admins visiting is our way to communicate with them.

Meredith Veldman: For things to run effectively, we can ask a speaker to release their power points and stuff beforehand so that it's really more of a question when they're here.

Scott Baldrige: Can we split it up to have high-value speakers at the beginning and others at the end?

Meredith Veldman: It's in senate bylaws to amend article three of bylaws. Open to the friendly amendment.

Margo Brault: If it was administrators, they could be at the beginning and have a time limit on outside people.

Mandi Lopez: We have a time limit, and we try to restrict them to no more than 10 minutes.

Meredith Veldman: Can we change the resolution if now owned by the Senate?

Joan King: You can make changes as suggested by the Senate.

Charles Delzell: I would suggest that the terminology business may not be appropriate if its resolutions. Also, everything we were doing in the first four items was not business, but it was business. There may be a better word but, I am not sure what.

Adjournment before 5:30.

* A member of the Senate, with written notice to the President before the meeting, may choose another faculty member who is eligible for election to the Senate from the same college or division as a voting Alternate representative at that Senate meeting.

**It is intended that public comments may be made (1) when they relate to a matter on the agenda and (2) when individuals desiring to make public comments have registered at least one hour prior to the meeting by emailing facultysenate@lsu.edu or by calling 225-578-5248. When registering, individuals should identify themselves; the group they are representing, if appropriate; and the topic on which they would like to comment. To ensure that the meeting is conducted in an efficient manner, each individual will be limited to 3 minutes for their public comments and the President reserves the right to limit the total number of public comments if necessary.