Faculty Senate Meeting Minutes  
Wednesday, October 28, 2021  
McKernan Auditorium, LSU Law Center

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):

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<td>Lisa Fultz (AG)</td>
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Guests: (I= In-person, V=Virtual)

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Alternates:

| Charles Delzell for Scott Baldridge | Fabio Del Piero for Samithamy Jeyaseelan |
| Matt Valasik for Matt Freeman | Juan J Colomina Alminana for Mark Wagner |

- Dr. Lopez asked senators and guests to follow instructions on the screen to register their attendance. Voting will be done by roll call.
LSU Faculty Senate Meeting Minutes – October 28, 2021

• Dr. Lopez announced the alternative representative and introduced the guests.
• Ms. Knoll announced person names and the agenda items on which they made a public comment

Public Comments

a. Professor Edward Shihadeh: Public comments on Resolution 21.08
Professor Shihadeh stated that senator leadership's recent conduct tried to kill the Faculty Council. Professor Shihadeh added that three officers (Dr. Mandi Lopez, Dr. Kenneth McMillin, and Dr. Joan king) knew about the board's action but did not oppose the strategy action and with no intention of informing the Faculty Senate. He mentioned that the emails about the board's action were exchanged among themselves but explicitly excluded the rest of the Senate executive committee. Indeed, Dr. Lopez demanded that this news must be kept confidential 36 hours before the board was about to restructure faculty governance. Professor Shihadeh mentioned that this past summer, almost 350 faculty signed a petition pleading for a vaccine mandate and was presented to Dr. Lopez, who more or less blew it off, and Dr. McMillin dismissed the exercise, saying that the petition barely accounts for 20% of the faculty. He further added about Dr. Lopez teaching during the pandemic and her ignorance in the attack on tenure in Georgia, potentially impacting LSU faculty in the future. Overall, he concluded that Senate leadership should be changed.

b. Professor Suzanne Marchand: Public comments on Resolution 21.08
Professor Marchand said that she bears no ill will towards any of the executive members, but in the last 18 months, she observed an urgent need for new forms of more efficient, transparent, and interventionist faculty governance in LSU. Professor Marchand added that a new team should be elected to undertake these transformations. She presented pressure to resolve essential issues and stated that senators need to discuss major issues like HRM expansion of power.

c. Carol Friedland – Public comments on Resolution 21-06
Dr. Friedland mentioned that resolution 21-06 does not bring LSU policy in performance with the State law. Dr. Friedland provided a document with substantiating comments (attached). Dr. Friedland mentioned that points in the provided resolution are seriously flawed and recommended that the Faculty and Faculty Senate carefully look at the law and guarantee the student's rights and not discrimination against unvaccinated students.

d. Professor Blake Howe – Public comments on Resolution 21.08
Professor Howe expressed disappointment in the faculty leadership for their failure to respond to the change in the Board of Supervisors bylaws. Professor Howe added that the president, past president, and vice president, knew that the board of supervisors was planning to revise the bylaws concerning faculty governments but did not take any action to inform the faculty. He mentioned that he would see a more assertive, more formidable, vigilant, and transparent faculty Senate.

e. Professor Valerie Gibson – Public comment on Resolution 21.06
Professor Gibson explained that there is no provision in the law for the community measures that LSU is taking against unvaccinated students (many of them are attributed to religious reasons). She mentioned that LSU's faculty Senate is proposing to tighten the restrictions instead of the following science. Professor Gibson stated that LSU should not discriminate against unvaccinated students or require additional preventative measures from them.

Consideration of the Minutes from September 22, 2021

a. Dr. Meredith Fieldmen, Everyone from HSS is listed as from HSE; update is needed for president report. changes were made
b. The minutes have been approved with the above friendly amendments.

President's Report

Dr. Lopez thanked everyone for their leadership

1. Dr. Lopez presented most of the faculty reports to the Board of Supervisors for the past two years. There are changes on the horizon. Dr. Lopez met with board liaison Jason Droddy and agreed on some positive
changes. Dr. Lopez mentioned that FSEC would meet with the Board of Supervisors chairperson, currently Remy Starnes, before the upcoming meeting.

2. The LSU mask mandate remains in effect at present and will likely remain so for the foreseeable future.

3. LSU360 is replaced with elements. Faculty have been advised to "save" the information that was entered in the form of a Word document.

4. Regarding the salary inequity effort status, the process is underway to contract an outside vendor to do a comprehensive review. Dr. Lopez will continue to pursue this issue.

5. To avoid conflict, confusion, and/or inadequate support by the FTC, faculty were denied access to the Teams Classroom. The justification was that we have an LMS system called Moodle, and the current leadership does not have the resources to support another. However, after a bit of a standoff, access to Teams Classroom was granted to those who requested it to use as an adjunct teaching resource.

6. FSEC met with the Dean of the graduate school and found that the graduate school strategic plan was not distributed. That was rectified and was sent to all senators for comments on behalf of their colleges and faculty.

7. The results are from the job satisfaction survey, Collaborative on Academic Careers in Higher Education (COACHE), are available, and the plans are underway to create plans to address the issues in the survey in a meaningful and quantifiable manner.

8. LSU will not cover maternity care for dependents due to the overall increased cost to the plan.

9. This year there will be no extension to use pretax funds (from health and dependent programs).

10. Athletic advertising will ensure to abide by moral and ethical rules.

11. Issues of dated, decrepit, dangerous, or otherwise delinquent classroom technology were raised again. It appears that CIO Woolley, CFO Torres, and the new interim VP of Online education Kappy Murphy are working with the UberTech committee (initiated and named by the FSEC) to enact a tangible plan for the upgrade, maintenance, and support of classroom technology.

12. A working group has been formed to investigate the ways of reducing student tax (tuition remission).

13. FSEC agreed to form an ad hoc COVID committee to address all things attributed to COVID. The committee will serve as a liaison between the faculty and the administration and be responsible for compiling COVID challenges. The mission statement generated by the FSEC was shown on the slide. The administrators that have agreed to consult with the committee include the Dean of Science and Scientific Advisor to the President, Cynthia Peterson, the Director of the Student Health Center, Julie Hupperich, and the Associate VP of the Office of Research and Economic Development, Keena Arbuthnot. Members will be appointed by consensus of the FSEC, and meetings initiated immediately. Member-at-large Jeff Roland will be the FSEC liaison.

14. FSEC agreed to form an ad hoc committee to facilitate the annual meeting in coordination with the administration. Members will be appointed by FSEC consensus, and activity will begin immediately. Vice President Joan King and Secretary Marwa Hasson will be the FSEC liaisons.

Q&A Summary
None.

Update on the COVID Mitigation Measures, Jason Hicks, Provost's Fellow, Office of Academic Affairs

Dr. Jason Hicks is a Provost's Fellow in the Office of Academic Affairs and an Associate Dean for the College of Humanities and Social Sciences. Dr. Hicks provided an update on the vaccination percentages for faculty, staff, and students. While students have a vaccination rate of 83.9%, the employees have about 77%. Out of 83.9%, 81.6% are fully vaccinated, and 2.3% are partially vaccinated. Dr. Hicks further explained that for faculty alone, the vaccination rate is like that of students, i.e., 84% are fully vaccinated, and 16% are
unvaccinated. Both students and faculty, who are unvaccinated, are subjected to monthly testing. He further explained that there is variation among categories of staff (e.g., professional, classified, WAE, transient) and percent of effort (full-time versus part-time). Overall, the average vaccination rate for staff is lower than students and faculty.

Dr. Hicks mentioned that the wastewater testing program is one of the other critical aspects of the COVID-19 mitigation effort. Wastewater-based testing is performed on sewage, leaving all LSU residence halls, on-campus apartments, and Greek residences as a surveillance technique to support medical testing. This surveillance method is being performed at universities across the United States to identify potential outbreaks without the limitations of individual testing. Dr. Hicks stated that if testing is triggered, all students must be tested, whether vaccinated or not. Dr. Hicks revealed that wastewater had triggered only five times since students moved into LSU residence halls, all of which occurred early in the semester. Dr. Hicks showed that among all the housing and residence halls and areas on campus under surveillance (i.e., 25 entities), no viruses were detected in the 23 entities, and 2 showed some virus presence, yet not a very significant amount. Dr. Hicks also talked about another COVID-19 mitigation measure adopted around the campus, HEPA filters. The HEPA filters were installed as per the request of the faculty. There were some classrooms identified in a recent survey where the units were being unplugged. However, the administration is aware of this and is on for the campaign to make sure those units remain plugged in. Dr. Hicks recommended using microphones in the class if the filter is too loud.

Dr. Hicks also briefly talked about the current dashboard information that's available on the LSU roadmap site. The road map is available at https://lsu.edu/roadmap/ or by clicking on "COVID ROADMAP" on the LSU homepage. He further mentioned that one could go to the current dashboard by clicking "VIEW THE DASHBOARD" or select "COVID-19 REPORTING DASHBOARD" from the "COVID-19 RESOURCES" drop-down menu. Dr. Hicks presented the active cases data since May 9 of this year, where only about 2.6% positive test is recorded of those tested. Next, Dr. Hicks talked about the vaccination exemption process, COVID testing, and mask mandate. He mentioned that all students, faculty, and staff must be vaccinated, but Louisiana law allows for certain exemptions to this policy. Students may complete an exemption form if they opt-out for medical or personal/religious reasons. Similarly, for employees, although not required by state law, LSU allows employees to opt between vaccination and testing. Dr. Hicks informed that the Employees would be able to submit proof of vaccination or be required to be tested once per month, beginning in November and the testing should be on campus so that the information can be verified. Students can ask for an exemption from testing or mask mandate for health reasons with physician-issued documents. Faculty are subjected to the same conditions. Yet, students can opt-in to vaccination at any time. Dr. Hicks mentioned that to comply with the COVID-19 Fall 2021 entry protocols, all LSU students were required to provide either proof of a negative COVID-19 test result (no more than 5 days prior to arrival on campus) or proof of COVID-19 vaccination or proof of a positive COVID-19 test result no more than 90 days before your arrival on campus. In total, 27 students were un-enrolled from LSU in the Fall 2021 semester for failing to comply with entry protocols, which amounts to only .00081426% of the total on-campus population of 33,519 students. The students, who have opted out from vaccination, will be notified via their LSU.edu email address when it is time to report for monthly testing. Unvaccinated students who have tested positive for COVID-19 in the last 90 days will receive the notification to test monthly but will not be required to test. Once the 90 days have passed, students will be required to comply with the monthly testing requirement or get vaccinated. Failure to comply with the monthly testing requirement for unvaccinated students will constitute a violation of the LSU Code of Student Conduct and may impact the ability to remain on campus and participate in any in-person activities.

Dr. Hicks informed that any violation of mask mandate could be directly reported on the LSU Roadmap website and LSU Police and EOC monitor reports to adjust mask enforcement personnel's staffing. Overall, Dr. Hicks mentioned that all mitigation factors have contributed to a relatively low positivity rate and high vaccination rate in LSU. While the decision on the Spring 2022 COVID-19 mitigation strategy is not finalized yet, the possible plan is to hold the same strategy going forward as much as possible.
Q&A Summary:

Adriano Vatta: Have you asked the causes for HEPA filters being unplugged? Some think that filters cause the temperature in the room to Can the AC be turned up with the HEPA filter?

Jason Hicks: I had not heard that rationale myself. But I they are indeed loud and annoying. In smaller rooms, they are placed outside. And again, you know, the idea is that they should remain plugged in.

James Madden – What is the evidence that HEPA filters make any difference?

Jason Hicks: We have actually internal testing done and I’ll see you on that to demonstrate that it actually does have an impact on the quality of the air on the room, but I do not have the details. To my understanding, we have an internal team that’s been doing testing on that within those physical spaces.

James Madden – Can we get a report?

Jason Hicks: I don’t know but I can find out.

Carol Friedland – Can you help me understand why evidence of immunity is not accepted to students when it’s in the law?

Jason Hicks: I cannot, as I am not qualified to do that. But what I would suggest is that I believe we are trying to get at least a proof that the person has had COVID within last 90 days, but that’s just an approximation.

Peter Doran – Are the pie chart all the students?

Jason Hicks: Yes, all registered students.

Valerie Gibson – Where are students isolated and how are they treated and how are they getting food, or their Tiger cards are being turned off?

Jason Hicks: Some space for isolation quarantine was set aside before the year began. But I do not know how food is delivered or how the students are cared for. We can follow up on that and get information out back out to anyone who's in the meeting today.

Valerie Gibson: Why are students forced through these protocols when they are in a potentially in a room environment but no on the Tiger stadium with 80,000 capacity?

Jason Hicks: I cannot address that.

Valerie Dickson: If vaccines work, why would vaccinated people have any concerns about unvaccinated people? And if they do not work, why should unvaccinated people take them?

Jason Hicks: The vaccine at helps to prevent the severities.

Joseph Legoria - I am teaching in person. If in January the mask mandate is the same as now, will faculty be asked to teach with a mask? Why?

Jason Hicks: In January 2022, it's assumed the governor's mandate is the same, but a mass would be the metric. However, we don't know yet. Maybe you will not need to wear it but I cannot make that decision

Kerry Dooley – You are not wearing a mask, President Tate took his off when he addresses the faculty Senate last month, and VP Cassidy also, so I don't know why I should wear a mask while teaching?

Jeffery Roland: It is dependent upon volume of the room, length of time you are without the mask, the location. The space here is so large and he is standing there for a limited time, so there is no need to wear mask. The case would
have been difference if we were in a small space.

Parampreet Singh: I see many students without the masks? How many violations have been reported?
Jason Hicks: I do not know the answer to that, but we can get the data.

Supporting Survivors of Sexual Assault on Campus, Rebecca Marchiafava, Training and Technical Assistance Director, STAR

Rebecca Marchiafava is a training and technical assistance Director at sexual trauma awareness and response (STAR). STAR is a non-profit organization that provides support to survivors of sexual trauma, improves systems response, and creates social change to end sexual violence. Ms. Marchiafava mentioned that STAR was created as a non-profit in 2012, and prior to that, it was originally established at the district attorney's office in 1975. Almost for ten years now, STAR has been a standalone non-profit, with over 50 staff members serving three regions in Louisiana (Baton Rouge, New Orleans, Alexandria). Ms. Marchiafava presented the STAR program for supporting survivors of sexual assault on campus, which is a useful resource for the LSU campus and Baton Rouge community. Ms. Marchiafava talked about primary and secondary survivors of sexual violence. While primary survivors are those who directly experienced violence, secondary survivors are friends, family, or loved ones of primary survivors. This is a form of violence that does not just impact one individual but also impacts who cares about that primary survivor and broadening the scope from that sexual violence impacts entire communities. In addition, sexual violence has overall community and society impacts through lack of safety, economic cost, etc. She further mentioned that since 2017, STAR had served 164 LSU student's clients, and since the beginning of 2021, STAR has served 34 individuals who are LSU students.

Ms. Marchiafava showed data from a recent study, where 13% of all students experience rape or sexual assault through physical force, violence or incapacitation during college. In the same study, 42% of all students reported experiencing at least one sexually harassing behavior since enrollment, and 19% reported sexually harassing behavior that either interfered with their academic or professional performance. Ms. Marchiafava explained the needs of the survivors, which include the prevention perpetration of sexual violence and a community that is educated about sexual violence. She further added that survivors need support with immediate needs (i.e., crisis intervention services, information about evidence collection and/or medical care, safety needs, emotional needs), navigating systems and processes (academic accommodation support for students, financial aids, legal needs), and longer-term needs (ongoing emotional support, financial assistance). Ms. Marchiafava mentioned that the support tab at the bottom of the lsu.edu/support/ website provides a list of survivors, where STAR is one of its resources. Ms. Marchiafava briefly talked about the LSU Lighthouse program, which is listed as one of LSU’s support website sources. The LSU lighthouse program provides free and confidential interpersonal violence prevention, support, and advocacy to the LSU campus community and assists student survivors of sexual assault, interpersonal violence, stalking, and harassment.

Ms. Marchiafava provided an overview of the STAR services for survivors, where its services are advocacy counseling and legal services that are available for free, and they are all confidential. Advocacy program is basically for the first contact for survivors, or primary or secondary survivors. She mentioned that when survivors reach out to the STAR, the advocates will essentially conduct a need assessment to identify the needs a person presents and how the services can be connected. She further added that STAR has a counseling program that offers individual and group therapy services and a legal program unique in the nation for this type of program. Survivors' rights are protected, and survivors are informed about even what their rights are (primary civil rights and does include Title IX cases as well). Ms. Marchiafava added that STAR also has a social change program, and these services consist of prevention education services, which are largely focused on youth education and addressing education around healthy relations. STAR also has a training and technical assistance program. STAR currently has an active contract with LSU with various projects. She further added that STAR is directly working with the Title IX office to implement the Hush black world report recommendation. Ms. Marchiafava explained that the department-level training includes: 1. Workplace harassment prevention and intervention; 2. The dynamics of sexual violence; 3. Responding to disclosures of sexual harassment and assault in the workplace; and 4. The impacts of trauma on individuals in the workplace to cope with burnout and compassion fatigue. Ms. Marchiafava added that the STAR technical Assistance includes workplace climate and culture assessments, policy and procedure audits, anti-
harassment policy, training development, and coaching for leaders. Lastly, Ms. Marchiafava mentioned that there are other services available at the STAR website and the hotline is 1-855-435-STAR. Ms. Marchiafava thanked the faculty Senate for providing an opportunity to share about STAR.

Q & A Summary
None.

Old Business

a. 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  
   Meredith Veldman made a motion to postpone the resolution. Jeff Roland seconded. Vote by name call. The motion passed 45-2.

   Dr. Lopez asked for Amendment suggestions from the floor.

b. Postponed: Second Reading, 21-02, "Faculty Endorsement of the Graduate Student Bill of Rights"
   Sponsored by Faculty Senator Daniel Tirone

New Business

a. First Reading, Resolution 21-07, "A Resolution Commending Faculty Grassroots Collective Action"
   Sponsored by Rosemary Peters-Hill and Kevin Ringelman

   Whereas, during the spring and summer of 2021 the LSU A&M faculty engaged in an unprecedented level of grassroots collective action in the service of the campus community; and

   Whereas, following the administration's underwhelming response to the Faculty Senate resolution calling for mandatory COVID-19 vaccinations to ensure a safe campus environment for the Fall 2021 semester, over 125 faculty members exercised the right of the faculty to call a meeting of the Faculty Council; and

   Whereas, this historic meeting was a tremendous success, with over 800 attendees and the Faculty Council resolution calling for mandatory vaccinations or appropriate mitigation measures on campus receiving overwhelming support from 90% of the 636 faculty members who voted; and

   Whereas, the LSU Board of Supervisors, following discussion of the Faculty Council Resolution, passed a resolution asking the Louisiana Department of Health to add COVID-19 vaccines to its schedule of mandatory vaccinations when they became fully approved by the Food and Drug Administration; and

   Whereas, throughout the summer of 2021 faculty volunteers sought both to ensure a safe campus environment for the Fall 2021 semester and to assert faculty governance through multiple actions, including but not limited to:

   • Advocating for the inclusion of both subject-matter experts and teaching faculty on the decision-making bodies;
   • Providing public comments at the Board of Supervisors' meeting in Alexandria in June and in Baton Rouge in August;
   • Defending academic freedom as set forth by PS-15 when challenged by the administration;
   • Circulating legal opinions written by LSU Law Center faculty that argued that there were no legal
impediments to LSU mandating COVID-19 vaccinations, even while the vaccines were under Emergency Use Authorization (EUA) status, and that LSU's legal arguments preventing the upper administration from imposing a vaccine mandate were inaccurate;

• Drafting and circulating a petition calling for LSU to return to COVID-19 mitigation procedures from Fall 2020 that received nearly 350 faculty signatories in 48 hours and was submitted to the Board of Supervisors via public comment at its meeting in August;

• Highlighting the desires of faculty and the dangers to the campus community through open letters and other coverage in *The Advocate, LA Illuminator, Inside Higher Ed*, and *The Chronicle of Higher Education*, along with other publications, as well as television appearances on WBRZ and radio interviews on WRKF; and

**Whereas**, faculty diligence led to public demands that LSU both clarify and demonstrate equity in its COVID-19 accommodation policies; and

**Whereas**, prompt faculty grassroots action called attention to, and forced the tabling of, a proposed LSU Board of Supervisors’ resolution to abolish the Faculty Council as a deliberative body;

**Therefore**, be it resolved that the LSU Faculty Senate commends the faculty who have dedicated themselves to collective efforts aimed at improving the welfare and safety of the campus community during this period; and

**Therefore**, be it further resolved that the LSU Faculty Senate endorses collective faculty efforts to exercise our role in shared governance, and directs the administration and Senate leadership to recognize them as appropriate and important; and

**Therefore**, be it further resolved that when official administrative bodies on campus do not represent faculty's health, safety, and best interests, the Faculty Senate recognize the right of the Faculty Council to meet and speak as the voice of the faculty

The resolution was read by Professor Rosemary Peter-hill.

Daniel Tirone made a motion to move the resolution to discussion. Seconded by Pamela Blanchard.

**Q & A Summary:**

Charles Delzell – In the First Therefore, I do not commend their activism on this topic, basically they are trying to get other people fired or trying to get students expelled and this is not something I commend. In second Therefore, I'm not sure what “direct the administration and Senate leadership to recognize elected faculty efforts as appropriate” means, I think it's vague but whatever it may mean I think collective member of the Senate constitution which declares such power to determine educational policy shall be exercised by the Senate at all times when the Faculty Council is not in session. The Senate shall represent the Faculty Council that all matters and shall be deemed to voice the policies opinions and sentiments of the council on any matter within its jurisdiction. When it comes to policy making, I think elected Faculty should have more to say than unelected faculty. In the third Therefore “the Faculty Senate recognize the right of the Faculty Council to meet and speak as the voice of the faculty” implies that the Senate has not recognized the right of the faculty council to meet and speak. I do not know what happened in the faculty council meeting in last Spring, but I can say that I questioned the need for the faculty council to have met at that time but even so the Senate has no say in whether the council meets or not according to the regulations of the Board of Supervisors. In May, whenever this was happening the activists who wanted Faculty Council meeting should bypass the Senate all together to the LSU president. So, I think this this resolution might have that chain of command a little bit confused

Rosemary Peter-hill: So, you opposed to commend in the first, therefore? You don't have to agree that we commend faculty who spoke out for the safety of faculty. I do not recall of any session of firing a faculty.

*Dr. Lopez asked for Amendment suggestions from the floor:*
LSU Faculty Senate Meeting Minutes – October 28, 2021

Joseph Legoria: My concern is the last statement. What if a subset of the faculty under the jurisdiction of the faculty council makes statements that do not represent those of us who don’t agree with what they’re saying? So, the faculty said it at least I’m elected to call, just make sure you're saying you do not represent a group, who are signing this and the rest of people or even either by their own vote.

Rosemary Peter-hill: I think that we can reword this last therefore to reflect the fact that there could be a dissenting opinion and that also represents the faculty.

Joseph Legoria – Some faculty are making claims under faculty council that other faculty don’t agree with. It should be expressed as majority and minority opinion or a subset of the faculty. I am against the resolution. The Senate is a place where we are elected to speak on behalf of the faculty.

John Miles – It is not clear who it is, it is a vague statement. Specific names should be added in place of the Faculty Council.
Rosemary Peter-hill – There was an email list of 125 people who were active in disseminating the information and speaking to other people and getting their departments on board. So, it would be difficult to list all 125 of those. There were a lot of people who weren't specifically named as part of the organizing group of the Faculty Council but who participated in votes and in the email exchanges and some people voted without leaving their names. As such, recognizing the value of collective action without singling out individual faculty members.

John Miles- It seems like a self-congratulation; it might come out as faculty voted to say I could have done a good job and that might not be the best way to represent ourselves.
Rosemary Peter-hill: I think the difficulty we have with making it specific is that then it is saying that we did such a good job with this group of people, and it limits it to one time whereas commending a grassroots collective action by the faculty leaves the door open so that it can happen again if necessary.

John Miles: When you're specific about what you're defending, you can't then say like it's not it's a non-specific combination of graphic.
Rosemary: Do you have an amendment to suggest like a specific part where you would like to add that in?

John Miles: I think the one way to narrow it when you talk about the specifics. Make it more specific by including the incident detail.

*Dr. Lopez suggested consulting and amending the resolution for a second reading.*

**b. First Reading, Resolution 21-08, "An Expression of No Confidence in Selected Members of the Faculty Senate Leadership"**

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

**Whereas** the current President, Vice President, and Past President have implemented a series of formal and informal changes to the policies and practices of the Faculty Senate that have centralized decision-making and diminished faculty representation in and oversight of the Faculty Senate, the Faculty Council’s delegated representative body; and

**Whereas** these changes have diminished the ability of the Faculty Senate to execute its core functions and put it at odds with the principles, practices, and procedures laid out in its Constitution and Bylaws; and

**Whereas** these changes result in situations where these officers exercise authority without accountability; and

**Whereas** these changes have led these officers to ignore or oppose efforts by LSU faculty to participate in shared governance at the university and to advocate for the faculty's interests, through both the Senate and outside channels; and

**Whereas** the dismissal and rejection of a petition signed by nearly 350 faculty members advocating for safer working conditions is one of the more egregious examples of this sort of opposition by
these officers; and

Whereas these officers, upon becoming aware of proposed changes to the LSU Board of Supervisors Regulations which would fundamentally alter shared governance at the university, withheld this information from certain members of the FSEC; and

Whereas these officers were obligated to disclose these proposed changes to the Faculty Council and the Senate, its delegated representative, due to a conflict of interest arising from the fact that they would remove the ability of the Faculty Council to provide oversight for their actions; and

Whereas these officers nonetheless did not disclose these proposed changes to the Faculty Council or Senate and also, as demonstrated by correspondence, took no steps to oppose them; and

Whereas these officers also understood and conveyed to others that it was likely that the actions of the Board of Supervisors were undertaken as retaliation against the faculty for its activism during the summer of 2021, but did nothing to defend the faculty they are elected to represent:

Therefore, be it resolved that, as a consequence of these actions by the President, Vice President and Past President, the LSU Faculty Senate has no confidence in these officers' ability to execute the duties of their offices and requests their resignations, effective immediately; and

Therefore, be it further resolved that the Senate shall hold new elections for the vacated posts at its earliest opportunity, with the Faculty Senate Secretary to fulfill the duties and obligations of the President until that time.

Professor Tirone made introductory comments and then read the resolution.

Introductory Comments

Daniel Tirone: There are significant problems with the leadership that represents us. Extensive documentation supports these assertions, and we have a handout that will be available after my comments are concluded. The majority of these problems can be traced back to the way Senate leadership over time has altered. This consolidation is a direct violation of the principles and rules laid out in those documents within the Senate. The decision-making power of the Senate is vested in the body itself, and for some tasks, in the Faculty Senate executive committee as a whole. However, all too frequently, the Senate and FSEC have been excluded from performing their defined roles with major issues and decisions. The FSEC did not hold a single vote; the President made important decisions on its behalf. The FSEC also was not consulted or informed on other matters of consequence, such as questions faculty might have wanted to have presented at the June faculty and staff forum on how COVID would affect the fall semester. Leadership had also erected barriers to faculty participation in governance when a group of engaged faculties requested a meeting with the FSEC to discuss faculty participation in the President's Committee on implementing the Faculty Council resolution. Furthermore, leadership repeatedly denied requests to hold the meeting online instead insisted on meeting in person in a room that would limit the number of attendees and increase the possibility of COVID exposure. In addition, initially, President refused to allow for virtual participation for a faculty member who has an ADA accommodation. Another major issue is attributed to the proposed revisions to the Board of Supervisors regulations, which would have removed the ability of the Faculty Council to act as a deliberative body on all matters to save the structure of its decision making. The three officers (Dr. Mandi Lopez, Dr. Kenneth McMillin, and Dr. Joan king) knew about the Board's action but did not oppose the strategy action and with no intention of informing the Faculty Senate. Such a fundamental and historical change in shared governance should have been shared with the Senate and the Faculty Council. The leadership neglected to provide notice and even took steps to hide insurgent developments from affected parties. President Lopez forwarded communication from the administration only to selected officers of the FSEC, excluding the two at-large members, one of whom is notably active in faculty advocacy over the Summer. Furthermore, the issue was omitted from the agenda for the FSEC meeting at which it was ultimately discussed, and that discussion, shockingly, only occurred informally at the end. Faculty must take an active role in the governance of our institutions or risk seeing our voices irrevocably minimized. It is obligatory to undertake the necessary reforms of our Senate to increase representation and reverse the backsliding that has eroded our standing over time.

Professor Adriano Vatta moved the resolution into the discussion, and Professor Rosemary Peters-Hill
seconded.

Q & A Summary:

Adriano Vatta: Can you clarify in that first paragraph what the formal-informal changes to the policies and practices at the Faculty Senate that have been made that have led to this first paragraph statement? Because it remains a generalized statement that I can't make a judgment on?

Daniel Tirone: Current at-large members have not been involved in decision-making regarding appointments on these committees, and FSEC is itself charged with setting the agenda. The President is charged with providing the agenda, but the FSEC does not receive the agenda until the day before, or at least the in-large members do not. The best example of this is the exclusion of the two at-large members from the decision right. All elected members of the FSEC are only standing in the body to the extent that they are not included in deciding whom to be appointed to committees; in fact, the two at-large members were not included in the drafting of the charges for the ad hoc committees. The two at-large members were not given voice in participating in the name of those initiatives; they put things forward, and the President declined those names.

Joan King: I would like to address what you were saying that none of the executive committees have input into making committee recommendations. Looking at every email that we've sent in the past several months, we've been trying to get committee members for all standing committees. We are asked to recommend members, approve them, each one of us individually approves them. Whenever there's an issue that comes up, we all discuss the issue, we all decide how to address the issue, like the issue with the board of supervisors. When Mandi received that she asked the main officers our thoughts about what they were trying to do and were concerned about it. Trying to get rid of faculty representation is what everybody's concerned about, and nobody wants to see the faculty not have representation towards the administration. Then we talked about it with the whole FSEC, except for Jeff who was not on FSEC at the time. It was decided that Mandi would talk to Jason Droddy, who drafted the wording, to find out where it came from and what was going on.

Daniel Tirone: That meeting was after the Board of Supervisors meeting.

Joan King: No, this was the meeting before the Board of Supervisors meeting.

Marwa Hassan: I'm the secretary, and I want to correct the record. So, in reality, this administration did not give Mandi any time to respond. If you saw the email that came forward from the program, it came around nine or ten in the morning, a day before the Board of Supervisors meeting. The email was forwarded right away to us saying that this is a problem, and we should try to diminish the faculty's problem. Then, we met that afternoon at three and everybody began with the discussion and was angry about this. The problem that Mandi faced was that this did not come from us, it came from the President's office from Jason Droddy, and we kept looking at every word, saying that she needed to go and do those things. After that, the information was sent to the Faculty Senate. So, I don't think anything that happened that day would be mainly a conflict of interest on behalf of Mandi or anybody else. We were given something on the spot and we're trying to make a decision right away.

Inessa Bazayev: Marwa correctly explained what was happening; however, what was left out is that we were told by the President that there's nothing we could do, and I was appalled that she was not emailing all of you to stand up and do something. So, I took the initiative to email the entire Senate with the help of some colleagues. And it was thanks to our efforts to email all Faculty as we knew, including the entire Senate membership, and thanks to Bob Mann's compelling public statement the next day at the Board of the Supervisor that the revision was tabled. I support this resolution. Most decisions are made behind closed doors. We haven't voted on a single item for the past six months as a committee, and if this continues, I don't know how this body can continue to represent us in the best interest. I hope that we can move forward and start a clean and invest our time and efforts and people who do care about our faculty and represent us in the best light.

Daniel Tirone: Marwa, I may disappoint. That email from Matt Lee that had the updated revisions was received by President Lopez at 6:15 on Wednesday. It was forwarded to the officers at 7:40 Wednesday evening, asking them to keep it confidential, and wasn't mentioned to the members-at-large until the conclusion of the meeting on Thursday night. So, the initial email communication came in Wednesday evening, and that said, here are the updated
revisions, and she says okay, thanks. Then about an hour later, she forwards it to the officers of the FSEC but not to the members-at-large. So, it was two days before, not the day proceeding.

Jean Martinez: We voted for four positions, I believe in April, and I don't think anybody else ran for President. It would be better to know a little more specific about when these things happened, whether it was August 4th, 2021, or if it was in the Spring when everything happened?

Daniel Tirone: I think the stakes were raised over the Summer in a way that brought greater attention to what had been going on, and we've had sort of the privilege of being able to be inattentive for a long time and that was no longer the case. I think it did then bring some of this out to you that we didn't know before, which is some of the impetus for the change, I believe. You are also correct that there is an onus on us as faculty to become more active in our affairs. Most of the faculty would agree that the challenges are mounting, as we see elsewhere, and we can't afford to be lapped in our participation. So, we need to pay attention, be engaged, be active, and familiarize ourselves with the levels of the administration and how our affairs are governed so that we can achieve the best outcome we possibly can.

Adriano Vatta: I understand the whole issue to dismiss the Faculty Council was a moot point because it would have been firing all of us. It was a stupid resolution because it couldn't be implemented. We expect Dr. Lopez to give importance and credence to things really important, not things that are people's imagination. I could be wrong, so please correct me

Daniel Tirone: The FSEC Board of Supervisors regulation cannot dissolve the faculty as a body. It was a substantive change in how the faculty can govern themselves and how we participate in what the Board of Supervisors regulation was proposing. There were significant changes in the manner of representation at LSU, and that Dr. King and Dr. Lopez acknowledged that this is just a fundamental change in the structure of governance at the University. Please note there is no ulterior motive; this is a genuine concern because we believe there's a degree of centralization and exclusion. For the past 15 years, the FSEC has made decisions through consensus, not by majority rule. The highest elected official leader, like Mandi, continues to be antagonized by petty issues. She might decide to become more dictatorial and not schedule any more FSEC meetings.

Joan King: I would like to correct something. I never heard Mandi say that the Board of Directors say that they will not listen to us. I heard Mandi say we discuss with all the Faculty Senate. Nobody suggested that we go immediately to the board and say, "Hey, you can't do this the decision."

Mandi Lopez: I think I've addressed this in my presidential reports before. You know, I did what we decided to do.

Kerry Dooley: I'd like to give the FSEC a chance to defend itself and say if any decisions were taken behind closed doors for the last six months that did not include all faculty Senate executive committee members. If any, what were those decisions?

Mandi Lopez: I do not know. Marwa, as a secretary, were there any decisions made behind the first one?

Marwa: The way we discuss the issue and then everyone speaks their opinion and reaches consensus. We never actually vote. I mean, the issue was minor, and we discussed it via Zoom. Mandi works diligently; she spends so many hours fighting for the faculty, for student taxes to races, and meeting with administration officials. I will agree, Daniel, about improving our transparency and reporting to Faculty. We can agree together that this is something we can do moving forward. We can get responses by sending things to the Senators, and then we can work on improving the transparency and sharing more information about what happened in the weekly FSEC meetings with the Faculty Senate.

Mandi Lopez: The question was, have any decisions been made behind closed doors, Marwa?

Marwa Hassan: I would say no. Any major decisions were made based on the faculty’s input. Anything that involved faculty input was sent to the faculty to see what they needed and if wants to solve the problem. We need that because we can't go to the administration and say we think this is the best. You have to come and say to the
whole faculty whether the center of the council is behind or supporting any decision. As such, except for minor
decisions, any decision requiring Faculty input has not been decided closed doors.

Daniel Tirone: To provide more insight to the senate leadership, almost 350 faculty signed a petition around Fall
2020, but those requests were denied. Dr. McMillin dismissed the exercise, saying that the petition barely accounts
for 20% of the Faculty Council, so it's not a big deal. He then wrote the letter for the administration after the survey
that the FSEC administered doesn't even reference the 350 people who are members of that petition, who took time
as faculty to express their concern and trying to advocate for their colleagues and themselves

Marwa Hassan: I don't remember a group like that getting a resolution from the 350 faculty. Can you remind me?

Inessa Bazayev: It is for teaching Modalities (Fall 2020), asking the administration to allow faculty to choose their
teaching modalities. I presented this petition, and it was utterly ignored and ridiculed quite frankly, which is
appalling.

Mandi Lopez: You asked to have an emergency faculty Senate meeting poll!

Inessa Bazayev: No, I asked for that several times. I have an email from August 4th saying that I got this passed
around. I never received an answer from you regarding this, and then I did it less than two days, and we were able to
collect 350 signatures on campus with very crippled connections. Imagine how many more signatures we could have
collected, if everyone was notified

Marwa Hassan: We have so many things with the provost discussing the importance of allowing the faculty in the
school, and we gathered to agree. There are so many chairs in the College of Engineering that support their faculty
to teach face-to-face, and many of us here can agree that they have the right to choose. Yet, no one seems to be
explicitly complaining.

Daniel Tirone: I appreciate that, and I certainly don't want to suggest that people are not working hard. I believe that
the executive committee works very hard. The FSEC is charged with assisting the President in the delineated tasks
that they have, in many ways. I know that you know the members of the committee who have felt some concern
about being excluded but like to take on more tasks, and that's not to say that we can't be good outcomes.

Mandi Lopez: I was in the middle of research; I didn't know much about it. I forwarded it to the officers. I told them
many things and said what is this about. I was impressed that the Board of Supervisors even said they would act and
listen to us forever because I've never known them to respond to anything, and I've been giving reports for the last
two years now. They suddenly become a lot more responsive. I didn't attribute too much importance to it. There's
much confusion over the word Counsel. We've already gone over that several times, and I don't know what would
change the Faculty Council to welcome to organize. There are many points in the Board of Supervisors' regulations
that they have ultimate veto power over anything.

Daniel Tirone: The email from Matt Lee says that this is for consideration of Friday's Board of Supervisors meeting,
and your response is essentially saying, "Please give me feedback. I need to prepare my comments for my report for
the Board of Supervisors on file". So, it was clear that you understood as a Wednesday evening that this was for the
meeting on Friday. You were soliciting feedback from the officer for the FSEC to assist you in preparing your
report.

Mandi Lopez: What day was that on Wednesday? I honestly must not have read it very closely. I said, okay, thanks,
and then I did forward it to them in preparation for my report for the council faculty advisors, and that's where it is. I
didn't intend to bring it up with the Faculty Council.

Inessa Bazayev: Mandi gets her report at the end of the Board of Supervisors meeting. We would have already voted
on it. So, we're still waiting to meet, and we haven't had a meeting to talk to us about these revisions. These relations
were so inconsequential and unimportant. Why weren't they shared by the executive committee members with all of
you? If you look in that handout, many things are crossed out, and these are not minor changes. I'll leave that up to
you to decide whatever you want, but you were not left in the dark. We should know that this is happening.
Parampreet Singh: I'm really disappointed to hear from Mandi; she didn't even look at it carefully, and I think there is huge anger in general faculty membership against the leadership. I want to ask another question, as a Senator, I can only serve for three years and want to know how many of the Senate leadership in the executive committee have been serving for a very long time? Is there any timeline on serving for the leadership?

Mandi Lopez: I think Kevin Cope was President for 11 years. It's a very long time. I wouldn't recommend it to anyone. So, I think as I understood it and I have to look now, I thought we put certain limits in our ways.

Daniel Tirone: It was included in the latest revisions of the constitution, but those approved amongst the constitution have not been approved by the Faculty Council as is required by the constitution, and so to the state, they are not in force. It has been proposed that the Faculty Council vote to authorize the changes, which would then institute. I believe a three-term limit on the President, but each term would be extended to two years instead of one, but at the moment, they are not forced, and so we are still at one-year terms.

Speaker: To be clear, the bylaws presented on the line from October 29th, 2020, are not enforced bylaws.

Daniel Tirone: The bylaws and the constitution. It is not because there are different mechanisms for approval of the revisions the constitution changes have to be approved by the Faculty Council. The Senate can change its bylaws and vote on that so the bylaws should be up to date that can be the constitution that is posted it has not been voted on in accordance with the fact of the council stipulated.

John Miles: This is all very disappointing. About emails, I'm an untenured faculty member, and my emails are being circulated in a packet at the Faculty Senate meeting, and I find that so disappointing not just for me but for us as a community. This is a huge mistake if we want to have a faculty who trust one another, who comes together. We have to be able to trust. I no longer feel comfortable in my email between my Board of Supervisors and my professors because it showed here, and that's not fair.

Estanislado Barrera: Can we have some of your emails if we want them? To put a resolution together?

Daniel Tirone: Sure, please contact me.

John Miles: No, let's not do that.

Daniel Tirone: Respectfully, there is a difference, right. And the difference is that we are not randomly soliciting or presenting requests for emails from faculty members. This was a targeted search undertaken to understand the genesis of the Board of Supervisors' regulations. There were only three faculty members included in the original request. Everyone else was a member of the administration or the board of supervisors. The others emails were not accessed as they were not present for the decision-making.

John Miles: Do you understand that there is a chilling effect when you say you read others' emails?

Daniel Tirone: Our emails should always be considered that they could be public at any time to our employers, to our students, to the families of our students, to the Louisiana legislature, and to anyone who would feel that they are eligible. If the administration wants to come and get my emails, you can't do anything about it. I respect my colleagues enough to say that I would never ask for someone else's Emails; I appreciate that it is your position, and I would respectfully disagree.

A motion was made and seconded to table the resolution for the next Faculty Senate meeting.

c. First 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

Whereas on August 24 and 27, the LSU Administration wrote to all LSU students and employees, declaring:  
   [Y]esterday the FDA granted full approval to the Pfizer vaccine for anyone 16
and over....

and

[T]he FDA has granted full approval to the Pfizer vaccine,

Whereas on Aug. 23, 24, and 26, the Reveille declared:
The Food and Drug Administration granted full approval to Pfizer's COVID-19 vaccine Monday morning...

and

... the U.S. Food and Drug Administration's full approval of the Pfizer shot

and

... the Food and Drug Administration approved the Pfizer vaccine...

Whereas the above references to "the" Pfizer COVID-19 vaccine give the impression that there is only one Pfizer COVID-19 vaccine, when in reality there are two:

1. "Comirnaty (COVID-19 Vaccine, mRNA)," and
2. "Pfizer-BioNTech COVID-19 Vaccine";

Whereas on August 23 the FDA wrote two separate letters, one for each of these vaccines,

Whereas the letter for Comirnaty6 approved Comirnaty, whilst the letter for the PfizerBioNTech COVID-19 Vaccine merely reissued the Emergency Use Authorization (EUA) for that vaccine (the FDA calls a medical product with an EUA "authorized," not "approved"), and declared (on pages 13-14 of the Oct. 20, 2021 version of the letter):

All descriptive printed matter, advertising, and promotional material relating to the use of [the Pfizer-BioNTech COVID-19 Vaccine] clearly and conspicuously shall state that this product has not been approved or licensed by FDA....

Whereas that FDA letter also declared (on page 3):

The licensed vaccine [Comirnaty] has the same formulation as the EUAauthorized vaccine [Pfizer-BioNTech COVID-19 Vaccine] and the products can be used interchangeably to provide doses for primary vaccination or a booster dose without presenting any safety or effectiveness concerns. The products are legally distinct with certain differences that do not impact safety or effectiveness;

and

Although COMIRNATY (COVID-19 Vaccine, mRNA) is approved to prevent COVID-19 in individuals 16 years of age and older, there is not sufficient approved vaccine available for distribution to this population in its entirety at the time of reissuance of this EUA....

Whereas the Louisiana Department of Health correctly declares:
The Pfizer-BioNTech COVID-19 Vaccine has not been approved or licensed by FDA...

Whereas the only vaccine available at the LSU Student Union Theater is the Pfizer-BioNTech COVID-19 Vaccine (not Comirnaty), and right before the injection, the personnel there give the patient Pfizer's 7-page fact-sheet (dated April 6) on its Pfizer-BioNTech COVID-19 Vaccine, and that fact-sheet's Q&A list correctly declares (on page 1):

What is the Pfizer-BioNTech COVID-19 Vaccine?
The Pfizer-BioNTech COVID-19 Vaccine is an unapproved vaccine that may prevent COVID-19. There is no FDA-approved vaccine to prevent COVID-19.

The LSU Student Union, appropriately, does not provide the latest version (9 pages, dated October 20) of Pfizer's fact sheet, which is mainly about Comirnaty, and which refers to the Pfizer-BioNTech COVID-19 Vaccine as "authorized," but which fails to mention explicitly whether or not that vaccine has been "approved," despite the FDA's requirement (quoted above) that it do so,

Whereas the FDA's letters give no rationale for the FDA's "legal distinction" between the two Pfizer COVID vaccines, or why the FDA approved the vaccine that it says is not available in the U.S., but did not approve the vaccine that is available,

Therefore be it resolved that the LSU Faculty Senate recommends that the LSU administration and the Reveille correct their various August statements above, and declare that as of October 2021, the FDA has not approved the Pfizer-BioNTech COVID-19 Vaccine or any other COVID vaccine available in the U.S.
The resolution was read by Professor Delzell. A motion was made and seconded to move the resolution to discussion.

Q & A Summary:

Peter Doran: What is the point of this?

Charles Delzell: It's obvious, we don't know what the FDA is saying, and it's true we're not lawyers, and I'm not asking us to be lawyers or practice law without a lesson. I'm saying that the administration and media have not been faithfully quoting the letters of the FDA. Here the FDA says not approved, and then practically the entire world is saying approved. And as scholars, we know the difference between not approved and approved.

Jeff Roland: Pfizer BioNTech COVID-19 Vaccines is authorized, and Comirnaty is approved for the same age group of 16 and older, and it is under the emergency authorization for the age group between 12-15.

Adriano Vatta: The documentation from the FDA has some ambiguities that I don't understand. I don't see how we could make a recommendation to other bodies to correct something. I understand to get the clarity on an issue like this, and I think that's a positive thing to do, mainly when there are contentious discussions, you know, the public's here. So, it would be great for the university people communicating about this, to be very clear and perhaps you know the best thing at some point some people could do is to say; there is ambiguity, but fortunately, we have a month during which we can seek clarity, and whatever remains ambiguous

Marwa Hassan: Why are you focusing on one vaccine, Pfizer, while other vaccines have been approved?

Charles Delzell: I am not aware that other vaccines have been approved. I thought it had been authorized only.

The resolution was tabled to the next meeting. Motion made by Rosemary Peters-Hill, seconded by Adriano Vatta.

Adjournment before 06:20 pm

These minutes were revised and accepted with two friendly amendments.