

Faculty Senate Meeting Minutes
Tuesday October 6, 2015
Student Senate Room, LSU Student Union



Attendance

Faculty Senate Executive Committee members present:

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| 1. Kevin L. Cope (President, English) | 2. Ken McMillin (Vice-President, Animal Science) |
| 3. Bill Daly (Past President, Chemistry) | 4. Joan King (Secretary, Food Science) |
| 5. Mandi Lopez (Member-at-Large, Vet Science.) | 6. Suresh Rai (Member-at-Large, Elect. & Computer Eng.) |
| 7. William Adkins (Member-at-Large, Math) | |

Parliamentarian: Louay Mohammed

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

1	X	William Adkins (Math/ Sci)	25	David Donze (Biological Sciences/Sci)	48	X	Evgueni Nestrov (Chemistry/Sci)	
2	X	Aghazadeh, Fereydoun (Mech Eng/Eng)	26	Susan Eades (Vet Clinical Sci/Vet Med)	49		Jim Ottea (Entomology/Agri)	
3	X	Fakhri Al-Bagdadi (Comp. Biomed Sci/Vet)	27	X	Kristin Gansle (Education/HSE)	50	X	Steven Pomarico (Biological Sci/Sci)
4		Austin Allen (Landscape Arch./AD)	28	X	Mette Gaarde (Physics/Sci)	51	X	Suresh Rai (EE and Comp/Eng)
5	X	Paul Anderson (Foreign Language Lit./HSS)	29	X	Angeletta Gouridine (English/HSS)	52	X	Jeffrey Roland (Philos Rel Studies/HSS)
6		Frank Anselmo (French/HSS)	30	X	Gundela Hachmann (Foreign Lang Lit./HHS)	53	X	Laurel Romeo (TAM/Ag)
7	X	Paul Arai (Philosophy & Relig Studies/HSS)	31	P	Wes Harrison (AGEC/Ag)	54		Christopher Rovee (English/HSS)
8	X	Christopher Austin (Biological Sci/Sci)	32	X	Aixin Hou (Environ. Studies/Coast and Envir.)	55	P	Michael Russo (LSU Libraries/HSS)
9	X	Reid Bates (SHWRED/HSE)	33		Blake Hudson (Law Center)	56	X	Judith Schiebout (Geology/Science)
10	X	Jennifer Baumgartner (Child Family/HSE)	34		Sherif Ishak (Civil Environ Eng/Eng)	57	X	Stephen Shipman (Math/Science)
11		Emily Beasley (Kinesiology/HSE)	35	A	Yongick Jeong (Mass Comm/Mass Comm)	58	X	Alan Sikes (Theater/Music Dramatic Arts)
12	X	Brett Boutwell (Music/Music & Drama Arts)	36	X	Joan King (Food Sci/Ag)	59	X	Linda Smith Griffin (Libraries/Lib)
13	X	Lillian Bridwell-Bowles (English/HSS)	37	P	Ingeborg Langohr (Pathbio Sci/Vet Med)	60	X	Sabrina Taylor (RNR/Ag)
14	X	Konstantin Busch (EE & Comp Sci/Eng)	38	X	Catherine Lemieux (Social Work.HSE)	61	X	David Terry (Comm Stud/HSS)
15	X	Joseph Clare (Political Sci/HSS)	39	X	Mandi Lopez (Vet Clinical Sci/Vet)	62	X	Arend Van Gemmert (Kinesiology/HHS)
16	X	Lauren Coates (English/HSS)	40	X	Kanchan Maiti (Coastal Stu/Coast and Envir.)	63	X	Dottie Vaughn (Math/Sci)
17	X	Kevin Cope (English/HSS)	41	X	Kenneth Kip Matthews (Physics Astro/Sci)	64	X	Muhammed Wahab (Mech Industr Eng/Eng)
18		Jon Cogburn (Philosophy Rel Stud./HSS)	42	P	Andrew Maverick (Chemistry/Sci)	65		Gregory Watson (Architecture/AD)
19	X	Christine Corcos (Law Center)	43	P	Alison McFarland (Music/Music and DA)	66	X	John Westra (AgEcon/Ag)
20	X	Belinda Davis (Political Sci/HSS)	44		Jean McGuire (Management/Bus)	67	X	Hsiao-Chun Wu (Electric Eng Comput Sc/E)
21	X	William Daly (Chemistry/Sci)	45	X	Ken McMillin (Animal Sci/Ag)	68	X	Yejun Wu (Library Information Sci/LHSE)
22		Jeff Davis (Entymology/Ag)	46	A	Jacquelyn Sue Moffit (Acct/Business)	69	X	Jun Zou (Interior Design/AD)
23	X	Fabio Del Piero (Pathobiol Sci/Vet Med)	47		Louay Mohammed (Civil Environ Eng/Eng)			
24	X	Margaret Denny (Education/HSE)						

Guests:

Ryan Landry	Pam Monroe	Cecil Eubanks	Ernie Ballard	Peggy Hoon
Kevin Ringleman	Jeaux Zerkos	George Strain	Linda Bonin	Jackie Craddock
Joan Lyong	Brian Ainsworth	Ravi Rau	Alison Satake	Zachary Faircloth
Ravi Rao	James Garand	Roxanne Berthelot	Robert Hogan	Rebecca Gouvier

Consideration of the Minutes from Sept 2, 2015

Motion to approve Al-Bagdadi, seconded by several senators.
 Approved unanimously with potential corrections.

President's Report

- For years there was some confusion in the faculty role in day by day admission process particularly for exceptions. The person who has served long term has retired. The Faculty Senate Executive Committee (FSEC) asked for a recommendation to fill the committee from the Academic Standards and Honors committee (ASH). FSEC asked ASH to come up with a program for former ASH committee members to be involved in the admission special exception process.
- Regalia at commencement ceremony has been an issue. Matt Lee has realized you need to move to a stated policy due to requests for exemptions from usual regalia requirements. We renewed the policy that they must be for academic purposes and are rare.

3. Matt Lee also brought up the issue of the Office of Disability Services (ODS) in relation to content of Moodle and expediting the process by which material on course management software can reach students in form accessible for them. It was stated that this should not be intrusive process. ODS or the Office of Academic Affairs should not gain access directly to moodle. Faculty may voluntarily allow these materials to be used by ODS.
4. For years there was trouble with obituaries and public announcements. Members of university get awards and information required to make an announcement has been unavailable or incorrect. Malcom Richardson asked to create a button of voluntary approval to release the information.
5. Faculty were alarmed that the marching bass were last to exit the stadium while lightening was occurring. The band department did not have a clear policy.
6. The English proficiency testing for foreign students being tested to teach needs reworking. The Office of Academic Affairs is also working on a draft approach to the issue.
7. At the system level there was reorganization of finances and accounting, moving purchasing and some other units into the direct line of what used to be the system but is now called the University to increase economy in scale.
8. At the September 23 Board of Supervisors (BOS) meeting, it was announced that the supervisors intended to vote on an extension for President Alexander's contract. FSEC will be looking into it because there was no attempt to consult faculty or anyone else. SACSCOC said there was not a methodology for this and one was cooked up fairly quickly to qualify. A closed evaluation by the BOS themselves does not seem to be what SACSCOC had in mind.
9. At state level, statewide faculty governance held a meeting in Alexandria with presentation from system head of Southern and colleague presentations. The Commissioner of Higher Education Dr. Rallo has collected faculty representatives from several campuses to meet with the consulting firm Deloit to look at higher education from top to bottom.

Q&A Summary:

None.

Presentation by Randy Duran, Director of the Cain Center, regarding ERASMUS travel grants

The Office of Academic Affairs has given them ability to sign memoranda of understanding. There is an European Union ERASMUS program. Grenoble is the site of a major European university. This is a 2 year program to fund faculty and staff to go back and forth to establish teaching and research relationships. The first deadline is Nov 15. ERASMUS was approved in 1987 by the European Union. This is the world's largest undergraduate mobility program. Eleven countries and 3,000 students impacted in first year. Arend Von Gemmert was an alum of the ERASMUS program. In 2011 there were 200,000 students funded. This year we were one of the few American universities to get funded by ERASMUS+. The target is to impact 5,000,000 people through 2014 to 2020. We invited the President of the university here and we will have two students going to Grenoble and one coming here. There are awards for 24 faculty available. There is credit mobility for undergraduate students to get credit here from universities in Europe. Another example is the ability to have joint masters degrees. There is a strong reason for faculty to be involved. Our partner is Grenoble, France. It's university was started in 1339. They are analogous to the LSU system. They have merged several campuses and a medical school. On November 17 the head of their foundation will be coming to visit us in a joint meeting with International Programs and the Cain Center if you are interested in meeting with her. The joint university has 60,000 students and covers many disciplines. Numbers of faculty in math are 740 and 500 Ph.D. students for example. It is a major significant university. They have four highlighted areas. There is a process to apply. Faculty and staff can invite colleagues from Grenoble to join their research program for one week or three weeks and one half. Our people will help connect us. There are 12 positions to go there and 12 to come here. The process is through Sponsored Programs like a proposal. It is a two page maximum proposal and requires an invitation email from a colleague in Grenoble. Identify a collaborator from Grenoble and identify what you will do and dates you are available to do so. They have a number of one month invited professor positions in France. The following summer would be to go back there for a month. There is a three member committee at LSU and the same at Grenoble. There are certain selection criteria. One is potential for follow on funding. The one week award is more wide open. They are looking for faculty interested in 2+2 or study abroad programs.

Q&A Summary:

Senator

Is there a database of people?

Randy Duran

There is a ton of information online. Go online to your favorite database and search for your area with Grenoble as keywords.

Presentation by Peggy Hoon, Director of Copyright Policy and Education for the LSU Libraries

She thanked us for the opportunity to meet us. She has only been here since the start on June. This position is a new one for LSU and LSU Libraries, but is not new for her. Her undergraduate degree is in nursing and she has a J.D. from the University of Washington. She is not the copyright police and is not associated with university counsel. She does not give legal advice. Why this position? In the mid 90s with the rise of the internet, universities realized there was a copyright infringement possibility and faculty members were interested in use of the internet for online courses and who would own the copyright of that. Libraries hit these issues first with electronic reserves, interlibrary loan,

Ejournals and databases that are licensed. You use copyrights every day in your daily life. You hear about copyright infringement in the newspaper. Most recently there was a case that decided that Happy Birthday was in the public domain. The company owning it has collected \$2 million a year longer than the copyright was held. Some may post another's work on your course or use music or YouTube videos. Linking may be a problem. There is an assumption that because it's a non-profit organization use that it can be used. There is a difference between using in classroom and posting online. Ownership of information by faculty for online courses was an issue. Universities have supported moving course material online. This resulted in that you teaching it only one way has been turned into an artifact. Universities have re-evaluated this matter. Faculty members were worried about losing their work. There is a copyright to your scholarly work. Everything you historically expect to hold copyright to, you do. You usually have to transfer your rights to the publisher with some negative effects for faculty. You cannot avoid it but there are ways to negotiate individual uses for you in your teaching, research and professional purposes. There could be an issue with copying articles for your class. There are questions about joint ownership on articles by co-authors. Also there are theses and dissertations copyright issues in publishing data. Many publishers say it is already previously published because it is already online, so how long should the embargo be for a public thesis. You use third party copyrighted material in your courses, so the most valuable content you want to present you do not hold the copyright to. The quality of courses depends on your skill and quality of the content you used in face to face teaching which is copyrighted. Her purpose is to tell you how to do it. Attribution alone doesn't abdicate fair use. Whoever holds copyright is driving the car. LSU's copyright policy is important so understand publication agreements. Sometimes you cannot publish a second article using a graph from previous one. You are drawn into this copyright web as soon as you come up with original work that is fixed in a tangible medium of expression. You don't have to formerly copyright them. Copyright notices are no longer required to be published since 1989. You no longer have to register it or post copyright notice. You can publish without copyright notice but it's good to use to notify people. Facts and ideas are not copyrightable only those that are tangible. In the constitution there is a rule to set up a copyright law. It gives authors exclusive rights, right to reproduce work, prepare derivative work, distribute the work, publically perform the work, publically display work and publically perform a sound recording by digital transmission. Pre 1972 recordings were not copyrighted. Usually in your publication agreements the whole nine yards is covered and it could affect your use. There are limitations on exclusive right; time is life of the author plus 70 years. If there is no specific life that it is tied to, it is 120 years from creation or 95 years from date of publication whatever is shorter. Works published before 1923 are in the public domain. Anything you want to use in class is still under copyright every though we think it is old. Specific exemptions, fair use, performance and display exemptions include face to face teaching and online classes. She listed other topic areas that she could come speak to us about if we want to invite her to a class or unit or face to face with an individual.

Q&A Summary:

Angeletta Gourdine

For a class of hers this semester she is going to show a movie and there is a scheduling conflict where she will be out of town. She wants to put the movie on Moodle to make it digitally accessible. Is that possible?

Peggy Hoon

The difference between face to face and online course settings is audiovisual works. In face to face you can perform or display. Display is for static images, performance is for video. Face to face is wide open for teaching. It does not work for restricted access area for students to see. Now you are transmitting which is the trigger, there is nothing that says distance education. You can only display static information but performance is a reasonable portion. She went through this kind of issue with a faculty and went through a fair use analysis. No it's not a general use of thumb to show a movie in an online course. If we add factors driving it she may be able to work it into a fair use analysis. They are most defensive of movies.

Senator

He found lecture slides posted online where students can get them. He found out they were being sold. He looked into how to get them taken down, but the paperwork looked onerous. He did not give someone permission to do this. He asked if the library can help with this issue.

Peggy Hoon

This is a take down notice. You as copyright holder could serve as the authority. The digital millennium copyright act was passed in 1990 to protect internet service providers. She can help him. The site has to take it down and block it with a takedown notice. If someone thinks it's theirs they can ask for it to go back up. Most copyright lawsuits are very expensive. The first thing you will get is a cease and desist letter.

Senator

Have any LSU professors received cease and desist letters?

Peggy Hoon

I don't know. They may serve LSU not the professor.

Senator

Do university clubs count as a professional forum.

Peggy Hoon

The math club does not fall under the law as it's not a course per say. Everyone in the country has a right to make fair use analysis. There is also a reasonable fair use defense, so if acting under your job and you make a fair use call and can prove it, even if judge disagrees and we meet non profit employee requirement then the judge has to remit statutory damages to zero.

Senator

As faculty advisor for club and its education what would the issue be?

Peggy Hoon

You have to examine your scope of employment.

Old Business

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

Read by Cecil Eubanks.

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

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

Read by Cecil Eubanks

PREAMBLE

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

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

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

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

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

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

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

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

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

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

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

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

RESOLUTION

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

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

Q&A Summary:

Lillian Bridwell-Bowles comments

After the last faculty senate meeting Kevin Cope appointed their committee to report to the senate on procedural violations in case of dismissal for cause of Dr. Teresa Buchanan. This arose because the faculty senate asked for evidence after the opening statement of Dr. Alexander to the faculty senate. Committee members were her, Pam Monroe and Fabio Del Piero with Cecil Eubanks as an advisor. They agreed to examine policies and procedures only, not retry the case. The final report was handed out to the members of the senate. They did not presume to review the evidence on Dr. Buchanan. They simply looked at due process and policies and procedures. They asked for feedback from colleagues at LSU's Law School, but it is not a legal opinion just their opinion. They examined all public documents and materials released to them by Dr. Buchanan. They reviewed over 25 memoranda, emails, reports and letter. They reviewed the faculty report of PS-104 hearing, annual reviews and the promotion packet. A committee member asked Dr. Buchanan for permission to look at documents released to her and interviewed Dr. Earl Cheek, the chair that was there at the time. They did not interview the administrators named in resolution 15-15. They worked from their own memoranda and documents. Unanimously they support FS Resolution 15-15. They handed out a document on the timeline of alleged administrative violations. They are aware that the president can dismiss a faculty member for cause, but we can absolutely insist that proper procedures are followed. They are prepared to rebut the President's comments.

Fabio Del Piero comments

He did not know much about the case before this investigation. This was a purely technical evaluation, not to judge the action of the faculty involved in this matter. They did not produce a legal document. There is consensus among the committee about the results of their investigation.

Pam Monroe

She went through the summary of findings of the committee and timeline and alleged violations. They looked at Dr. Buchanan's annual evaluations dating back to 2008 which were all satisfactory. In 2011 to 2012 Dr. Buchanan was under severe emotional distress. The next documents were from March to October 2103. In October 2013, Dr. Buchanan asked to be considered for promotion to Full Professor based on her work from 1996 to 2013. Her promotion to full professor was recommended by all including external reviewers, the full professors in her department, her department chair, the deans advisory committee and Dean Andrew who started working around August 2013. A memo December 20, 2013 copied to her department chair and HRM Associate Vice Chancellor was emailed to her at 7:55 pm the night of fall commencement. She referred to handout summary for that date. There was a change in satisfactory to unsatisfactory for performance evaluation for 2013 which was a violation of PS-36T in regards to how annual evaluations are done. A December 23, 2013 memo from the dean to Provost Bell was about his concerns about inappropriate behavior and his changing his recommendation's promotion decision to a negative recommendation. She asked to meet with the dean and was not given the opportunity to meet with him or to know or rebut the charges. January 13, 2014 both Provost Bell and President Alexander signed a review page to deny her promotion. After an HRM meeting on January 15, 2014, she had no further opportunity to review findings and rebut them. A May 26 2014 report from HRM related to the Spring 2014 investigation by HRM found that Dr. Buchanan violated PS-73 and PS-95 on sexual harassment and also concluded that Dr. Buchanan violated the ADA rules, but no statute was cited. Dr. Buchanan disputed the allegations, but HRM found her to be less credible than other persons interviewed and that her behavior was problematic and needed correction. In a June 12, 2014 memo the dean described her behavior as severe misconduct escalating the tone and language beyond the HRM report. After they met in the June 17 memo the dean acknowledges that she provided more information, but he said he found her behavior egregious and demon states serious performance deficiencies, again escalating the language. In a July 14, 2014 memo to the Provost, the Dean says her actions are consistent and irrefutable and egregious. On July 24, 2014 Dr. Buchanan was called to meet with the Provost and HRM staff and Dr. Buchanan's peer advocate where she was informed that LSU was pursuing a PS-104 dismissal for cause action. She responded with a letter on August 3 2014 in which she asked when the PS-104 hearing happened and protested the action against her. The PS-104 hearing took place on March 9 and was an eleven hour hearing and we have not seen the transcript of that hearing due to FERPA requirements. She covered excerpts of the PS-104 committee report in which the committee was of the opinion that Dr. Buchanan violated PS-73 and PS-95. They found that violations occurred on and off and were not directed towards any one individual and that there was no evidence of any quid pro quo violation. The committee noted that

violation of ADA law was not substantiated by testimony. They noted that Dr. Buchanan showed remorse during her testimony. The committee particularly noted violations in following policy by the university including not offering counseling, the closed nature of the HRM investigation and that Dr. Buchanan was never offered retraining on the policies she was alleged to have violated. The committee recommended that Dr. Buchanan be censured in writing and that she agree in writing that she will cease this behavior, with no additional actions being taken. There was an April 2, 2015 memo from the President that said she violated federal law and he made a recommendation beyond the HRM report, the PS-104 hearing faculty committee report and PS-73. Dr. Buchanan appealed, but President Alexander issued a second memo on May 6 2015 confirming his decision to seek her termination at the Board of Supervisors. On June 19 2015 at the Board of Supervisors meeting they approved Dr. Alexander's request after only giving three minutes to Dr. Buchanan to appeal.

Angeletta Gourdine

Both in the resolution and the document and Pam Monroe's presentation there is a reference to no federal law being violated. Title VII covers sexual harassment. Wouldn't that be the federal law.

Lillian Bridwell-Bowles

It is never identified what federal law is violated. There is not a specific charge in the documents they examined. There is no evidence that ADA was violated, there was evidence of sexual harassment.

Angeletta Gourdine

Sexual harassment is a violation of federal law.

Lillian Bridwell-Bowles

We do not know from the documents which law she is violating.

Pam Monroe

There was no statute stated so she could not defend against it.

Lillian Bridwell-Bowles

That is related to due process and whether charges were specific and if she had the opportunity to respond.

Belinda Davis

The reason classification of federal law needs to be clarified is because LSU's sexual harassment law is different. She needs to know both the federal statutes and LSU laws that she violated because they are different.

Lillian Bridwell-Bowles

Looking through documents they found she violated local LSU policies.

Yejun Wu

What is the timeline? When was the first documentation of the charge?

Lillian Bridwell-Bowles

The timeline goes back before the problem began in former annual reports.

Kristen Ganzle

There is documentation that we do not have so it is possible information is in there about the laws she may have violated.

Lillian Bridwell-Bowles

They chose not to retry the case. They were simply to look at violations in policies.

Cecil Eubanks

The five faculty member panel was present and did see all of the evidence and made a recommendation that the President chose to ignore.

Alan Sikes

Can you share the documents you are reading from with us to bring back to our faculty?

Lillian Bridwell-Bowles

We did not want to get into the details but we can provide them too you.

Alan Sikes

The opening statement was really clear, the way you set out the parameters you operated under and it is important to bring back to colleagues.

Lillian Bridwell-Bowles

We stayed with the objectives.

Fakhri Al-Baghdadi

If she wins the case should the administrator who caused the case be in question or left alone?

Lillian Bridwell-Bowles

If the litigation goes forward she thinks all involved in the case would be called back.

Fakhri Al-Baghdadi

Administrators every several years this happens which damages LSU in name and financially and they should be asked why they caused this.

Lillian Bridwell-Bowles

They will be asked and there is national press about it. And there is negative publicity.

Arend Von Gemmert

We are talking about procedures but he does not see how the dean who did follow procedures was included and the chair was not included even though he did not follow procedures.

Lillian Bridwell-Bowles

Only the Dean , Provost and Chancellor were included, there was no documentation from the chair about this being handled.

Pam Monroe

She interviewed the chair and he was removed from this process, they advised the dean that he was at risk of violating policy and procedure and the chair was not invited to participate after that point. In PS-36T and PS-109 the chair's role is explained.

Lillian Bridwell-Bowles

This is clear violation that we found in investigation.

Lauren Coates

President Alexander said something about the department's peer response.

Lillian Bridwell-Bowles

The only response from the department was a recommendation for promotion.

Gundela Hachmann

We are not entirely clear about what the correct procedure would be. These cases do not occur frequently. We do not know what the real due process is. Can it be spelled out what proper due process would have been?

Lillian Bridwell-Bowles

There are clear procedures for all of the things that happened in this case in our policy statements. First what should have happen is the chair should have elaborated serious concerns and recommended actions to remediate to Dr. Buchanan to fix the problem at the lowest level. The chair felt that these charges did not amount to serious charges that they became. Things got escalated. He did not see a case. Then December 20 the dean took over, so proper bodies that should have taken action at the beginning like the chair and unit were left out of the loop which is a clear violation of policy. What is clear in the policies, is that a person has right to know the charges and rebut and defend themselves. She and her attorney asked for specific charges and only got a packet of complaints.

Cecil Eubanks

The question is good, although there are specific processes in the PS-109, HRM doesn't think so. There is general language about due process, nothing comparable to PS-109 acceptable performance. The spirit was there to be fair but not the intention. The faculty spirit was remediation to salvage a career and university investment in a senior faculty member.

Arend Von Gemmert

They started in PS-109 and shifted to PS-104, is that the same process?

Lillian Bridwell-Bowles

There was confusion about which policy statement she should be responding to.

Angeletta Gourdine

In the President's remarks he talked about her inability to perform supervisor duties, but there is no mention of that kind of communication in the timeline.

Lillian Bridwell-Bowles

She was asked to stop activities and was removed from the classroom.

Pam Monroe

The President and the Dean alleges that she was banned from Iberville parish schools, but there was not official documentation until a memo was received on Dec 16 or 17 close to the Dean's memo and it was based on events that occurred well prior to that. There does appear to have been some difficulty with her behavior, language and actions, but HRM would say no documentation no case. In the judgment of the chair nothing to the level of formal documentation that would have launched a formal PS-109 process.

Senator

He was curious about the timeline and actions of Dr. Buchanan 2011 to 2012 that caused some scrutiny and then nothing up to when the dean wrote positive letter for promotion, then all of a sudden several days later see the dean changing his mind and there was a memo from an external source not someone from the LSU campus. Then three or four days later the Dean has gone against all that occurred in the previous time. The chair did not see a problem that warranted action or documentation back in 2011 to 2012. What caused this action several days after the dean had issued a positive report for promotion and then someone outside contacts the dean. Clearly there is information we do not have.

Lillian Bridwell-Bowles

We cannot answer that question for you. Clearly there is information that we do not have.

Senator

We do work with outside stakeholders and he would hate to have the work that they do with outside stakeholders and if those outside stakeholders can cause issues.

Lillian Bridwell-Bowles

If there were outsiders involved they were not documented. This is a chilling case because we want to believe we adhere to policy, but in this case policies and procedures were murky.

Ravi Rao

There have been two faculty committees that examined case, the PS-104 committee with a unanimous recommendation that was ignored, a second committee by faculty senate which came up with the same consensus. If they had come up with completely different conclusions it would have been a problem.

David Terry

He acknowledged work of committee. He recommends the administration seek out faculty before making decisions.

Kevin Cope

The entire faculty body accepts those thanks.

Angeletta Gourdine

She had a question about a certain statement about being alarmed and the absurd in sexual harassment statement in the resolution. Can you explain the absurdity comment?

Cecil Eubanks

The conduct here is speech, jokes, off color speech, etc. There is a culture of backing away from disturbing students with pedagogical techniques. He is not persuaded that there is sexual harassment here at all. Its language you would hear perhaps in administrative offices and athletic events. He is further on the left with respect to academic freedom and free speech. It is vague in this case.

Joan King

It wasn't clear to me whether she was using this kind of language to expose the students to what they will hear in a classroom they will go teach in because no one ever said that in any of these documents. That she was doing it on purpose or not.

Cecil Eubanks

She did claim on occasion that it is a pedagogical technique, that the teachers of young students will be faced by parents who are not limited by the type of language and attitude that they might have with respect to the success of their children in the classroom. That is a defensive posture, he does not know whether that occurred or not. He believes of you are going to have a standard or threshold of speech conduct resulting in either hostile environment or sexual harassment, that threshold better be high. At some point all teachers make students uncomfortable, not necessarily with that language.

Angeletta Gourdine

Her intention with the language is not really relevant to creating an environment. She would not be comfortable sitting in the classroom if the teacher was contently saying the f and p words. The idea of the absurdity sort of presumes that everyone agrees that there is no connection between sexually explicit language and sexual harassment.

Lillian Bridwell-Bowles

She did find that her language created a bad situation. Our focus is not on the particulars of the case.

Angeletta Gourdine

That wording makes her uncomfortable. It feels that the seriousness of sexual harassment is being made light off.

Senator

Delete the paragraph beginning with alarmed and ending with sexual harassment.

Senator

It's taking about a standard that is undefined by the administration and nobody can figure out what it is.

Arend van Gemmert

The problem with the last statement is that the committee says explicitly that there was sexual harassment in the classroom.

Stephen Shipman

Would it be okay if we just removed the word as it is absurd?

Angeletta Gourdine

No because it keeps the connection.

Kevin Cope

The friendly amendment is to strike the paragraph beginning with alarmed and ending with sexual harassment.

Vote on removal of statement. Approved with a of couple nays.

Belinda Davis

We could just change it to add a period after ambiguity.

Stephen Shipman

His concern with this is not that he disagrees with what it says, but it might somehow discount the whole resolution for other people reading it. If someone knows only what we know, the way that statement reads is a problem.

Kevin Cope

There is a motion to restore the section beginning with the word alarmed and ending with ambiguity.

Vote to restore: approved with a couple nays.

Kevin Cope

He clarified proxies and alternates so that there is one person one vote.

Paper ballot on vote on resolution was done. Result: yays 39 nays 5

Resolution passes.

Kevin Cope

The senate is a recommending body. In the next days the following methods will be taken. There will be a number of reports to inquiries such as the national press and it will be explained to the Board of Supervisors and the assortment of officials in Louisiana higher education authority. There will be a defacto secondary enforcement of sorts. Two days ago it was in the Washington post. He hopes the administration will take this to heart. It is certainly the case that prizes of recruitment and retention are advancement by proper treatment of the faculty but also cause of research itself. As we begin distribution and let people know what the sentiment of the faculty is this will be something of a learning moment for the administration. We will look forward to better conduct in the future. There is already a revision of PS-36 underway and a number of policies are under review due to consolidation of LSU. He was elected to the governing council of AAUP. Louisiana has achieved the number one ranking in terms of AAUP censures quantitatively and dynamically with seven censures in the last five years in Louisiana institutions. He hopes that we can focus some national attention on this. We have this space between PS-104 committee outcome and the President's recommendation and we hope this will close up that space.

Lillian Bridwell-Bowles

In addition to faculty committees and who will hear this case, she hopes we are listening to the community feedback as well. We need to say what is good conduct by the faculty and administration and give reasons why we voted the way we voted that it has to do with policies and procedures.

Ernie Ballard

He had a response to hand out to the faculty from the university administrator's that was handed out.

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

Read by Kevin Cope

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

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

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

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

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

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

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

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

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

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

Q&A Summary:

Judith
 Friendly amendment its Warny.

Vote on resolution: unanimously approved.

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

Read by Kevin Cope

Faculty Senate Resolution 15–14
Updating the Name of the “International” Committee
 Sponsored by the Faculty Senate Executive Committee at the request of the International Education Committee

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

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

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

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

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

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

Q&A Summary:

None.

Vote of resolution: unanimously approved.

Second reading, Faculty Senate Resolution 15–16, "Zoning of East Baton Rouge Parish Property Near LSU", Sponsored by Lillian Bridwell-Bowles

Read by Judith Schiebout

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

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

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

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

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

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

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

Be it therefore resolved that the LSU Faculty Senate Executive Committee establish a Task Force on Long-Range Planning for the Academic Environment charged with communicating with existing campus planning entities, public planning and zoning groups (e.g., the Planning and Zoning Commission, the Metro Council) about appropriate land-use policies that impact the academic mission and environment at LSU;

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

Q&A Summary:

Bill Daly

We are dealing with a communication problem on campus. We are looking at a new master plan and looking at space on campus for the next ten years. The faculty voice is the university planning council and they are trying to get with all colleges to get data the consultants need. The scope of the resolution is a little larger than the scope of the consultants. Go forward with this with the recognition that the task force provide a report to the consultants. The consultants will come on board next month.

Lillian Bridwell-Bowles

They support her endeavor and want to have a seat at the table and they are concerned about the surrounding community.

Bill Daly

We welcome it.

Gundela Hachmann

This is a good idea. There way she sees it is Baton Rouge has grown a lot and the infrastructure needs to adapt to its growth and it hasn't yet. We need to plan for the future like roads and the lakes. There are a lot of things upcoming more than we can anticipate in this room. This will be a very useful task force.

Angeletta Gourdine

She called the questioned. Seconded by Von Gemmert

Vote to call question; Unanimously approved.

Vote on resolution: Unanimously approved.

Ken McMillin

After reading the media statement by LSU regarding the Buchanan issue resolution, they deflected the issue. I move that due to the implications in this statement that we the faculty do not take the environment seriously and that we condone a hostile environment which are not true, that we empower President Cope to send out a faculty senate release that clearly elucidates what decision we made and why we made that decision so it will come out in the press also.

Seconded by many.

Senator

Specifically state that we are not being deliberately indifferent to a hostile environment.

Kevin Cope

He will take it up tomorrow.

Vote on motion: unanimously approved.

New Business

None.

Senators moved to adjourn, many seconded.

Adjourned at 5:29 pm