

UNO Faculty Senate Meeting, January 26, 2015

Earl K. Long Library, Room 407

1. Call to Order and Welcome

The meeting was called to order at 3:05 PM by Faculty Senate President Dr. Pamela Jenkins. She thanked people for coming to the second meeting this semester and noted that the Revenue Estimating Committee was meeting in Baton Rouge this day, so we should know more about the state budget by the evening.

2. Roll Call

Current roster of Faculty Senators:

Administration	Merrill	Johnson	(14-15)	Present
Staff Council	Brian	McDonald	(14-15)	Present
SG President	David	Teagle	(14-15)	Present
Alumni Assoc.	Dinah	Payne	(14-15)	Present
Adjunct			(14-15)	
Business	Dinah	Payne (SE)	(13-16)	Present
Business	James	Logan	(12-15)	Excused
Business	Matt	Zingoni	(12-15)	Absent
Business	Cherie	Trumbach	(14-17)	Excused
Business	Mark	Reid	(13-16)	Absent
Business	Christy	Corey	(13-16)	Absent
Business			(13-16)	
Education	Richard	Speaker (SE)	(13-16)	Present
Education	Zarus	Watson	(12-15)	Excused
Education	Lena	Nuccio-Lee	(13-16)	Absent
Education	Ivan	Gill	(14-17)	Present
Education	Matt	Lyons	(14-17)	Absent
Engineering	Edit	Bourgeois (SE)	(14-17)	Present
Engineering	Malay Ghose	Hajra	(12-15)	Excused
Engineering	Nikolas	Xiros	(12-15)	Excused
Engineering	Dimitrios	Charalampidis	(13-16)	Excused
Liberal Arts	Nancy	Easterlin (SE)	(14-17)	Present
Liberal Arts	David	Beriss	(14-17)	Present
Liberal Arts	James	Mokhiber	(14-17)	Present
Liberal Arts	Chris	Day	(14-17)	Excused
Liberal Arts	Elaine	Brooks	(12-15)	Present
Liberal Arts	Peter	Yaukey	(12-15)	Present
Liberal Arts	James	Lowry	(12-15)	Present
Liberal Arts	Marla	Nelson	(12-15)	Present

Liberal Arts	Vern	Baxter	(12-15)	Present
Liberal Arts	Beth	Blankenship	(12-15)	Present
Liberal Arts	Peter	Schock	(14-17)	Present
Liberal Arts	Steve	Striffler	(14-17)	Present
Liberal Arts	Pam	Jenkins	(14-17)	Present
Liberal Arts	Renia	Ehrenfeucht	(13-16)	Present
Liberal Arts	Laszlo	Fulop	(13-16)	Present
Sciences	Jairo	Santanilla (SE)	(12-15)	Excused
Sciences	Elliott	Beaton	(14-17)	Present
Sciences	Greg	Seab	(14-17)	Present
Sciences	Wendy	Schluchter	(14-17)	Present
Sciences	Joel Andrew	Webb	(14-17)	Excused
Sciences	Leonard	Spinu	(12-15)	Excused
Sciences	Vassil	Roussev	(12-15)	Present
Sciences	Nicola	Anthony	(13-16)	Present
Sciences	Steve	Rick	(13-16)	Present
Sciences	Shengru	Tu	(13-16)	Excused
Library	Connie	Phelps (SE)	(12-15)	Present
Library	Marie	Morgan	(13-16)	Present

3. Approval of the Minutes from the 1/15/15 Meeting

Dr. Schluchter moved and Ms. Phelps seconded to approve the minutes of the 1/15/15 meeting. The motion passed unanimously. Dr. Jenkins thanked Ms. Morgan for the minutes.

4. Announcements from Faculty Senate President (Dr. Jenkins)

- a. Dr. Jenkin stated that she has been in contact with Kevin Cope, LSU Faculty Senate President, regarding the Alexandria Summit on February 7. It is a larger group than just Senate members, so people should talk to her if they want to go.
- b. She also said that the Teachers' Retirement fund, with about \$200M available in the account to pay cost of living bumps, might be swept up in the deficit.

5. University Budget Committee (Dr. Schluchter)

Dr. Schluchter reported that there was the email from the President this morning about membership of the Committee and noting where to address comments, questions, etc. They are holding meetings every Wednesday from 9:30-11:00am and have a very long list of things to accomplish. The first 10 minutes of every meeting will be devoted to questions from non-members. They are analyzing how they have spent their money in the last three years, comparing units and assessing units that have not been assessed. Unit heads will be given a survey similar to that from the Faculty Governance Committee. They are really just getting rolling, so please send any ideas their way.

Dr. Beaton asked if opportunities were being developed to use sources of other revenues, such as what Biology has. Dr. Schluchter replied that they could talk about that as one option. Dr. Beaton mentioned the example of technology available to lease out. Dr. Schluchter said that they will have brainstorming sessions. Dr. Jenkins added that they will have a draft of the survey going to those units in a week.

6. Update on INTO/Safety Issues (Dr. Bill Sharpton, Interim Provost and Vice President for Academic Affairs)

Dr. Sharpton stated that he did get in to see Dr. Fos about this. Gregg Lassen has been working on INTO, and here is what happened. The trip scheduled in January was cancelled. There is no contract in place at this time, just a letter of intent, which is a binding letter that will allow either party to get out within 30 days. There is a clause that it is exclusive to us within the state. Negotiations are delayed. Dr. Ehrenfeucht asked where we are in that 30-day period. Dr. Sharpton responded that, presumably, if they walked out they could let us know and vice versa.

Dr. Mokhiber said that one of the things discussed was having a Faculty Advisory Committee, but it has never met. Dr. Sharpton replied that he would be glad to follow up on this. Dr. Jenkins asked who was supposed to come in January and did not. Dr. Sharpton responded that it was the familiarization trip to help them be better able to go and market our programs to groups where they are doing recruitment. Dr. Schock requested that, in light of the stalled effort to sign INTO, we need assurance that our traditional methods for recruiting international students for fall 2016 will continue. Dr. Sharpton said that Enrollment Management is moving to Academic Affairs, and he will be working with all students.

Dr. Sharpton also wanted to comment about the campus safety issue that happened last week. He is very thankful that no one was injured, but they found that our protocol needs work. There was an assumption that he knew that classes had been cancelled, but he did not. Referring to the electronic notification system that is supposed to work and the expirability of emails sent out, Dr. Beriss said that he would be interested in not having that expire. What we have is an opt-in system, not an opt-out one. Dr. Sharpton also said that we have enough time built up not to have to make up that day.

7. Discussion and Voting on Resolutions (Dr. Jenkins)

Dr. Jenkins referred to the resolutions sent out, two from the Faculty Senate Executive Committee and one from the Academic Freedom, Tenure, and Professional Ethics Committee. She did not get any feedback until this morning.

- a. Dr. Beriss briefly summarized the Academic Freedom, Tenure, and Professional Ethics Committee resolution (**see original proposal in Appendix 1**)

It was brought to their attention that there is an official policy on terminating faculty. According to the policy, there should be a committee of tenured faculty to hear the case, etc., and a timeline to follow, and neither of those happened. It is important to be compliant with SACS and the UL System. They are doing this out of an abundance of caution, and he thinks that Administration should follow their policy that was put in place last April. Dr. Bourgeois asked if he was sure that the committee was not formed, and Dr. Beriss replied yes. He also

said that ULS policy requires that schools look for alternate positions for people before they are terminated.

Dr. Jenkins noted that we had a quorum and called for a vote. Except for two abstentions, all hands were raised in favor of this resolution as originally presented.

- b. Dr. Jenkins introduced the two Faculty Senate Executive Committee resolutions:

“In light of the predicted budget state-wide cuts to the University of New Orleans and other institutions, we request that the university administration conduct on-going discussions and consultation with the Faculty Senate prior to any decisions about budget cuts including academic and non-academic issues.”

“As the university is now in the process of evaluating the entire university budget, we recommend that no more academic program cuts be proposed until the analysis of the university budget is complete.”

- b.1 Dr. Bourgeois saw a bit of contradiction between the first and second ones, but Dr. Jenkins said that they are different. In the second one, Dr. Bourgeois said that maybe we need some indication of the size of the cuts or the order of magnitude of the cuts. Dr. Jenkins said that they came out of Faculty Governance Committee who felt that they did their work and want assurances before they do any more work, which Dr. Rick thinks is a valid point.

Ms. Blankenship asked where Enrollment Management and University Computing will fall now that they are being moved to Academic Affairs, and if they could be cut. Dr. Jenkins replied yes. Dr. Striffler thinks that all of this is sentiment more than the actual law of this body, and Dr. Jenkins said that they only wanted it on record that this is what we think. Dr. Baxter said that perhaps we will find out that there will be mid-year budget cuts, and we would like them to be discussed. Dr. Jenkins added that it is not just the Faculty Governance Committee but also the Faculty Senate.

Dr. Roussev said that if the Administration is serious about faculty governance, he thinks that we should go beyond consultation because he thinks that Administration and faculty have a different meaning of consultation. We possibly need to develop a working relationship or something along those lines. He added that Faculty Senate has a Budget Committee that is not doing anything now; if it is not going to be functional, we might as well do away with it.

For the first resolution, Dr. Beriss suggested “advise and consent.” Dr. Roussev said that this is what happened last time: here is a committee report, and Administration did what they wanted. Mr. Teagle said that his only concern is that if you are going to take on responsibility as body, they ignore you if you take on too much attempt on wresting authority from a power without knowing what you are doing. Dr. Roussev does not think that faculty has a whole lot of say. What does shared governance mean? He has not seen shared governance in the last few years and no bottom-up discussions.

Dr. Jenkins suggested “discussion, consultation, and consent,” followed by Dr. Schock’s suggestion: “...that the university administration conduct on-going discussions with the

Faculty Senate and seek its consent prior to any decisions about budget cuts ...” The latter was accepted.

Dr. Jenkins called for a vote on the first resolution. Except for one abstention, all hands were raised in favor of the first resolution as amended:

“In light of the predicted budget state-wide cuts to the University of New Orleans and other institutions, we request that the university administration conduct on-going discussions with the Faculty Senate and seek its consent prior to any decisions about budget cuts including both academic and non-academic areas.”

b.2 Dr. Jenkins said that the two resolutions look contradictory, but they are not. Dr. Brooks recommend a change, followed by Mr. Teagle’s suggestion: “by the University Budget Committee.” Dr. Bourgeois returned to the contradiction: number two says that we cannot do it because the Budget Committee has not finished its work. Ms. Blankenship asked if the first one is all that we need. Ms. Phelps noted that there is nothing in there about cuts to the non-academic side. Dr. Beriss thinks that there is not a contradiction if we reverse the order.

Dr. Jenkins asked about Mr. Teagle’s and Ms. Phelp’s suggestions. Dr. Speaker asked if “recommend” is too weak. Mr. Teagle responded that “recommend” and “resolve” are words used in every resolution and suggested that we change it to “resolve.” Dr. Bourgeois said that that will perhaps bring to the Budget Committee a sense of urgency; that we cannot do anything until they get their work done.

Dr. Jenkins called for a vote on the second resolution. All hands were raised in favor of this resolution as amended:

“As the university is now in the process of evaluating the entire university budget, we resolve that no more academic program cuts occur until the analysis of the university budget is completed by the University Budget Committee.”

Dr. Jenkins said that the last time that we did this, she sent the INTO resolution to Dr. Fos immediately. She will reverse the order of the resolutions and explain the process a little bit. Ms. Cheryl Hayes had a question about the report of the Restructuring/Revitalization Committee. The decision made about cuts was other than what was discussed as a Committee. We can resolve or demand or resist, but she thinks that the decision has already been made that the President has consulted but is going in the other direction. Mr. Teagle said that it sounds like the old argument of how much shared governance is shared; we will have to change our structure. Dr. Speaker noted that our bylaws limit us basically to curricular decisions. All of this is more in the category of advice, but budgetary authority is in the Administration’s hands. Mr. Teagle said that we can write whatever bylaws we want, but ULS recognizes certain authority. Dr. Speaker said that faculty is constrained by the consideration that we want to do what is right by our students.

Dr. Baxter asked, in these times of crisis, if we see the need to align ourselves with other faculty and change the System. As he reads their bylaws, if we want to take action, we would have to change the bylaws of the System. Ms. Hayes said that she is just afraid of being used again; we will offer the best and most sincere advice for our students and faculty, and the President will do

what he wants. Dr. Lowry thinks that it is a complete waste of time and that that is obvious from the bylaws. He thinks that Ms. Hayes is asking for Administration to deal with us honestly; to treat us with respect and tell us the truth. Ms. Hayes said that the President would not commit himself to how many programs to cut and how much money to save. Dr. Jenkins said that we will do the work in the spirit of integrity.

Dr. Mokhiber asked if we could propose another resolution: given the shortcoming of the response the last time, that the Administration respond within one week. Mr. Teagle suggested that we need to write into the bylaws that we get responses. Instead of another resolution, Dr. Jenkins asked Dr. Mokhiber to send her a statement, and she will write what he said in her first paragraph. Dr. Mokhiber added that we express frustration with the limits of shared governance. Dr. Roussev asked if Faculty Senate resolutions go out to everyone, and Dr. Jenkins replied yes.

8. Old Business. None.

9. New Business

Dr. Jenkins reported that Rachel Kincaid is willing to come to campus and talk to us about what is going on in the UL System as a result of the budget crisis.

Dr. Jenkins announced that the Faculty Senate Executive Committee met this morning, and there will be another Senate meeting on February 10. Dr. Rick said that he is curious what the Administration is doing about recruiting. Dr. Jenkins replied that she will have Dr. Sharpton come to talk to us, but Dr. Easterlin suggested that Brett Kemker come if they are going to talk about recruiting. Dr. Speaker suggested that we might also need some discussion about the move from one office to the other.

Dr. Payne stated that at the beginning of the semester, some of the leaders of the Senate Executive Committee met with Dr. Fos and discussed a committee to meet with Fos and the vice presidents. There are many questions, and she would like to know more about marketing. That committee has not gotten up and running but would like to pursue that. There are a lot of questions where the vice presidents are the repository of the answers. Dr. Jenkins said that they will meet the next week, and she will report back at the next Senate.

10. Adjournment

A motion to adjourn was moved by Dr. Payne and seconded by Ms. Blankenship. The meeting adjourned at 4:00 PM.

Respectfully submitted,
Marie Morgan
Faculty Senate Secretary, 2014/15
February 3, 2015

APPENDIX 1:

The following resolution was brought to the Faculty Senate by **Academic Freedom, Tenure, and Professional Ethics Committee**. We ask that the Faculty Senate consider the resolution.

Faculty Senate Resolution

Re: Termination for cause policies at UNO.

It appears that the university has failed to follow policies put in place by President Fos that were designed to guide the termination of tenured faculty. UNO Policy AP-AA-18.2, effective April 11, 2014 and signed by President Fos outlines the procedures that must be followed. This policy, put in place to bring UNO into compliance with University of Louisiana System rules and regulations (Bylaws and Rules Part Two, Chapter III, Section XV), indicates that tenured faculty may be terminated for cause, including program discontinuation. The policy provides that in the event of termination for cause, the President will activate a standing University committee of tenured faculty members charged with hearing the case for termination and determining whether or not cause exists. The policy outlines the time frame within which the committee must meet, how concerned faculty are to be notified, the kind of report the committee must produce and other procedures that must be followed. The policy requires that this procedure be followed in a “manner consistent with fairness, equity, and commonly accepted notions of due process.” In addition, UL System policy number FS-III.XV.B-1a, which outlines policy on academic program discontinuance, stipulates that efforts will be made to find positions for tenured faculty from terminated programs within the university or within another institution in the state.

Neither of these policies has been followed in the present case.

Whereas UNO Policy AP-AA-18.2 outlines procedures that must be followed for the termination of tenured faculty and

Whereas University of Louisiana System Policy FS-III.XV.B-1a provides that efforts must be made to relocate tenured faculty from terminated programs,

The Faculty Senate resolves that:

- 1) The current termination of faculty in the Department of Geography must be rescinded.
- 2) If tenured faculty are to be terminated for cause, then UNO Policy regarding termination for cause must be followed as outlined in UNO Policy AP-AA-18.2.
- 3) The President, Provost and UL System must demonstrate an exhaustive effort to find positions for tenured faculty elsewhere at UNO or in other institutions in the state, as outlined in the UL System policy.