

Faculty Senate (Extraordinary) Meeting Minutes 2/4/2025

1. Roll Call (Chris Summa)

20 of 29 voting members present (we have a quorum)

2. Approval of the minutes of December 5, 2024 and January 27, 2025 (Chris Summa)

Minutes of January 27th meeting are accepted unanimously

2 abstentions, 0 no votes, minutes of January 27th meeting are accepted

3. Election of Faculty Senate Vice President (Cherie Trumbach) (10 minutes)

Secretary Chris Summa was the only nomination.

Are there any nominations from the floor? There are none.

Move that the nomination be closed. (J. Mokhiber)

Ayes (unanimous) – Nays – 0 Abstentions – 0

Chris Summa is elected VP of Faculty Senate

Now need for Faculty Secretary

Juana Ibanez nominated, Jim Mokhiber nominated but declines.

Move that the nominations be closed

Ayes (unanimous) - Nays – 0, Abstentions – 0

Juana Ibanez will be the new Faculty Senate Secretary.

4. Update on FS letter sent to Pres. Johnson re furloughs (Chris Summa) (10 minutes)

[Secretary Summa's initial comment states that the letter was a work product resulting from an emergency Executive Committee called by Summa. This is pointed out as being incorrect by R. Barrios after Summa's comments have finished (see below). Let the record show that Barrios was correct, the letter was discussed initially at the Executive Committee of Jan. 23rd at the initiative of Barrios, and Summa's initial remark (as per who called the meeting) should be considered stricken from the record]

A letter was written by VP Barrios within the context of Executive Committee, highlighting the Faculty Senate's dissatisfaction with Administration's communication with the faculty at-large and with understanding how money flows into (and out of) Athletics. Another issue that came up was a question: If individual faculty wanted to donate in some way (monetarily, time) to furloughed staff, was there some internal mechanism, or a mechanism within the Foundation, that could facilitate this.

The letter was presented at the last Faculty Senate Meeting and discussed, but issues were raised during that discussion

The letter was revised slightly in order to mitigate the issues raised

The revised letter was voted on by an electronic vote of the Faculty Senate on Feb 2. (19 Yea, 5 Nay – constitution passage, and a quorum).

The letter was sent to the President, and CC'd were the Provost and Edwin Litolff.

We have not yet received a response from the President.

Historical Erasure – the meeting discussing the letter occurred on Jan. 23rd – Roberto Barrios: Chris (the secretary) is engaging in historical erasure. Roberto would like it to be understood that he objects to Summa’s erasure of his (RB) central role in the crafting of this email) and that it was Roberto who asked for the emergency meeting. Summa attempted to respond from his recollection, but was told he was incorrect, and attempting to take credit.

For the Record : Secretary Summa’s admits a mistake and misremembering during which (of many) Executive Committee meetings this letter was initially called for and discussed. This was not intended, in any way, to minimize the role of the VP Barrios in the crafting of this letter or the initiative thereof. The record has been amended to strike the mistake and correctly reflect R. Barrios’ contribution and initiative.

5. New Business

a. Roberto Barrios (10 minutes) and discussion (10 minutes)

*Roberto asked for 15 minutes and to go first, and states that his request was ignored. [see **ROBERTO BARRIOS’ STATEMENT**]*

Motion – To discuss the proposal and institute a vote of no confidence.

Second - it is moved to discuss Roberto’s statement (Greg Price)

Motion (Jim) – separate the two motions – discussion of Roberto’s Statement – passed

Roberto – in the prior Jan 7th meeting – Roberto learned that the Faculty could not be furloughed – this was Roberto’s idea and initiative

Responses by the Executive Committee / Discussion

When Connie sent the Agenda for the January meeting she took a shortcut and inadvertently did not send it to Roberto and apologizes.

Roberto is correct – Connie is one of the very few faculty members here who is being furloughed. And that Connie is thereby uncomfortable with it.

Roberto: Connie did not express collegiality and his interactions with the SEC represented a hostile work environment.

Dinah: We should move on from interpersonal issues

J. Mokhiber : Wants to say one thing – he’s sorry that he was not onboarded and that he feels that he was disrespected. Jim’s role in this is honestly a misunderstanding. He didn’t believe that he understood that Connie and he had a responsibility to sign off on the letter.

T. Wang: Motion to close discussion of the letter, seconded.

Motion (R. Barrios): To vote on a vote of no-confidence in Connie. Seconded by Greg Price.

Question (G. Price): Of what substance would a vote of no-confidence be? What are the consequences?

Amended Motion (R. Barrios): That Connie Phelps be removed as Faculty Senate President

Connie : When Andrea said she was going on sabbatical the bylaws state that the VP take over the role of FS President. Connie became Faculty Senate President just a month ago.

She believes that she, and the FSEC, have done a great deal of work here. The FSEC has been that we have been meeting with the President and Edwin, etc. and we are trying to keep moving forward as the changes keep coming quickly from the administration.

Cherie : Connie lets people with strong personalities hash things out. But the bottom line is that we have to be RIGHT with our facts when we put things in writing and present them to the faculty, and the administration. We have been meeting with Edwin, Kathy, spoken with UL System board members. It takes time and working together. When we all demand our own way, we lose. And we need to determine which battles to take on, and which we can win, and that takes hard work.

Ting: This is very complicated and let's move forward to take a vote

Motion: Vote on the motion: To remove the current Faculty Senate President.

Result of secret ballot : 2 yea, 13 nay, and 4 abstentions. Motion fails, as there is a quorum but not a majority.

Roberto Barrios leaves the room.

b. Report of January 30 FSEC meeting with Pres. Johnson, Provost Kruger, and VP Litolff (Connie Phelps) (10 minutes)

*i. Faculty voluntary furloughs (see **EDWIN LITOLFF LETTER**)*

IF faculty were to elect to voluntarily furlough it's unlikely to be the body as a whole, and it's also unlikely to be at the level. It was never presented to the administration in this way, and it needs to be clearly communicated to the Faculty that it was never presented in this way. We should make a formal statement and make sure the whole Faculty is aware of this.

ii. Possible crowdfunding for furloughed staff – Jim M. meeting to discuss

There would be legal issues going through the foundation – so going through the credit union might be the best idea.

Max: We need to categorically reject all furloughs and a 4-4 teaching load.

iii. Additional plans for future communication between administrators and FS committees

Connie : has met with Administrators via several avenues, and they seem willing to answer questions in person. An issue still remains about how the information could quickly be disseminated to the Faculty at-large, and a weekly or bi-weekly Zoom meeting has been discussed.

When the issue of moving faculty to a 4-4 schedule was brought up – Daryl said it would NOT be used as a way to get rid of teaching faculty

Cherie : we need each of these subcommittees to be talking to administration and demanding answers, and disseminating that information to the Faculty Senate, and to the Faculty at-large.

Summa: Here's a rough draft of something that might work:

“Possible Statement RE: Volunteer Faculty Donation/Furlough

In the Executive Committee we discussed that some Faculty might want to have a mechanism to either donate money or time toward reducing the effects on staff who have been most affected by the recent furloughs.

In a meeting of members of the Executive Committee with Kathy Johnson, Edwin Litolff, and Darrell Kruger, we brought up this idea – If faculty individually decide that they want to donate money / time (via furlough) toward some certain staff, how would this work?

We sent a letter to the President recently reiterating this idea, and got an email in response from Dr. Litolff which seemed to indicate that his understanding of our conversation was that the Faculty as a whole was interested in voting for voluntary furloughs. This is NOT what was discussed in person or the intent of our letter.

We are now in the process of trying to determine if a 501-c-3, separate from both the University and the Foundation, might be an appropriate mechanism for donation / distribution of funds toward staff who have been furloughed.”

Max: too much time between FSEC and FS meetings. We are failing to communicate and failing to quickly share information from the higher level meetings. The FS has had no discussion on 4-4.

Greg – why is this on the table?

CT – some faculty are tired of their colleagues not doing research and teaching small classes.

DBeriss – my college doesn't have those kind of issues

CT – SEC/EC meeting President Johnson clearly stated they will not sacrifice the mission of this university. They are not using 4-4 as a way to get rid of adjuncts or untenured. This discussion is an attempt to address inequity of workload.

Greg – what are fiscal benefits.

CT- possible elimination of adjuncts. Senate Academic Committee needs to meet to figure out what they think about this to provide statement.

Vassil – the 4-4 came up as a “voluntary” 4-4. Please get rid of the “voluntary furloughs” working. The operating expenses of colleges is being run from Foundation accounts. We need to push the CFO to try to mitigate the effects of furloughs

Bethany Stich (observer) - The Foundation has asked numerous times if they could help with furloughs, but the money to pay these Staff is from the General fund and soft money can't be used to make up the difference.

S. Phillips - There's a prohibition on funds for private inurement. [see **IRS PRIVATE INUREMENT AND 501(c)(3)**]

The Financial Aid office and the Bursar's office are incapacitated – they need people, not money – there is a cashflow issue – it would be best to push to get help to Financial Aid and the Bursar's office.

Connie - Athletics – we are working to try to understand input and output – Cherie and the budget committee are going to try to get a better handle on this.

Connie – we'd like to adopt a proposal that Faculty Senate subcommittees meet regularly with their respective administrative counterparts.

Max : we need a response for the most recent letter, and a wholesale repudiation of the idea of going to a 4-4 teaching load. RE: Faculty Voluntary Furloughs – “We hereby retract all these suggestions – we will handle it on their own.” RE: 4-4 Teaching load “No way – it's a violation of our contracts.”

Jim – we brought up this same issue in our most recent meeting with Litolff, Kathy, and Kruger.

Greg: Has the President ceded leadership and authority to the CFO? And should we be concerned about it?

The UL system is pushing this whole process forward. Past administrations have created this mess but all we can do is limit our losses.

Josh: It's my understanding that the UL system was bailed out once (last year, \$5M) – and there's no way that it was not understood by the UL system that asking Litolff to come in and help is not a tacit acceptance of what he's doing – it would be worth a reminder to the UL system that we are still here and we are still fighting and that we are trying to make it better and that we understand the gravity of the situation.

Connie: Should we go to the board in BR?

Steve: Max's suggestions about the letter should be incorporated. We need to work on our image – the image problem is terrible – whose job is this? Do we as the faculty need to do this?

CPhelps – compiling of talking points for the University needed

DJ – There are a lot of ideas brought up in these meetings – too often it stays in this rooms because nothing gets done about it. We need to focus on a couple of items that need to get done.

P. Champagne – the Bursar's office is overwhelmed by calls and walk-ins – they need volunteers and a student worker to help.

Financial Aid needs a lot of helping hands.

Max: What I dispute is that what Edwin is doing is not cutting off our nose to spite our face. We cannot be sustained maintaining the cuts that have been made. Where does Athletics fit into this as it is not being discussed by Admin. It would be good if we go to the next Board meeting on Feb. 27th.

Much of what Edwin is doing is about making it *look* like we are doing something.

M. Wade – is there any way to make a resolution to convey to the Board not just about what the CFO is saying when speaking to the press, as well as whether his actions undermine, instead of support, the mission of the University?

C. Phelps : submissions of questions to the anonymous faculty portal is the best way to get something down in writing and acted upon.

6. Adjournment

Motion is made to adjourn. (J. Mokhiber). Seconded.

[EDWIN LITOLFF LETTER]

From: Edwin Litolff <elitolff@uno.edu>

Sent: Monday, February 3, 2025 7:08 AM

To: Christopher M Summa <csumma@uno.edu>; Kathy Elizabeth Johnson <Kathy.Johnson@uno.edu>

Cc: Darrell Kruger <dkruger@uno.edu>; Connie L. Phelps <cphelps@uno.edu>; Ting Wang <TWang@uno.edu>; James P Mokhiber <jmokhibe@uno.edu>; David Christopher Podgorski <dcpodgor@uno.edu>

Subject: RE: Faculty Senate Letter RE: Furloughs, Layoffs, and Shared Governance 1-30-2025

Good morning. Thanks for meeting with us last week to continue talking about the financial crisis that we are under. Unfortunately, we only have a five months until the end of the fiscal year and then we will have get through July and August before fall tuition revenue is realized. We are in a cash flow crisis, and I am greatly worried about making payroll through the end of the fiscal year. With the dire situation, we greatly appreciate the discussion and recommendation from faculty to voluntary furlough. Below is a projected savings if faculty furlough at the same rate of classified and unclassified staff. With the salary savings below and related benefits, we could save \$1 million this fiscal year, which would go a long way to minimizing future layoffs and increased furlough days.

**Full-Time
Faculty**

Range	Count	Annual	Furlough	Annual	4 Months
100K +	62	8,280,502	12.7%	1,051,624	420,650
90-99	18	1,688,285	10.6%	178,958	71,583
80-89	27	2,301,281	9.5%	218,622	87,449
70-79	26	1,927,496	8.5%	163,837	65,535
60-69	36	2,381,872	6.3%	150,058	60,023
50-59	24	1,329,614	4.2%	55,844	22,338
40-49	32	1,432,529	3.2%	45,841	18,336
30-39		0			
	225	19,341,579		1,864,784	745,913

We look forward to further discussion and I cannot express the appreciation to faculty in supporting the University through voluntary furloughs. This shows the solidarity of the entire University to come together and work through the budget crisis.

Thank you.

Edwin

Edwin Litolff

Vice President and CFO



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New Orleans LA, 70148
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[ROBERTO BARRIOS' STATEMENT]

4 February 2025

Dear Members of the UNO Faculty Senate,

Following the announcement of Andrea Mosterman's sabbatical last semester, I was approached by a couple of colleagues from the Faculty Senate who were concerned her successor, Connie Phelps, was not willing challenge higher administration in the ways they thought necessary in the extraordinary times the University finds itself in. These colleagues also wanted to ensure there was a second set of more critical ears at closed door meetings between the higher administration and the Senate President. Hearing the concerns of these colleagues, I agreed to volunteer as a candidate for the upcoming election of the Faculty Senate Vice President.

On January 13, members of the faculty senate circulated a request by UNO President Kathy Johnson to the UL System Board of Regents for time during one of its meetings to ask for permission to furlough UNO employees. In the days following the President's request, the Faculty Senate Executive Committee met with President Johnson, VP of Finance Edwin Litolff, and Provost Darell Krueger to ask questions about the proposed Furloughs. It was at this time that they informed us they had calculated a 25% staff attrition resulting from furloughs into their cost savings and that they had no immediate plans for further cuts to athletics. On January 20, I sent an email to the Executive Committee members stressing the need for the Senate to respond to the deleterious impacts of these measures which were outlined in the letter draft presented to the Senate during its regular meeting on January 27. Just over two days later, Connie Phelps finally replied to my email expressing her support for such an initiative but also noting that she had hesitated to respond to my message because she is one of the few faculty who are being furloughed due to her employment at the library. Connie was concerned that other members of the Senate could perceive her critiques of the furlough plan as self-interested. At this time, I became concerned that the Senate President would prioritize her concerns about how they are perceived by other members of the senate over taking the actions expected of the senate president (which include canvassing and representing the faculty's concerns about matters that affect the long term health of the University). But I held my tongue. Following Connie's expression of support for my suggestion, the Executive Committee met on January 23 to discuss the idea of making a statement about the furloughs. During this meeting there was consensus among the EC members that a statement should be made and I was asked to write its first draft. One thing I'd like to note here. Although we as a committee agreed that such a letter should be drafted, members of the committee continued to refer to the letter as "Roberto's" letter and one member even suggested I circulate it as my individual statement as Vice President in light of Connie's concerns about perception. I insisted that it was imperative we act as a committee to give the letter institutional weight and was quietly dismayed at the committee's seeming inability to act as a collective. Feeling that time was of the essence, I inquired if it would be possible to take a vote on the letter during the upcoming January 27 Senate meeting and, if so, whether the committee would be willing to approve a draft by Sunday, January 26, so that it could be circulated with the Senate members before the meeting. The committee agreed and requested I submit the first draft to them by 5 pm on Friday January 24, so they could have time to review it and make revisions if necessary. I met the deadline and the Committee met on zoom for two hours on January 26 to discuss the draft. During our meeting, David Podgorski announced he was having difficulties with his internet connection and that he would shut his camera off. As the meeting proceeded, David inundated the zoom's chat window with messages while other members of the committee spoke, so much so that Jim Mokhiber jokingly commented he felt like he was on a live chat.

Meanwhile, I received text messages from a committee member expressing their bewilderment at David's behavior. During this meeting, Connie Phelps mentioned her concern about the potential of critical statements on the part of the senate undermining President Johnson. She expressed her personal like of the President and belief that the president is not the source of the University's troubles. Another member of the senate, in contrast, referred to President Johnson as weak. At this moment, I intervened and noted that, on a personal and professional level, I genuinely like President Johnson, but that such an appreciation of the president should not preclude the senate from voicing concerns that are in the interest of the University as a whole. I also responded to the representation of the president as weak by noting that it was not a matter of a personal shortcoming of the president but a circumstantial one of her being disempowered by the institutional context she finds herself in and that, should she exercise the shared governance we proposed in the letter, the Faculty Senate could help her find this much needed empowerment. The meeting concluded with the Executive Committee agreeing the letter draft was ready to be shared with the Senate membership and Connie Phelps indicated she would email it to the senators later that evening along with Monday's meeting agenda. I personally never received the email because I was not included in the email list of the senate despite multiple requests on my and Andrea Mosterman's part that I be included. Note, I attribute this omission to lack of follow up on the part of the responsible members of the Executive Committee and not malfeasance.

Halfway through the meeting of Monday, January 27, I publicly asked Connie if the letter draft would be discussed and if there was an agenda. You may have noticed exasperation in my voice. My exasperation came from my feeling that the discussion of the letter and its content were of utmost importance to the senate's membership and that we had spent most of the meeting discussing matters that were secondary to it. Connie replied that there was an agenda that had been emailed and that the letter would be discussed later. Discussion of the letter draft began during the last 15 minutes of the meeting when members were already departing. As I presented the letter, more members continued to leave due to other obligations. When discussion of the letter began among the remaining members, there was a general feeling that the letter was warranted and several helpful suggestions were made for its improvement. As a compromise, Jim Mokhiber recommended I redraft the letter with a reduced discussion of athletics. I agreed to do so and consulted with Jim and Connie about next steps. I impressed on them that time was of the essence as there was an expectation among various campus stake holders that the letter would be voted on and released soon. We agreed that, upon my completion of the revisions, I would resubmit the draft to Jim and Connie and, barring any objections on their part, the letter would be put up for a vote by the Senate members.

I resubmitted the revised letter to Jim and Connie on Monday, January 27, at 3:41 pm. For the remainder of January 27, no action was taken by Jim or Connie to review the letter, give feedback, or circulate it for a vote. On Tuesday, January 28, I followed up with Jim and he inquired whether I was amenable to uploading the letter to Microsoft Teams for one more round of comments by the EC. This recommendation did not sit well with me as it was not what we had agreed on earlier, but I told Jim I was fine with another wave of input but that the letter was now in his hands and it was up to him to post it on Teams. It was my sentiment that I had done enough already. Jim insisted that this was "my letter" and that I should therefore be the one to upload it. At this point I commented to Jim that I was increasingly frustrated with the perspective that this was "my" letter and not the EC's letter that we had all agreed was necessary and had all contributed to its content.

Jim Mokhiber then uploaded the letter and sent an email asking for the EC's input at 10:35 am on Tuesday, January 28. All of Tuesday then went by without further action on the part of the EC. At 8:12 am On Wednesday, January 29, I sent an email to the EC members inquiring about the status of the

letter. I once again impressed on the members that other stakeholders around campus expected the release of a statement on our part and that we could not continue to move slower than higher administration. Just over a half hour later, David Podgorski replied: "If the executive admin were furloughed, are we preaching to the choir?" I thought this statement was nonsensical because the purpose of the letter was clearly not to ask the President to furlough themselves but for them to try to reach agreement with the EC on the meaning of shared governance and to explore ways to make cuts to staff less harmful than simply hoping for a 25% attrition rate through furloughs. I was also concerned that someone with a tenure track faculty position could so dramatically misunderstand the meaning of the drafted letter. I replied "No, we are not. And the executive admin are not the only audiences of this letter even though it's addressed to the President." To which David replied:

1. KJ took a voluntary pay cut
2. She is furloughed

Now she is going to get a letter from the faculty senate, whose members are overwhelmingly protected from furlough, talking about the impacts of furloughs across campus. It sounds pretentious to me. Where are the faculty who are voluntarily taking pay cuts? Or donating the amount of their salary that would be equivalent to furlough to the general fund?

Again, I was perplexed that David was completely missing the point of the drafted letter. Having had enough of David's repeated, nonsensical, scatterbrained comments which had begun during our Zoom meeting on Sunday, I replied "David, you seem to be incapable of understanding the message of the letter. Now try saying something constructive." David replied that his critiques of the letter were "spot on" so I felt compelled to humor him and once again explain the purpose of the letter: "The letter is about the importance of shared governance and a common definition between the FS and the President, it's about the impact of attrition through furloughs, it's about the systematic protection of athletics. So what you are saying is not spot on."

At 10:39 am, Connie chimed in indicating that all the letter needed was the change of tense in a couple of sentences as some things discussed in it had already come to pass. Otherwise, Connie stated:

I think we should finalize a version of it, send it to the faculty with a poll with a very short deadline, apologizing for the short deadline, and get at least a quorum by the deadline.

I replied to Connie indicating that I was in class till 12:15 but would finalize the letter immediately afterwards. I then inquired who was in charge of posting it and sending it out for a vote.

At this point, David intervened once again stating that the letter did not have any substance and claiming that determination of what constituted shared governance and consultation was at President Johnson's discretion, making the letter's claim that it was the EC's assessment that consultation had not taken place concerning the Furlough Plan out of line with the so called "facts."

David Continued:

The President of UNO is working full time even though she is paid 30% less to clean up a mess that she didn't make. She embodies the definition of leading by example. I think that we should draft a letter praising her for her leadership and coming into this dumpster fire and figuring out how to get it under control.

David concluded:

Again, this letter is not only redundant, but is factually incorrect. If folks want to send a redundant letter for the sake of saying that “we” sent her a letter, then that's okay. However, the factual inaccuracies need to be corrected unless we're going all-in on being disingenuous.

I found David's claim that the letter was out of line with the facts disturbing. As a faculty member in the college of science, he seemed incapable of understanding what a fact is. To that effect, I recommend he read the book by historians of science Steven Shapin and Simon Schaffer, *Leviathan and The Air Pump*, which is an excellent treatise on what facts actually are. But I digress. Not only did I find David's claim that the letter was factually incorrect ludicrous, I also found his proposal that we instead write a letter praising the president as disgustingly sycophantic.

At 11:24 am, Cherie Trumbach finally chimed in:

Cherie:

I think this should not go out until we meet tomorrow to hash it out. We clearly have major disagreements that will not be solved over email. It is important to note that we all represent different faculty voices that should not be ignored, but whatever we say should represent the overwhelming voice of the faculty.

When I responded to Cherie indicating my concern that what she called a major disagreement was simply one member of the EC heckling a process that had been agreed upon by the EC and that had included the consultation of the entire Senate, David chimed in once more stating:

You are dismissive of the voices of others. I'm surprised about that from someone in your position. However, it's unprofessional and weak.

The email exchanges concerning the factual nature of the letter continued until Connie joined once again stating:

We definitely don't have agreement on the letter. I created a non-shared copy and tried to make changes that I felt were necessary (although I'd told myself I'd stay out of it). I didn't get very far before I had to leave and I'll be away most of the rest of the afternoon. I think that, given the serious differences of opinion, we can't send this to the full Senate yet.

This message on Connie's part was the straw that broke the camel's back. Earlier in the day she had stated that the letter represented the sentiments of much of the faculty. On Monday she had committed to a specific course of action. On Wednesday morning she had committed to its being circulated. Now, in response to the absurd statements of a belligerent member of the EC who advocated for the writing of a letter praising the president instead of voicing the concerns of the faculty, she decided to humor said member of the senate and once again delay if not potentially derail a letter that was a) drafted in consultation with the EC, b) presented to the senate for comment, and c) revised on

the basis of the senate membership's input. I found this to be a great failure of leadership on Connie's part. To delay if not open the door for the derailment of a statement on the basis of false claims about facts by an erratic outlier in a way that violated a process in which he had ample opportunity to make constructive contributions to the letter draft seemed ridiculous to me. As I stated to the EC, in these extraordinary times, it is essential that we move faster than higher administration,

which is disfiguring and destroying our university at breakneck speed. We were now at 16 days after the authorization of the furloughs and the President of the Faculty Senate was willing to delay if not allow for a unilateral modification of the faculty senate's voice in response to the demands of an EC member who seemed incapable of basic reading comprehension?

It was at this point that I decided to resign. I came into the position of Vice President in response to requests by colleagues that I not only act as a second set of ears but that I also balance out Connie's unwillingness to take assertive stances with the higher administration. I was willing to do that. What I was not willing to do was be heckled by erratically behaving faculty who throws around words like fact, bully, ageist, academically dishonest, and weak, among others. I was not willing to be defamed by a member of the EC while simultaneously being undermined by its leadership and other members. The process of speaking up to higher administration is already stressful enough. To be defamed and attacked by a member of the senate's leadership while others look the other way is simply too much. This process has taken a toll on my physical and emotional health and shame on you for thinking that I was supposed to quietly suffer through all of this. Shame on you, Connie, for allowing David to run amok on our email threads and then suggesting I was not being collegial in my handling of the letter's approval.

The university is experiencing a profound crisis and current decisions being made by higher administration without consultation with the faculty senate will have consequences for this institution and the people of New Orleans long after Kathy Johnson and Edwin Litolff are gone. I cannot serve under a Senate President that is more concerned about her own appearance and the feelings of the University President than the voices and concerns of the faculty she represents. As I step down, I want to leave on a constructive note and have the following recommendations

1. I recommend the Faculty Senate consider including a clause for emergency situations such as the current budget crisis in its bylaws. That is, the senators should be allowed to make motions and call for votes in which the senate will enter a state of emergency.
2. Under such state of emergency, all members of the EC MUST respond to emails concerning pressing matters within 24 hours
3. If the faculty senate president is not capable to respond to emails or make critical decisions because of family leave, vacation, or sick leave, they should temporarily relegate their authority to the vice president of the senate until they are capable of resuming their duties. This should be a basic role of the Vice President.
4. That the Executive Committee's decisions be reached by simple majority votes during states of emergency.

Finally, I make a motion that the faculty senate now discuss a vote of no confidence on our current Faculty Senate President.

Sincerely,

Roberto Barrios

[IRS PRIVATE INUREMENT AND 501(c)(3)]

Private Inurement and Private Benefit for 501(c)(3) Organizations:

- **Internal Revenue Code (IRC) Section 501(c)(3):** This section outlines the requirements for tax-exempt organizations, specifying that they must be organized and operated exclusively for exempt purposes and that no part of their net earnings may inure to the benefit of any private shareholder or individual.
 - **Text of IRC 501(c)(3):** "Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition..., no part of the net earnings of which inures to the benefit of any private shareholder or individual..."
- **Treasury Regulation § 1.501(c)(3)-1(c)(2):** This regulation elaborates on the operational test, emphasizing that an organization is not operated exclusively for exempt purposes if its net earnings inure in whole or in part to the benefit of private shareholders or individuals.
 - **Text of Treasury Regulation § 1.501(c)(3)-1(c)(2):** "An organization is not operated exclusively for one or more exempt purposes if its net earnings inure in whole or in part to the benefit of private shareholders or individuals."

This regulation is part of the Electronic Code of Federal Regulations (eCFR) and provides detailed guidance on the requirements for maintaining tax-exempt status under Section 501(c)(3).