

## Faculty Council Meeting Minutes

December 5, 2014 2:00pm

LIB 407

### 1. Welcome and Call to Order

Faculty Council Chair Connie Phelps called the meeting to order at 2:10pm. At the time, 88 faculty were present

### 2. Approval of Minutes of September 12, 2014 Meeting

Connie Phelps asked for a motion to approve the minutes. Jim Mokhiber made a motion to amend the minutes, as they referenced a comment made that was meant as a joke. Connie asked for a motion to approve the minutes as amended. Abram Himelstein made a motion to approve the minutes with that correction; Michele Esposito seconded. All were in favor of approving the minutes as amended.

### 3. Brief Remarks by Faculty Council Chair – Connie Phelps

Connie wanted to remind everyone that if there were questions that faculty were uncomfortable asking aloud, they were welcome to write the question down on a piece of paper and pass it up to the officers.

Connie also mentioned the passing of Dr. Michael Mizell-Nelson. She shared some of her experiences with him, followed by a moment of silence.

### 4. Open questions and discussion of the program cuts, restructuring, and the future of the university

#### Motion #1:

Vern Baxter presented a resolution from the Committee on Academic Freedom, Tenure, and Professional Ethics (Appendix I). The first and third bullets of the resolution apply to all departments, while the second bullet focuses specifically on the Geography Department. The resolution serves as a motion and does not require a second.

#### Question #1:

Does the resolution have to be voted on as a whole or could it be considered in parts?

Answer: *It could be broken up into parts or even adjusted.*

Some faculty suggested breaking part 3 away from parts 1 and 2 since it does not involve tenure, but most disagreed with that. Then discussion about President Fos's Recommendations to the UL Board Academic Programs (sent via email on Thursday, December 4, 2014) began.

Comment:

A faculty member pointed out that the Faculty Governance Committee was focused on restructuring. Members of the committee had been assured by President Fos that it had nothing to do with the budget or money.

Comment:

A faculty member stated that this extended to the library, as well. Librarians had been concerned about how restructuring would affect the library. They were assured repeatedly that they would not be affected by the restructuring and that the FGC's program review did not include the Library, since the Library is not an academic department. Faculty and staff in the Library were stunned to learn that President Fos had side-stepped the Faculty Governance Committee and decided on cuts to the Library without consulting either the Committee or Library Administration.

Comment:

A faculty member noted that calling to cease terminations may be too much.

Comment:

A faculty member reminded everyone that the FGC was not given all of the information. They were never given a target.

Comment:

A faculty member pointed out that the FGC never discussed Geography and never imagined that instructors would be brought into this.

Comment:

A faculty member wanted to point out that the notice was given to Geography faculty the afternoon of Wednesday, November 26<sup>th</sup>, 2014—the day before the Thanksgiving holiday. This was a poor choice of timing.

Comment:

A faculty member clarified that this was the case for the Library, as well as other departments on campus and that it was a terrible thing to announce to people right before a holiday.

Question #2:

Did SACS give clearance for this? Procedure dictates we need permission to make any significant changes to programs. Answer: *It is believed that this refers to substantive changes, such as a master's institution beginning to offer doctoral degrees or a doctoral institution ceasing to offer them.*

Comment:

A faculty member brought up the termination of staff in the library. When we switched to the UL System, the library was forced to make all non-civil service staff non-classified, when they had been considered members of the academic staff, with annual

contracts. This means that the staff in the library (that are not civil service) are now at-will employees.

Comment:

A faculty member commented President Fos' report noted that Interim Provost Rich Hansen recommended closing Geography. This was not true. Dr. Hansen's report recommended offering a minor in Geography, not shutting it down completely. This was verified by Dr. Hansen. President Fos is hiding behind others.

Comment:

The Master of Romance Language program was said to be on the Board of Regents low-completers list. This is not true—that have not been on any such list in the LSU System or the UL System. In fact, they have just added 54 more grad students. This led to a statement and motion by Juliana Starr, Chair of the Department of Foreign Languages (Appendix II). It was noted that there was already a motion on the floor. Once this motion is voted on, another motion can be made.

Chris Day was called up to read a statement submitted on behalf of instructors at UNO (Appendix III).

Motion #2

Cherie Trumbach made a motion to amend the AFTPE Committee's resolution to 2 bullets—combining bullets 1 and 2 into 1 bullet, and then #3 for instructors. It was recommended that this stand as a substitute instead of an amendment. No second. Motion failed.

Comment:

A faculty member wanted to point out that adjuncts are people too—and they should be included. Some do teach full time.

Comment:

A faculty member stated that we need to be more specific than just saying we don't agree.

Comment:

A faculty member commented that President Fos' report on restructuring for budgetary reasons is startling. Not only because he assured the FGC that money had nothing to do with its program review, but also because of the INTO Forum held on Friday, October 24, 2014. At this forum, President Fos explained that INTO would solve our financial problems within a few years.

Comment:

A faculty member stated that the faculty does not trust President Fos.

Connie Phelps stated that we are out of order. If there is no further discussion on the resolution, we need to vote on it so we can move on.

### Motion #3

Cherie Trumbach made a motion to revise line 3 from “Termination of instructors cease pending results of ongoing restructuring process” to “Termination of instructors outside of a direct link to program closures cease pending results of ongoing restructuring process.” Seconded by Matt Tarr. Vote: 33 in favor, 37 against, and 0 abstained. Motion failed.

Vote on Motion #1 (AFTPE Committee’s resolution, as shown in Appendix I): 62 in favor, 5 against, and 1 abstained. Motion carries.

### Motion #4

Juliana Starr made a motion of no confidence in President Fos; it was seconded.

Edit Bourgeois called for a quorum. 75 faculty members were needed for a quorum. A count was taken, and there were 78 faculty members present.

Connie Phelps addressed the motion for a vote, commenting that some faculty members had expressed the opinion that the Faculty Senate was the more appropriate forum for proposing a vote of no confidence. This is because of what is stated in the Faculty Council bylaws. Article VI, Section 2 states: “Action taken by the Faculty Council shall be subject only to the superior authority of the Board of Supervisors. Should any action taken by the Faculty Council be deemed by the President of UNO or by the President of the University System to be of an administrative rather than an academic nature, or not in the best interest of the University, each shall have the power to suspend the enforcement of such action pending final disposition by the Board of Supervisors.” This language is not in the Faculty Senate Bylaws. Phelps also pointed out that, at the time we switched from a University Senate to a Faculty Senate, the contention was made that the Faculty Senate was the voice of the faculty.

### Comment:

A faculty member asked is this really what we need? Is it really wise to try to get rid of the president right now?

### Comment:

A faculty member said that we need to think about how this makes us look. Won’t it just make things worse?

### Comment:

A faculty member commented that it is better to be rudderless than to keep someone at the helm who insists on going down.

### Comment:

A faculty member asked if anyone has thought of creating a union?

### Comment:

A faculty member expressed that it is not the right time. We need to play out the restructuring first.

Comment:

A faculty member stated that a vote of no confidence is symbolic and empowering.

Question #3:

Does this motion specify the President or the Administration? Answer: *the President.*

Pam Jenkins suggested that the discussion be moved to the Senate.

Question #4:

When is the next Senate meeting? Answer: *In the Spring, but a special meeting could be called for next week.*

Question #5:

Is there any reason that we can't have the vote both in the Faculty Council and the Senate? Answer: *No, no reason the vote can't happen in both groups.*

Comment:

A faculty member expressed that having it in both will only dilute its meaning. It should be held in the Senate.

Comment:

A faculty member countered that having a vote in both will only reinforce it and give it more impact.

Question #6:

How does this affect jobs? Answer: *No idea.*

Motion #5:

Dinah Payne made a motion to call the question. Seconded by Edit Bourgeois. Vote: 62 in favor, 1 against, 3 abstained.

Vote on Motion #4 (a vote of no confidence in President Fos) was a paper ballot: 52 in favor of no confidence, 20 against no confidence, and 2 abstained. Motion carries.

Question #7:

Is it a simple majority or 2/3? Answer: *Richard Speaker, the Parliamentarian for the Faculty Council, stated that there was nothing in the bylaws, so the assumption is that it would be 50%+1. Either way, there are enough votes to meet both criteria.*

Chris Day explained that a call of no confidence may or may not lead to anything. She described the situation at Grambling State University, where the Faculty Senate passed a vote of no confidence in interim President Cynthia Warrick. Though the faculty of

Grambling State University called for President Warrick's dismissal, UL System President Sandra Woodley chose to support Warrick.

5. Old Business – none
6. New Business – none
7. Adjournment: Florence Jumonville made a motion to adjourn; Seconded. All in favor.

Three appendices are attached below.

**Appendix I:  
Resolution of the Committee on Academic Freedom, Tenure, and Professional Ethics**

The Faculty Senate Committee on Academic Freedom, Tenure, and Professional Ethics was approached by two faculty members to consider the termination of tenured faculty members in the Department of Geography. The committee met this morning and offers the following statement and resolution to the Faculty Council.

Tenure is an anchor of academic freedom and a protection against unwarranted dismissal. Indeterminate tenure is earned and those faculty members that earn tenure must continuously honor and fulfill the responsibilities that accompany it and they must vigorously defend it.

We recognize the need to build a smaller and stronger University of New Orleans and we recognize the need for restructuring and termination of some employees. But our committee is not convinced the recent termination of tenured faculty members in the Department of Geography is warranted and the committee offers the following resolution to the Faculty Council:

WHEREAS the bylaws of the University of Louisiana Board of Supervisors state that “tenure is intended to ensure and enhance faculty members’ academic freedom and job effectiveness”; and

WHEREAS the policy and procedures memoranda of the University of Louisiana System states that “Before terminating the appointment of a faculty member with tenure because of program discontinuance, reasonable efforts will be made to find another position within the university...”; and

WHEREAS the true test of tenure is during periods of financial and political stress; and

WHEREAS the University of New Orleans, as it deepens its efforts to internationalize the institution, will continue to offer geography courses; and

WHEREAS geography courses will continue to be offered because they are required and service other programs; and

WHEREAS the University of New Orleans is in the midst of significant restructuring, thus making it impossible to know what tenure-line faculty and instructors will be needed in the future;

NOW, THEREFORE, the University of New Orleans Faculty Council resolves that:

- The termination of tenured faculty stop immediately.
- Efforts continue in the process of restructuring to find comparable positions for tenured faculty members in the Department of Geography.
- Termination of instructors cease pending results of ongoing restructuring process.

**Appendix II:  
Motion for a Vote of No Confidence**

The President's report yesterday states that the Masters in Romance Languages was on the Board of Regents list for discontinuance due to low completers. But this is blatantly untrue. The M.A. in Romance Languages has never appeared on any low completer list in the LSU or the UL system. Furthermore, the M.A. in Romance Languages currently has a record of 54 new students. It has more than doubled its numbers in one semester, thanks to the launch of the online version. When some of our department met with President Fos, come to find out, he was totally unaware that we have an online version of our M.A. Currently it is the only online M.A. program in the College of Liberal Arts and one of only two online Masters degrees campus wide. Furthermore, it is unique nationwide and worldwide, garnering students from as far away as Saudi Arabia and Nicaragua. It is a thriving, low-cost, money-making program. There is no logical or budgetary reason why it should be discontinued. How does the firing of the Instructors in Foreign Languages correlate to the closing of the M.A. in Romance Languages, since those fired instructors serve our B.A. much more than our M.A.? 3/4 of the fired instructors teach the service courses in Spanish for which there is a huge, money-making demand. Again, there is no logical or budgetary reason why these people should be fired.

I do not think that President Fos knows what he is doing, and I would like to make a motion for a vote of no confidence in President Fos.



### **Appendix III: Statement on Behalf of Instructors at UNO**

On behalf of all instructors teaching on this campus, all of whom are full-time, **regular** faculty of the University, we want to make our colleagues at UNO aware of the work we do and have done for the University. Eliminating ten instructors is not in our students' best interests.

Of the approximately 60 instructors serving on campus, most have terminal degrees or PhDs; many of our longest serving instructors have taught for twenty-five years or more. Their contribution to the teaching power of the University is considerable. They generate approximately 32,000 student credit hours annually.

Instructors across departments typically teach four classes, and many teach one hundred students or more per semester. Instructors serve in the departments of Foreign Languages, Math, English, Anthropology, Philosophy, Geography, Biology, Music, Psychology, Management, Chemistry, and Earth and Environmental Sciences. All are dedicated to providing a quality education to their students. In fact, few students graduate from our university without having been taught by an instructor.

We instructors share the missions of our respective departments to provide courses that challenge and interest students. We help them to read with greater understanding and to research, write, and speak effectively. We teach them how to analyze data, solve problems, explore cultures, and make art.

Instructors on this campus have published scholarly books and have edited textbooks. They have presented papers at scholarly conferences and have given readings of their work. They publish widely in scholarly journals and literary magazines. They are scientists, novelists, poets, artists, and filmmakers.

We also perform service for our departments and the University. All UNO instructors regularly serve on departmental committees; many also serve on University committees, and one has taught regularly in the Honors program. One instructor currently serves as a faculty senator, five serve on the General Education committee, and one is a member of the COLA Courses & Curricula committee.

Instructors do all of this despite working for an average annual salary of approximately \$36,000.

On behalf of the approximately sixty instructors who teach on this campus, we protest the plan to eliminate ten of our colleagues. We fear that this plan will weaken our students' confidence in the University and dilute the quality of their educational experience. We urge the administration to consider the obvious damage such a reduction in our teaching power will cause to the mission of the University.