

HUMANITIES AND NATURAL SCIENCES COLLEGE ASSEMBLY

September 21, 2006

Minutes

I. CALL TO ORDER

The special meeting of the College Assembly was called to order by Dean Frank Scully at 12:30 p.m. on Thursday, September 21, 2006 in Room 332 of Bobet Hall.

Attended: Katherine Adams, Rosalie Anderson, Blanca Anderson, Paul Barnes, Joseph Berendzen, Peter Bernardi, John Biguenet, Boyd Blundell, Patrick Bourgeois, Mary Brazier, Robert Brisco, Maurice Brungardt, Sara Butler, Timoghy Cahill, Maria Calzada, Christopher Chambers, Bernard Cook, Francis Coolidge, Theodore Cotton, Robert Dewell, Dittmar Dittrich, Eileen Doll, Patricia Dorn, Phaniel Egejuru, Gerald Fagin, Mark Fernandez, Barbara Fleischer, Robert Gerlich, Robert Gnuse, Mark Gossiaux, Elizabeth Hammer, Joseph Harris, Donald Hauber, Gary Herbert, Criag Hood, Judith Hunt, Glen Hymel, Frank Jordan, Grant Kaplan, Armin Kargol, Michael Kelly, Kenneth Keulman, Elias Khalaf, Creston King, David Knight, Lynn Koplitz, Alice Kornovich, Lawrence Lewis, Cassandra Mabe, Janet Matthews, Mary McCay, Andrew MacDonald, Peggy McCormack, Martin McHugh, Melanie McKay, David Moore, Constance Mui, John Murphy, Leo Nicoll, Duane Randall, Connie Rodriguez, Peter Rogers, Robert Rowland, Josefa Salmon, Katarzyna Saxton, Stephen Scariano, Thorsten Schmidt, John Sebastian, Maureen Shuh, Thomas Spence, Evelyn Thibeaux, Ralph Tucci, Mary Waguespack, William Walkenhorst, James Wee, Catherine Wessinger, Catherine Zeph, Evan Zucker.

II. WELCOME AND INTRODUCTON

Dean Scully welcomed Rev. Kevin William Wildes, S.J., President, and Walter Harris, Jr. Ph.D., Provost. He introduced the parliamentarian, Dr. Philip Dynia, Chair, Department of Political Science, and to serve as Chair for the meeting, William Quigley, Director of the Law Clinic and the Gillis Long Poverty Law Center.

III. QUESTIONS, OPENING REMARKS

The Chair immediately opened the floor for questions.

President Wildes first asked to make a few brief comments. He said that he was there to get a sense of “where we are,” questions and concerns to be factored in. He said he was confident that the extraordinarily difficult year had reached stability, that although the university is enrollment-driven and enrollments are down, numbers are where he thought they would be. He said the incoming freshman class structured for 850 is 530 students. He said that by all measures it should be a fiscally stable year; the work ahead is to look to the future, to work on strategic goals for the next five years, and again, as tuition-driven, the challenge is to recruit new students. He said one of the strategic goals is to improve university governance – a priority for him – which he will begin this year. He said he will ask the University Senate to take leadership for a review of governance and where it stands. He said that one of the things of which he is aware is that various areas in the university have different expectations and don’t always mesh well together, so in addition to mapping out the plan itself, one of the goals is “people moving forward.”

The Provost also asked to say a few words. He thanked faculty for joining them in a great opportunity to have a conversation, and said he is hopeful it won’t be one-way with faculty asking questions, while he and the President provide all of the answers. He said it’s the fourth college faculty meeting and the other three were positive interactions. He said he hopes this is the same open, honest conversation and becomes a genuine dialogue. He said last year was a difficult year and he is grateful to all for sacrifices in helping them get through it, and is grateful to the entire faculty who helped with the Spring II session. He said that there were no books

written on how to deal with a disaster and disruption of that magnitude, and its implications for the university. He said they were often forced to make decisions as they went along, some of which were tough, hard, and unpopular. He said that any mistakes he may have made on behalf of his office were honest mistakes, and that he certainly shared all of the concerns people had regarding cutting programs, that this was a very tough job resulting in much lost sleep, and he mentioned that his hair has gone from black to grey (laughter).

The Provost summarized post-Katrina fiscal concerns: last fall the VP for Finance projected a fiscal year-end deficit of 25-30 million dollars and projected that without major steps deficits would recur over several years; the Board of Trustees got the news in December; the Board asked the President to take action; they were asked to project the enrollment and adjust the budget accordingly; the budget was cut by \$10MM; following the cut the first thing the Board asked was whether it was enough; with the \$10MM cut they believe they've stabilized the university; difficult cuts were made so that all of the people sitting in this room could have jobs and faculty could have support for research and professional travel. The Provost reiterated that as the President had said, the university is stable. The Provost said to be brutally honest, in his mind it is a fragile stability, that one hurricane coming this way could put them into big trouble, that the class of 530 new freshmen enrolled this year will be the class to contend with for four years -- to recall the mid-90s when the university missed its enrollment by 100-200 students and understand how long it took to grow out of that. He said that they couldn't continue the previous budget despite those who said they shouldn't make cuts, that in the big picture they need people to be positive about the university and move forward. He said that last spring and into summer there were times when the cash flow was so poor they could barely make payroll; they decided there was no need to frighten the university with that kind of information. He said that he knows there are people who want to deal a lot with the past, but he's hopeful there are people here today who want to have a conversation on how to move forward to make this the best university they can make it. He said that as some things will be appealed, litigated, and some in attendance will serve as witnesses for some of the appellants, he hopes for respect if they don't respond today to specific issues that may impinge on those specific cases.

IV. COMMENTS AND QUESTIONS

The floor was reopened for conversation. The first question articulated was from the list of 18 questions (attached) delivered in advance to the President and Provost, circulated to college faculty via e-mail and distributed at the assembly. Stephen Scariano asked question 1: "Would the President stand by his statement of 22 May, namely 'After reviewing everything, I am confident in the analysis and the work that Dr. Harris and his staff did in this (Pathways) area.'?" The President answered yes, and said that as they were on a timetable to get back to the Board, no doubt mistakes were made, and when they found them out they tried to correct them. He said that when he made decisions or recommendations to the board, they were a combination of things, not only about economics, of prime concern, but also programs, admissions and a number of other things.

Elizabeth Hammer asked question 2: "Is it true that SCAP unanimously recommended twice keeping the College of Arts and Sciences as a single unit?" The President and Provost replied yes, that was in their report.

Maurice Brungardt said that one of the things this faculty and college values most is dialogue, which is the reason they're glad the President and Provost came to the assembly. He said that it had taken awhile to get to this point at which faculty are actually able to ask these questions. He asked the President to follow-up his opening

comment regarding governance and asked whether there was anything wrong with the governance the university had before. The President said that he found himself with the University Senate on one hand and trying to respond to the Board of Trustees on the other -- two groups having very different sets of expectations. He said that when he speaks of university governance, he is not only talking about the University Senate but also the university as whole, with the board included. He repeated that the Board of Trustees wanted a plan in February. He said he's asking the senate to take a look at governance as a whole and how the university is organized. Maurice said that attendance at the senate was poor last year and they (President and Provost) weren't there with a great deal of frequency. The President agreed; the Provost said he had missed one senate meeting.

Maria Calzada asked question 3, "Why was SCAP's unanimous recommendation that no new college be established rejected?", and also asked, "How does the new college move the university forward?" The Provost replied that SCAP's recommendations were not advice to the President, though the President certainly considered them, but as they were developing Pathways they were also looking at where they are taking the university. He said one thing they know is that over the last several years they've had growth in the social sciences area, and it was argued that if they developed the College of Social Sciences, then that would offer a way to synergize those particular units, particularly given where they are located in New Orleans, with its tremendous number of social problems. He said this would be an opportunity for the college to work on those problems across disciplines as they move forward.

Elias Khalaf introduced himself as one of the terminated faculty and asked question 4, "Do you agree that SCAP did not approve the termination of the Computer Science major and the sequences in Communications?" The Provost replied that the SCAP subcommittee had recommended they keep Computer Science and Communications, and that as Fr. Si Hendry had pointed out in a public setting, the people who volunteered to serve on the subcommittee were personally affected by the closures. He said that they did not have people serving who were members of the other programs, so they didn't get recommendations from them. Maureen Shuh observed that the entire SCAP voted unanimously to follow the recommendations of the subcommittee. The Provost repeated that the people who served on the subcommittee were the ones affected.

Connie Rodriguez asked to follow-up on the Provost's earlier comments about forming a College of Social Sciences and addressing the nature of the social problems in the city. She asked how he could justify discontinuing Loyola's Education program when education is in shambles in the city. The Provost replied that Education had a continuing decline in enrollment. He asked faculty to think about what it costs for a student to get an education degree from Loyola, then to remain in New Orleans with a debt load of possibly \$100,000 and a beginning salary of \$25,000. Faculty suggested the salary range closer \$33,000.

Patricia Dorn asked whether there is any plan to retain faculty, give incentives, and provide assistance to put research facilities back together. The President replied that they are looking at how to address compensation, though still dealing with the business interruption issue, and funds to replace research equipment faculty have lost.

Regarding university governance, a faculty member asked the President to explain the review. The President replied that he wants it to be a comprehensive review of governance of the whole, how the board operates, the faculty and deans. Mark Fernandez said he had one question and one comment. He said that one thing that came

up quite often last year as mentioned by the President in several settings, was that the board asked for and charged the President with carrying out cuts, and he understands that. He said that, as he doesn't know the board, his one question is whether there is a strong sense among the board that colleges are collegial places where governance is shared significantly. He commented that given that the power structure consists of the board and Jesuit Corporation, in looking at governance they might consider a charter change that would give faculty a voice and means for shared governance. The President said a number of people on the board are Jesuits and educators; one of the things they do is help educate other board members about the universities. He said he thinks in fairness that one of the fundamental realities and responsibilities of the board is for the long-term health of the institution, and when looking at the numbers from last year, they needed to make a decision, needed to make it immediately. He said given a moment when they can look at governance, they want to look at the operation as a whole and do so in a thoughtful, deliberate manner.

Fr. Leo Nicoll said in dealing with the same question as Mark's, there was a May 12 meeting of the former College of Arts and Sciences where 70 plus faculty members voted no confidence in the process; that vote seemed to have been brushed totally aside by the administration, even publicly characterized as proceeding from emotion – he asked, “how do you think these 70 members would have received such a reception to what they perceived as an endeavor to make this a better place and a better university?” The President replied that it wasn't brushed aside; he didn't know quite how to respond in a public way, but he did not just brush it aside. Fr. Nicoll suggested that perhaps a possible response would have been to have asked the college to have a meeting with him, to ask faculty to lay out their case as is being done now. The President said yes.

Francis Collidge referenced handout questions 5-8 (attached). He said that there was a breach of trust; that among a large number of faculty even if things move forward with governance, they will not have faith in the Provost, President and administration. He that if the President thinks there were serious violations of process, then the faculty deserve an apology, not merely “mistakes were made” repentance. He said otherwise faculty would have trouble stepping up to move forward. (Loud applause followed.)

The President said he would start with questions 5 and 8 in general. He said that he and the Provost did a lot of work in a couple of months that would normally have been done over a much longer time; there were mistakes and he tried to correct them when found, that he looked at programs not only as to their cost but also as to centrality to the mission. He said he made mistakes and can't get even begin to get enough distance to get a handle on them, that he is truly sorry and never intentionally meant to hurt anyone.

The Provost said he spent nights working and trying to pull data together up until the last minute, data that over the years the university had collected but had not tried to make into information. He said they combed through tons and tons of stuff to try to make sense of it as data, which he later copied to SCAP. He said by that point, it was easier for a group to look at what was there, to use it to review decisions, and to manipulate it in a good sense. He said it was a really tough job, and that what they tried to do with data in a short period, state universities had years to do.

The Chair said that as an outsider in the assembly, he thought people were asking a different question, “We thought we had a relationship – that relationship is damaged -- and what can you say so we can re-engage in that relationship?” Assent was voiced by several in the assembly. The President said he is hoping to have an ongoing

conversation about review of governance as one opportunity. He said he thinks there are other opportunities in moving the strategic goals forward; therefore, particularizing certain areas of the program, but certainly in governance and looking at where they are, and maybe in the end staying exactly as they are in terms of structure, but he is hoping that would not have been done without first having had conversations about how they have conversations.

Catherine Wessinger referred to question 7 and questioned why guidelines in the Faculty Handbook were not followed. The President replied that guidelines were followed and due to litigation he couldn't say any more.

Mary McCay said she doesn't think anybody in the room hadn't made mistakes. She said she thinks what's needed is to move forward. She asked the President whether there is any way to institute some kind of on-going dialogue such as today's, perhaps once or twice a semester, as questions are ongoing and the university is organic, so if not moving forward, it goes backward. The President replied that he would be very open to that; he would find it helpful. Mary asked the President what is his biggest concern right now. He replied that it is the national perception of New Orleans as he's heard from recruiters: crime, violence and health. Laurie Joyner asked the President whether he'd thought of engaging faculty and students to work on something to highlight activities across the city. He replied that he had and had also thought of highlighting those activities to counteract some of the negative reports.

Sara Butler said her question had to do with the unmentioned faculty crisis not just due to the terminations, but also a fair portion of those in the room being on a two-year retirement plan and lost faculty who left either due to the storm or concerns about job security. She said the faculty who are gone represent subjects that they no longer being taught, that as a Jesuit university supposedly presenting well-rounded students, she finds it embarrassing that students really only know western history – that there's a world outside of the west. She asked whether Loyola would be hiring soon. The President replied that this gets back to the enrollment issue, being enrollment driven, his first priority is to stabilize, second is to open up recruitment and as part of that to address current faculty and staff salaries. Grant Kaplan said while they addressed student recruitment, whether, given the perceptions of New Orleans, in their and the board's rush to balance the budget and get people out or do little to retain faculty who were leaving, did they consider the problems they face in recruiting new faculty; he observed that if a 19-year-old won't come, could they expect a 37-year-old with three kids to come. The President said that these are another set of issues; he had thought about necessary salaries, real estate prices and perceptions of reality here. The Provost said the higher education enterprise is in serious trouble in this environment and he is worried. John Biguenet said that advising and retention are important and asked whether there is a picture of where they could improve. The Provost said he's having deans and chairs look at retention and strategies they might employ to have those students who are here come back, and that would take some of the pressure off of recruitment.

Katarzyna Saxton introduced question 13: "Did you refuse to speak with the AAUP special committee? -- What will you do if the AAUP sanctions the University and censures the University administration?" The President replied that he has been in two conversations with AAUP, is in touch, and that door is still open.

Craig Hood asked the President to describe the kind of place Loyola aspires to be, the traits of the four universities in Pathways, and his vision of the kind of place Loyola can be. The President said he tried in his update to give 3-4 four pages on vision, that with data they had gathered and had tried to compare against other

universities, they found they had lots of information but not much knowledge; he said the selected universities all had national exposure.

Tom Spence asked about the physics cut, fewer faculty and students, the problem between the cuts and QEP strengthening Jesuit visions, common curriculum and looking at where they stand in the university. The Provost mentioned people in physics having come back with a dynamic plan. Tom Spence said the plan was in place before last year. The President said two donors have given faculty and scholarship support.

Timothy Cahill asked the President if he can make a commitment now that any settlement regarding Pathways would not be under a gag order and would be fully disclosed. The President replied that he can, but he can't speak for other parties. Tim suggested he state it going in – insisting that the settlement is with disclosure. The President said he doesn't know if the law allows that, or if it does, he doesn't know that someone open to a settlement might not want it disclosed. Tim asked, "From your side, you will never insist on a gag order?" The President said yes.

Peggy McCormack returned to governance and said she was struck by Mark Fernandez's description of the two bodies. Mark said he was suggesting that in reviewing or revising governance, they look at a charter revision and be open to the inclusion of faculty on one of the two governing bodies. The President mentioned the Association of Governing Boards, looking at how other universities are structured and getting examples. Elizabeth Hammer said she's interested in faculty having a voice; faculty may be here 20 years -- she would like to have inclusion of faculty as second nature. The President said that the single thing most cited by students with regard to retention is faculty.

Fr. Gerald Fagin observed that the Office of Non-traditional Students had worked hard; he is concerned that non-traditional students are falling between the cracks, with loose ends hanging regarding finishing courses and insufficient information as to which courses will be offered. The Provost agreed and said the largest growth had been in that area.

Connie Rodriguez asked the President (from question 16): "You have repeatedly said that you want to move forward and look toward the future and not dwell on the past. Do you believe that how you have led this university in the past will serve as a good example of how you will lead this university in the future?" The President replied that last year had been an aberration, that he wants to move forward to become a national university, and he does believe he can do it. Another faculty member returned to the issue of non-traditional students and commented that she views the term akin to non-Catholic, defined by what it's not (laughter), and asked that a different term be used. The President agreed and said he'll consider the matter. Patricia Dorn said that with the push forward with other area universities, she is concerned that they strengthen the proposals. The President said the university presidents have been meeting regularly to respond to federal and state agencies, and talking about how they may institutionalize this; they all have gaps and want to be helpful. He said they will get the forms to the deans and provosts.

Maurice said the faculty welcomed this dialogue and needed more of it. He referred to the Provost's description of the problems with data -- they couldn't disaggregate the figures. He observed that faculty here could disaggregate, wanted to help and weren't called on to be part of the process. He suggested they need to make use of a lot of talented people who have long been at Loyola, and need to be part of governance. He said the issue of governance is important, that it needs to be collegial; that they need to build trust so that the university

can move forward. The Provost said one of the biggest mistakes he made was his deliberate decision to try to take pressures off deans.

Robert Gnuse asked, “Are there any future program or faculty terminations planned under Pathways or any comparable program?” The Provost and President said no. Catherine Wessinger referred to Pathways and asked about shopping for other campuses. The President observed that Loyola University New Orleans is the only Jesuit university in the southern tier of the United States, a growing region in which to garner opportunities to open selective programs in cities along the way to further economic growth. He said to grow not only in academics, but also in national reputation, universities must first grow regionally. He said that maybe they won’t act, but they are looking at opportunities.

Connie Rodriguez asked from question 15: “Why did two departments terminate tenured Ph.Ds qualified to teach needed courses and hire part-timers to teach those courses contrary to the Handbook (Section 9.E.2)?” The President said he will not comment on the issue under appeal. Elias Khalaf read from the Faculty Handbook, Section 9.A.9, “If a decision is made to discontinue formally a program or department of instruction, this decision will be based essentially upon educational consideration, which may involve financial matters. Educational considerations and financial matters do not include cyclical or temporary variations in enrollments but must reflect the long-range judgments that the educational mission of the University as a whole will be maintained or enhanced by discontinuance.” He asked how discontinuing Computer Science maintained or enhanced the educational mission, and whether CS was an educational burden or unimportant. The President replied that there are other forms of education for that area and enrollments are still considered. Elias said CS is cyclical.

Another faculty member referenced question 8 and expressed concerns that the cuts hurt the university in the long run and caused it to miss recruiting opportunities; also, if procedures were violated and settlements have to be paid, then that would hurt. Maurice Brungardt mentioned concerns that faculty were not involved in the university’s planning after having been involved in systematic planning for the city for a long time, and the need for leadership to develop young faculty with confidence in the university. Timothy Cahill referred to concerns the Provost expressed about their having nearly missed payrolls and being on the edge with regard to cash flow, and posed his question similar to question 6 (above). The President said that prior to that the board made the decision that if it was at all possible they would not move on financial exigency because in the long run it would be more positive for the university. Timothy observed that a committee was not in place despite payroll having been a near miss.

Fr. Nicoll said that as he knows it is late in the meeting, he will not ask for a response. He said he is alluding to Maurice Brunagardt’s comments, that faculty confidence in the administration is shaken by there having been no consultation with them, and is also alluding to questions 11 and 12. He summarized concerns that there were no consultations with regard to: Natural Sciences – suspension of physics, Humanities – termination of language and communication programs, University Senate – asked to elect persons to advise the President, and the Dean -- although Provost Harris did address that somewhat. He said he wanted to bring the matters forward even though there was not time for a response today.

John Murphy said that faculty are looking for assurances that they will have conversations in the future and that the lack of conversations of the past won’t occur again. He said that as Chair of the University Senate he had

conversations with both the Provost and President on a regular basis, was privy to information that they were going to put before the faculty, and had the opportunity to comment on that and make suggestions. He said that in his view, the administration wants to move forward in such a way as to give them all some kind of security in the processes in place and the processes they can put in place. He said that has been his experience and he has absolutely no reason to believe the administration will go in another direction.

V. ADJOURNMENT

Dean Scully thanked everyone and adjourned the meeting at 1:55 PM.

Attached: handout (1)

HANDOUT 9/21/06 COLLEGE ASSEMBLY

Colleagues of the College of Humanities and Natural Sciences,

The following are some of the concerns expressed by a group of some 15 CHUNS faculty which they would like to share with you and the administration and hope they might be used in a fruitful dialogue among ourselves and with the President and Academic Vice President especially in the meeting on Thursday. This group does not pretend to express the concerns of every member of CHUNS or even a majority but it hopes that our colleagues might resonate with many of them. These faculty members hope that any concerns that we have not addressed will be presented by our colleagues at the meeting.

The group shared some 35 concerns with each other. Many of them had multiple parts. The following are 18 of what were considered our most urgent concerns.

Leo A. Nicoll, S.J.

1. Would the President stand by his statement of 22 May, namely "After reviewing everything, I am confident in the analysis and the work that Dr. Harris and his staff did in this (Pathways) area."?
2. Is it true that SCAP unanimously recommended twice keeping the College of Arts and Sciences as a single unit?
3. Why was SCAP's unanimous recommendation that no new college be established rejected?
4. Do you agree that SCAP did not approve the termination of the Computer Science major and the sequences in Communications?
5. Given the requirement that for every program reinstated, another program of equal value had to be cut, SCAP asked for both whole numbers and percentages of the \$\$\$ savings on each program proposed to be cut. Why was this information not provided?
6. Did the University declare financial exigency? --As per Chapter 9, regarding procedures for termination because of financial exigency, did the University Senate, in cooperation with your office, formulate criteria identifying a bona fide state of financial exigency? --Did you feel financial exigency was imminent? --If so, did you constitute an ad hoc Exigency Planning Committee (EPC) as required in the Faculty Handbook?
7. Did you follow the Faculty Handbook, Chapter 9, section E.2, which states that 'Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the University will make every effort to place the faculty member concerned in another suitable position'?
8. What was the reaction of the Administration to the mistakes in statistics and violations in process delineated in the SCAP letter of May 10, by the members of Arts and Sciences on May 12, and by the Senate document 'A Call for Conversations and a Critique of Pathways'? e.g., that the terminated departments were not the least profitable in the University?
9. Why was the vote of no confidence of the meeting of Arts and Sciences on 11 May 2006 (70-2-4) brushed aside by the Administration? And why was the University Senate's vote of no confidence ignored?
10. How can the Administration possibly maintain that the Pathways plan was the result of intensive study by SCAP and the Senate? Why has most opposition to Pathways come from members of SCAP and the Senate and even from members of the President's ad hoc committee for Pathways?
11. Before Pathways was publicly introduced, how many faculty from the division of Natural Sciences were consulted concerning the impact that the suspension of the physics program would have on the rest of the division? --How many faculty from the humanities division were consulted about the impact of the suspension/termination of language and communication programs?
12. Why was the Senate asked to elect persons to advise the President as faculty representatives of his committee when these persons were never consulted on substantive matters?
13. Did you refuse to speak with the AAUP special committee? --What will you do if the AAUP sanctions the University and censures the University administration?
14. Given the mistrust and large numbers of very dissatisfied faculty, what concrete things do you plan to do that might help rebuild a working relationship?
15. Why did two departments terminate tenured Ph.Ds qualified to teach needed courses and hire part-timers to teach those courses contrary to the Handbook (Section 9.E.2)?
16. The President has repeatedly said that he wants to move forward and look towards the future and not dwell on the past. Does the President believe that how he has led this university in the past will serve as a good example of how he will lead this university in the future?
17. Taking into consideration current enrollments, the loss of students due to program cuts and suspensions, and implementation costs, how much money does Pathways save the University this year and will the President provide supporting documentation?
18. What is the President's vision of the University?