

# HUMANITIES AND NATURAL SCIENCES COLLEGE ASSEMBLY

September 26, 2006

## Minutes

### I. CALL TO ORDER

The meeting of the College Assembly was called to order by Dean Frank Scully at 12:30 p.m. on Tuesday, September 26, 2006 in Room 332 of Bobet Hall.

Attendance: K. Adams, R. Anderson, B. Anderson, L. Beard, J. Berendzen, P. Bernardi, J. Biguenet, K. Birdwhistell, B. Blundell, D. Boileau, P. Bourgeois, M. Brazier, R. Brisco, M. Brungardt, S. Butler, T. Cahill, M. Calzada, C. Chambers, J. Clark, B. Cook, F. Coolidge, R. Dewell, D. Dittrich, E. Doll, P. Egejuru, B. Ewell, G. Fagin, M. Fernandez, R. Gnuse, M. Gossiaux, E. Hammer, G. Herbert, G. Hymel, D. Janz, L. Joyner (non-voting), G. Kaplan, A. Kargol, M. Kelly, K. Keulman, E. Khalaf, C. King, D. Knight, L. Koplitz, A. Kornovich, L. Lewis, J. Matthews, M. McCay, P. McCormack, M. McHugh, M. McKay, D. Moore, C. Mui, L. Nicoll, K. O’Gorman, D. Randall, C. Rodriguez, P. Rogers, M. Ross, R. Rowland, S. Rowntree, J. Salmon, K. Saxton, S. Scariano, J. Sebastian, S. Shuh, M. Smith, T. Spence, E. Thibeaux, G. Tonsmann, R. Tucci, W. Walkenhorst, C. Wessinger, C. Zeph, E. Zucker. Sent proxy votes: C. Brans, K. Ernst, V. Gregson, P. Mabe, A. Matei.

### II. INVOCATION

Rev. Leo A. Nicoll, S.J. delivered the invocation.

### III. INTRODUCTION, PROCEDURE AND AGENDA

Dean Scully introduced Dr. Roger White to Chair the meeting. Roger agreed to also serve as Parliamentarian along with Dr. Philip Dynia. The Dean requested that faculty identify themselves for the minutes when recognized. The Dean turned the meeting over to the Chair. The Chair pointed to the many meeting formats within “Robert’s Rules of Order,” a tool for the assembly to be handled as the group first stipulates. He clarified his understanding that the group currently had no by-laws. The Chair then requested the agenda. The Dean replied that it consisted of one item carried forward from the September 5, 2006 College Assembly meeting. The Chair asked that the motion be introduced.

### IV. MOTION

Given by Dr. Connie Rodriguez and presented on an overhead transparency and distributed (see below), modified from September 5, with additional wording in italics, enumerations, and a strikethrough in the last paragraph:

1. WHEREAS Kevin Wm. Wildes, Walter Harris, Jr., John Cornwell, David Estes, and Brenda Joyner - hereafter referred to collectively as the Administrators – have **not** provided competent leadership of Loyola University New Orleans before, during and after Hurricane Katrina; and
2. WHEREAS the Administrators have **not** effectively used the shared governance structures and procedures mandated by the Faculty Handbook in making decisions about our future; and
3. *WHEREAS the Administrators have **not** followed procedures outlined in the Faculty Handbook in terminating tenured faculty members; and*
4. WHEREAS the Administrators have **not** exhibited competent leadership in formulating and articulating an inspirational academic vision that students, staff, and faculty can embrace and nurture; and
5. WHEREAS the Administrators have **not** provided any evidence that their strategic planning processes or emerging plans will ensure a stronger Loyola University New Orleans; and
6. WHEREAS the Administrators have **not** facilitated avenues of two-way communication with Loyola’s students, staff, faculty, and the community at large, regarding the formulation and implementation of their vision and plans; and
7. WHEREAS the Administrators have **not** fostered an environment which engages and empowers students, staff, and faculty to commit themselves to a future at Loyola University New Orleans; and
8. WHEREAS the Administrators have **not** cultivated a sense of trust and confidence regarding their stewardship of a healthy, vital Loyola University New Orleans;

BE IT RESOLVED AND PROMULGATED THAT the faculty of the College of Humanities and Natural Sciences hereby asserts a vote of **NO** confidence in ~~the aforementioned Administrators~~ *President Kevin Wm. Wildes and Provost Walter Harris, Jr.* (End of transparency and handout.)

Friendly Amendment 1: Timothy Cahill proposed that the italics and strikethrough be accepted as a friendly amendment and read the motion. The amendment was **accepted** by Connie Rodriguez.

Friendly Amendment 2: Leo Nicoll proposed removing President Wildes' name from the amended motion. The friendly amendment was not accepted by Connie.

**Motion to Amend:** "Remove President Wildes' name from the motion to vote no confidence" was given by Leo Nicoll, seconded by Bernard Cook. Discussion: Fr. Nicoll spoke from personal observations of the President's sincerity, integrity and enthusiasm. He said the President is trying to do his best, had not micro-managed, and urged that he be given more time in his relatively new position prior to any vote. Fr. Nicoll stated he was unwilling to vote on the motion in its present form. Guillermo Tonsmann said that when the name of the President was previously stricken, he remained oblivious to their plight; therefore, his name should remain. Timothy recalled the content of the President's e-mail to all faculty after the May 12 vote of no confidence – he gave his support to the Provost. Fr. Nicoll replied that any president wants to support his administration, that he might be giving them a lot of rope, but doesn't feel he can come out and repudiate them. Proposal to separate the vote by amending the motion to have one vote with and one without the President was again made by Dr. Calzada. The Chair clarified that the floor was still open for discussion of the previous motion. Discussion continued. Barbara Ewell said she felt differently about all 5 of the people and praised Brenda Joyner's leadership.

Fr. Nicoll called the question.

Motion to vote on Fr. Nicoll's proposed amendment was made by Janet Matthews, seconded by Catherine Wessinger. The Chair called for a voice vote. Ayes were unanimous. Motion to vote carried.

Vote on the proposed amendment to remove the President's name was called by the Chair. Nays were a clear majority. Motion to remove the President's name failed.

**Motion on the floor:** The Chair returned to Connie's motion of no confidence.

Discussion: Fr. Fagin asked to clarify the meaning of a vote of no confidence: Is it a judgment of a terrible job in the past or in the future? Maureen Shuh replied that both issues had been raised. Eileen Doll continued to seek clarification of what changes a vote would effect: Would it mean not eliminating anyone from the university, making a statement? John Biguenet said the usual meaning is having no confidence in the administrative person. Francis Coolidge said as follow-up to Maureen's comment, that the leadership hadn't inspired past confidence, so based on that inspires no future confidence. As contributing to a lack of confidence, he cited comments made by the President and Provost in the previous meeting regarding serious problems with litigation limiting what they could discuss. He questioned whether the Provost and President could confidently claim that the faculty handbook had been followed.

Friendly amendment number 3: Proposal to amend Dr. Rodriguez's motion so that each of the two names could be voted on separately was rephrased by Maria Calzada. The Chair asked Connie whether she accepted that as a friendly amendment. She did not accept. Maria withdrew the amendment. Grant Kaplan said that as Father Nicoll had stated he was unwilling to vote on the motion in its present form, they should try to find a way for the largest number of assembled people to express their "no confidence" in something (laughter).

Friendly amendment number 4: Maria Calzada introduced a “re-proposal” to amend the motion by stating the motion twice -- separately for the President and Provost. In order to clarify her proposed amendment, Thomas Spence focused the over-head transparency to display the “BE IT RESOLVED...” portion only, and David Moore repeated that the amended motion would be restated for each. Thus clarified, the amendment to restate the motion was proposed by Maria. The Chair asked Connie whether she accepted the friendly amendment. Connie accepted.

Amended motion for separate votes:

BE IT RESOLVED AND PROMULGATED THAT the faculty of the College of Humanities and Natural Sciences hereby asserts a vote of NO confidence in **Provost Walter Harris, Jr.**

BE IT RESOLVED AND PROMULGATED THAT the faculty of the College of Humanities and Natural Sciences hereby asserts a vote of NO confidence in **President Kevin Wm. Wildes.**

Motion to vote first on the Provost was made by Elizabeth Hammer, seconded by Thomas Spence. Discussion: Joseph Berendzen asked whether the term “Administrators” as named in point # 1 of the motion (referring to the handout and transparency) was consistent with the “resolution” that followed at the bottom. Connie said that all other names were stricken. The Chair returned to the motion to vote first on the Provost. The question was called. The ayes were a clear majority. The motion carried.

**Motion on the floor**: BE IT RESOLVED AND PROMULGATED THAT the faculty of the College of Humanities and Natural Sciences hereby asserts a vote of NO confidence in **Provost Walter Harris, Jr.**

Discussion: John Sebastian referred to his full copy of the motion and said that he had the same problem as Joseph, he wanted to be certain that all “Administrators” defined in #1 of the handout had been amended to “Provost Harris” for this vote. Connie replied yes. Kate Adams questioned whether a vote of no confidence would have desirable results on the university struggling to bring in new freshmen, would it help or hurt the new college, what might it do to the Dean, faculty and university. She pointed out that administrations come and go, that it’s a complex time for students in the city, and said the reason she would vote “confidence” is she thinks that is best. Stephen Scariano said the Provost openly admitted he manipulated the data, it lacked precision and people lost their jobs. Catherine Wessinger said she’s concerned that the AAUP report would be negative if they determined that the administration did not follow the Faculty Handbook’s guidelines, which are the same as AAUP’s. She said if they don’t vote “no confidence” then they put the university in jeopardy of sanctions. Elias Khalaf said he had no confidence in Provost Harris after having received from him a termination letter on the first day of class, followed by a letter stating the he has to rewrite the first letter.

Motion to call the question was made by Elizabeth Hammer, seconded by Glen Hymel.

The Chair said they must first resolve the voting method of a secret ballot. Connie said paper ballots were available for distribution. The Chair ruled that distributing and counting ballots must be handled by a disinterested party. The parliamentarian, Philip Dynia, was accepted. The Chair determined that proxies submitted prior to the meeting are acceptable. Barbara Ewell questioned the prepared “separate” ballots made in advance of amendments to separate the motion. The Chair said that was acceptable and read the ballots aloud. Guillermo clarified that the ballots are to be marked with circles, not Xs. The Chair concurred. The Chair announced that all should first sign next to their name on the attendance sheet to be eligible to vote. Movements in the room ensued, as additional faculty signed in. Philip distributed ballots. While voting was underway, the Chair returned to the

order of business. Fr. Nichols said a second person is to observe the count. Lynda Favret was accepted to assist with the count.

**Ballot results:** The Chair later announced the ballot count on Provost Harris: vote of no confidence – 70, vote of confidence 10.

**Motion on the floor:** BE IT RESOLVED AND PROMULGATED THAT the faculty of the College of Humanities and Natural Sciences hereby asserts a vote of NO confidence in **President Kevin Wm. Wildes**.

Discussion: Speaking against the motion for a vote of no confidence, John Biguenet said two important accomplishments to consider are: first, the reaccreditation and commendations for QEP, with Loyola being the model this year for associations; and second, the Times-Picayune reports showing Loyola having the smallest loss of university size in the city. Mary McCay added that while Loyola was closed – with no students – all got paychecks, yet no public statements were made by faculty to thank the administration for paying them. Tom Spence said faculty should thank the administration and had thanked them by teaching classes in Spring II. He said he too is all for showing gratitude, but after the SACS visit cuts came; two of the faculty who worked on QEP were terminated. He added that there would have been more students without Pathways. Sara Butler said the pay had been a retention issue. Marcus Smith said two resolutions in the University Senate addressed the pay and thanked the administration. Lynn Koplitz said she would not have come back had she not been paid, that she worked that fall in Washington, met with and advised students, and had admissions as a goal. Connie said students were back not because of administration, but because of faculty.

A faculty member commented that the President had said he believed mistakes were made, though he didn't say what mistakes, and gave a broad faux apology regarding what happened and whatever needed to happen. The faculty member said that when the President was asked by the Chair of the University Senate whether he had any regrets and what he would do differently, the President replied that he doesn't look back and doesn't know what he would do differently.

Another faculty member said regarding points raised by John Biguenet, that while it would make more sense to address a vote of no confidence to specifics, that had already been done. Tom Spence said specifics were drawn, that he had met personally, that he and others had tried to convey specifics and bring those to light, that specifics were always answered with the assertion that the Plan was right. He said he didn't see how else they would ever get their (administration) attention directed to specifics. Stephen Scariano said the President told the assembly honest mistakes were made, but told of no effort to correct flawed data that resulted in lost jobs. Grant Kaplan said he'd had amiable interactions with Fr. Wildes, who admitted to the assembly that he made mistakes and didn't have enough distance. Grant said distance takes time or talk with people to get informed. He said they had enough information with SCAP and other means and didn't use it, instead were locked in a room with four others and made plans. Maruice Brungardt said he was troubled by the motions, but the administration couldn't explain their own spreadsheet. He said without information, faculty are left at an impasse as to how to make an intelligent decision. He said he understood the budget committee did not meet at all last year and was not scheduled to meet. He expressed concern with the lack of leadership and said he wants to move forward.

The Chair reported the time at 1:30 pm. Barbara Ewell said she shared a lack of confidence in the leadership, but questioned how a vote of no confidence would look. Lawrence Lewis observed that the best predictor of future behavior is past behavior.

Motion to call the question was made by Tom Spence, seconded by Catherine Wessinger. Ayes unanimously favored ending discussion and voting on the motion. The Chair continued the meeting while voting progressed. The Chair asked whether there were other motions. Lynn Koplitz spoke to thank the Chair for coming and doing this today. Applause erupted.

Mary McCay questioned who had made the ballots and why they provided no place to abstain. She said she felt manipulated by a small group of people having no transparency, a group of 15 “concerned faculty” not announced. She said she was concerned the assembly was being manipulated by a gang of 15 who set this up. The Chair said procedural issues are not raised at this time; ballot results are being cross-checked.

**Ballot results:** The Chair later announced the ballot count on President Wildes: vote of no confidence – 61, vote of confidence – 19.

Motion to have Dean Scully deliver the votes to the President and Provost was made by Elizabeth Hammer, seconded by Janet Matthews. Discussion: Mary McCay expressed concern and said the last time a dean delivered a vote of no confidence, the university got rid of the dean. Dean Scully said it was only correct that the outcome be delivered by someone in his position. Stephen Scariano said it is clear that Dean Scully is not the one behind the votes. Connie Rodriguez said the January 2006 letter with the quantile arrangement had predicted this.

Lynn Koplitz called the question, seconded by Janet Matthews. Ayes were unanimous. Motion carried.

## V. **ADJOURNMENT**

Motion to adjourn was made by Timothy Cahill, seconded by Maria Calzada. Ayes were unanimous. The meeting was adjourned at 1:45 PM.