

Report of the Faculty Adjudication Committee
Faculty Senate
Louisiana State University
Academic Year 2019-2020

The principal objective of the adjudication procedure is the resolution of grievances with fairness and neutrality while maintaining the dignity of all concerned. The burden to prove any allegation of unfair treatment rests on the complainant. All parties involved in the adjudication process are expected to keep information confidential and will receive the due process afforded by the procedures of this committee.

The adjudication process provides a mechanism to address disputes that have not been resolved through reasoned discussions and decisions through a formal clarification and evaluation of the issues surrounding the complaint and information obtained during any further review of the complaint.

The newly constituted Faculty Adjudication Committee (herein called the Committee) began its duties in October 2019, following long discussions and development of procedures by the Faculty Senate and LSU's Administration.

The initial tenured faculty members who made up this committee were:

Fereydoun (Fred) Aghazadeh (Associate Chair), Engineering (Mechanical and Industrial Engineering)

Jeffrey A. Davis, Agriculture (Entomology)

Nancy Rabalais, Coast and Environment (Oceanography and Coastal Science)

Tim Slack, Humanities and Social Sciences (Sociology)

Margaret-Mary Sulentic Dowell, Human Sciences and Education (Education)

Christina Sautter, Law

Joseph (Joe) Skillen, Music

Sophie Warny Bart, Science (Geology and Geophysics)

Sonja Wiley, Business (Stephenson Entrepreneurship and Information Systems)

The Chair and Vice Chairs established some informal procedures on the operation of the Committee. Any complaint sent to the Chair is shared immediately with the Vice Chair. They make a decision as to whether to meet with the complainant prior to calling a full Committee meeting, and, if so, both are present. Any correspondence with the complainant is co-developed and shared between the Chair and Vice Chair. The Chair writes a memo-to-file concerning informal communications. Minutes of any Committee meeting are compiled by the Chair and approved by the Vice Chair. Any final recommendations provided by the Committee are written, shared first with the Vice Chair, and then shared among the Committee. A vote is taken of Committee members as to their agreement or not of the final recommendation, and that vote is recorded in the final documentation. The Chair shares any correspondence with the Vice Chair for his comment. Most documents are electronic in nature and held on the Chair's computer. The Committee is aware that it provides only recommendations to the complainant, any supervisory faculty (e.g., faculty committee chair, department head, dean), and the President of the Faculty Senate. The Committee is not apprised of any subsequent actions.

20 October 2019, first meeting with eight members, Dr. Ken McMillin, Dr. Mandi Lopez, and Susannah Knoll, Faculty Senate Coordinator. A ninth Committee member was

added on 1 November 2019. This meeting was informational with review of the guidance and procedures documents. The Committee approved the volunteers who agreed to stand for Chair, Dr. Nancy Rabalais, and Vice Chair, Dr. Fereydoun Aghazadeh.

- 23 October 2019, the Committee received its first assignment from Provost Haynie concerning an appeal for a reversal of a negative decision on re-appointment at year three in the tenure time line. All materials from the complainant were received and distributed to the Committee members by the Chair.
- 30 October 2019, the Committee met, without the presence of the complainant, to discuss the documents. A quorum of seven was established, with a follow-up phone call with a Committee member who could not make the call.
- 1 November 2019, Dr. Joe Skillen was added as the ninth member of the Committee. Chair Rabalais brought Dr. Skillen up to date on the 30 Oct 2019 meeting.
- 8 November 2019, the Committee (seven members present) met to discuss further the appeal requested by the first complainant, come to some consensus, and approve the draft recommendation, which was then revised and sent to the Committee on 9 November 2019.
- November 2019, a series of emails were exchanged between the Chair and a combination of Provost, Senior Vice Provost, and Faculty Senate Chair concerning clarification of procedures. The conclusions were drafted by the Chair and Vice Chair and shared with Committee members, as appropriate.
- 13 November 2019, the Complainant met with Drs. Aghazadeh and Rabalais for them to give the complainant the opportunity to see the recommendation to be sent to Provost Haynie. This was a paper copy that was then returned to the Chair. There were further email discussions among the Committee.
- 16 November 2019, the Committee completed its first review and submitted a recommendation to Provost Haynie. The Chair had one more email conversation with the complainant about some interpretations of our report, and the Chair and Vice Chair had a courtesy meeting with the individual about the Committee's final recommendation.
- 18 November 2019, Drs. Aghazadeh and Rabalais met with a potential complainant to the Adjudication Committee on 18 Nov 2019. This individual was already working with counsel and the LSU Human Resources department. We recommended that the individual continue on that course and come back to the Adjudication Committee should further action need to be directed to our Committee. There were no further discussions to date.
- 16 December 2019, one possible complaint to President Lopez, for which she referred the individual to the LSU Ombudsperson, Ms. Retha Niedecken, and/or the Committee. There was no follow-up by the individual to the Committee.
- 20 January 2020, a complaint concerning division of space within a department. A recommendation had been made by the Ombudsperson two years prior. The documentation provided by the complainant was not complete.
- 29 January 2020, the Committee met as a whole to discuss the complaint concerning space. The Committee decided that the complaint did not meet the level of seriousness that would require the Committee to be involved in solving this issue. The Chair informed

the complainant on 30 January 2020. Other than a subsequent email exchange between the Chair and the complainant, no further action was taken.

29 January 2020, the Committee met with Provost Haynie at her request.

5 February 2020, a faculty member requested a meeting with the Chair concerning a potential complaint concerning movement from a non-tenure track position to a tenure track position following a third review as a Professional in Residence. The Chair requested procedural information from the Senior Vice Provost Cassidy concerning the potential complaint. The Chair met with the complainant on 17 February 2020. Dr. Aghazadeh was unable to attend. The individual filed an official complaint to the Faculty Adjudication on 18 February 2020. Getting the Committee together was difficult, and it took too long. We were able to get the Committee together after the 18 March meeting with Dr. Lopez (see below).

18 March 2020, the Committee met with Dr. Lopez and Susannah Knoll at Dr. Lopez's request to clarify the role of the Committee, how it receives complaints, and reporting out to the complainant and administrative structure involved.

At the 18 March 2020 meeting, the Committee decided that it needed more time to research and should meet again as a full committee on March 31 via zoom. The Chair compiled the meeting notes and asked specific Committee members to help her with a draft response to the complainant. A draft of our response (14 April 2020) was put together by a subcommittee through a series of emails, draft revisions, further revision, then shared with the full Adjudication Committee. The committee members were unanimous in supporting the Adjudication Committee decision to not pursue further action. Our final recommendation was transmitted to the complainant on 17 April 2020 along with the Faculty Senate President, the department chair, the dean and the Senior Vice Provost.

The Committee, as the first such committee, had much to learn, worked well with each other, and mostly kept to our time requirements. The 5 Feb – 17 Apr time for the final complaint of this academic year was much too long, but complicated by clarification of issues, travel, flu season, busy schedules and eventually the closure of the LSU campus.

Submitted by,
Nancy N. Rabalais
Chair