

From: Diamond, Raymond
Sent: Thursday, May 21, 2015 10:38 AM
To: LISTSERV - FACULTY-L (faculty-l@lists.law.lsu.edu)
Cc: Weiss, Jack; Joseph, Cheney; Smith, Greg
Subject: possible rescheduling of the meeting on diversity proposals

Colleagues –

We have a faculty meeting scheduled on Tuesday, 5/26 to discuss the diversity proposal that has been noticed to the faculty. Under consideration is the possibility of moving the meeting to Friday, 5/29 after commencement exercises, so that we might maximize attendance at the meeting.

So . . . I have two questions:

- Will your schedule accommodate and would you attend the meeting as scheduled on Tuesday, 5/26 at noon?
- Whether or not you will be in attendance at the commencement exercise, will your schedule accommodate and would you attend a meeting at 2:45 p.m.?

If you would send your answers by email, we can best accommodate the interest in maximizing attendance at this meeting.

For ready reference, I have attached the agenda, which includes the completed Muchison report; my memorandum of 4/24; and the proposals I will move that the faculty adopt. Please note that the policy statement I propose has undergone slight changes and that the proposal to amend the Code of Student Professional Responsibility has itself been amended in ways that are consistent with the recommendations of Prof. Murchison. For ease of comparison, I have the original proposal and the amended proposals in tabular form:

Policy Statement Proposal (4/24 version)	Policy Statement Proposal (current proposal)
---	---

<p>* * *</p> <p>The faculty of the Law Center is resolved that -</p>	<p>The faculty of the Law Center is resolved that -</p>
<ul style="list-style-type: none"> It is unprofessional for a law student, either on the Law Center or University campus or at a Law Center or University event, in addressing or describing a person or persons, to use epithets that demean on the basis of based upon race, gender, religion, national origin, disability, sexual orientation, age, socioeconomic status, or similar factors; and that - 	<ul style="list-style-type: none"> It is the sense of the faculty that it is unprofessional for a law student, either on the Law Center or University campus or at a Law Center or University event, in addressing or describing a person or persons, to use epithets that demean on the basis of based upon race, gender, religion, national origin, disability, sexual orientation, or age; and that -
<ul style="list-style-type: none"> The forgoing statement shall be published in the Law Center Catalogue as a policy statement, in proximity close enough to the Code of Student Professional Responsibility such that the statement may influence the understanding of those interpreting and enforcing the Code. 	<ul style="list-style-type: none"> The forgoing statement shall be published in the Law Center Catalogue as a policy statement, in close proximity to the Code of Student Professional Responsibility.

<p>Amendment to the Code of Professional Student Responsibility Proposal (4/24 version)</p>	<p>Amendment to the Code of Professional Student Responsibility Proposal (current proposal)</p>
<p>The faculty is further resolved that the Code of Professional Student Responsibility be amended as follows:</p>	<p>The faculty is resolved that the Code of Professional Student Responsibility be amended as follows:</p>
<p>5. Student misconduct includes, but is not limited to, the following:</p>	<p>5. Student misconduct includes, but is not limited to, the following:</p>

* * *	* * *
	<p>1. Knowingly to communicate directly to one or more specifically identifiable person(s) an epithet i) that a reasonable person would regard as demeaning to the recipient student or students and ii) that has a direct tendency to cause acts of violence by the person or persons to whom the communication is addressed. Such epithets shall include, but shall not be limited to, epithets that demean on the basis of race, gender, religion, national origin, disability, sexual orientation, or age.</p>
<p>1. Repeated, persistent, severe, or pervasive actions and statements directed toward specific individual(s), with the intent or effect to harass, harm, or alarm, including attempted or threatened physical contact. Particularly egregious are such acts and statements that are motivated by the race, gender, religion, national origin, disability, sexual orientation, age, socioeconomic status, or a similar factor relative to the specific individual(s) to whom such actions and statement are directed.</p>	<p>m. Repeated, persistent, severe, or pervasive actions and statements directed toward specific individual(s), that are intended to harass, intimidate, or inflict harm on the specific individual(s), or that a reasonable person would regard as having the effect of harassing, intimidating, or inflicting harm on the specific individual(s), including attempted or threatened physical contact. Such actions and statements include, but are not limited to, those that are motivated by the race, gender, religion, national origin, disability, sexual orientation, or</p>

	age of the specific individual(s) to whom such actions and statement are directed.
	n. Knowingly to communicate directly to one or more specifically identifiable person(s) a statement that a reasonable person would regard as a serious expression of an intent to commit an act of unlawful violence to the recipient or recipients of the statement. Such statements shall include, but shall not be limited to, statements expressing intent to commit an unlawful act of violence based on the race, gender, religion, national origin, disability, sexual orientation, or age of the recipient student or students.
m. Acts and statements that create the reasonable apprehension of unwanted physical contact. Particularly egregious are such acts and statements that are motivated by the race, gender, religion, national origin, disability, sexual orientation, age, socioeconomic status, or a similar factor relative to the specific individual(s) to whom such actions and statement are directed.	o. Acts and statements that are intended to create or that a reasonable person would regard as creating the reasonable apprehension of unwanted physical contact. Such acts and statements include, but are not limited to, those that are motivated by the race, gender, religion, national origin, disability, sexual orientation, or age of the specific individual(s) to whom such actions and statement are directed.
n. Acts and statements that create an intimidating, hostile, or offensive campus, educational,	p. Repeated, severe, or pervasive actions that create an intimidating, hostile, or offensive

<p>or working environment for another person. Particularly egregious are such acts and statements that are motivated by the race, gender, religion, national origin, disability, sexual orientation, age, socioeconomic status, or a similar factor relative to the specific individual(s) to whom such actions and statement are directed.</p>	<p>campus, educational, or working environment for another person. Such actions include, but are not limited to, those that are motivated by the race, gender, religion, national origin, disability, sexual orientation, or age of the specific individual(s) to whom such actions and statement are directed.</p>
---	---

– RD

Raymond T. Diamond
James Carville Alumni Professor of Law
Jules F. & Frances L. Landry Distinguished Professor of Law and
Vice Chancellor for Institutional Assessment and Faculty Development
Paul M. Hebert Law Center, Louisiana State University
One East Campus Drive Baton Rouge, Louisiana 70803-1000
(225) 578-8846 (phone)
(225) 252-4753 (cell)
(225)578-5935 (fax)
rdiamond@law.lsu.edu