

Exhibit No. 38

Elizabeth Overhauser
Graduate Reference Librarian
Louisiana College Library
1140 College Drive
Pineville, LA 71359

PO Box 4847
Pineville, LA 71361

Testimony before the Louisiana College Faculty Affairs Advisory Committee

Wednesday, May 4, 2011

I am here today to speak on behalf of Rondall Reynoso. His March 7, 2011 letter that instigated his dismissal has been called into question. With this testimony I intend to corroborate some of Mr. Reynoso's statements that the administration believes are false.

Regarding a spirit of fear among the faculty of Louisiana College:

I believe that Rondall Reynoso has been treated wrongly by the administration of this college in their decision to dismiss him, withhold his salary, and terminate his benefits without following the due process agreed to in the Faculty Handbook. When I spoke of these concerns to my boss, I was told that the next step would be to raise the issue with the Office of Academic Affairs, preferably Dr. Wade Warren. I was told that if I did so, it was likely that I would face negative repercussions, possibly including losing my job. My boss did not say that it would definitely happen to me, but he did say that there was precedent for such consequences.

I scheduled a meeting with Dr. Warren, Assistant Dean of the College, in hopes of meeting with him to discuss my concerns. We met this morning, and he referred me to the VPAA himself. I have not yet scheduled a meeting with Dr. Searcy.

I am faculty member in good standing, I had a positive annual review this year, and I was sent a letter saying that I will be offered a contract for next year. Despite these facts, I am still nervous about standing here today to speak on behalf of Rondall. Multiple people, including my boss, have told me that people who speak in this type of situation are usually dismissed right away. Given the example of a faculty member being banned from campus and stripped of his email address, salary, and health insurance without the due

process outlined in the Faculty Handbook, I don't know that I trust the administration to uphold their end of my own contract. Indeed, I fear they will not.

As an information specialist, I have a great deal of background in copyright law. I recently read the undated copyright policy on the Academics page of the LC website, and I was horrified by it. The policy essentially gives the college president carte blanche to claim copyright of any work created with the help of any campus resource. If that policy had been included in the faculty handbook, I probably would not have joined this faculty; it was *not* included in the faculty handbook that I agreed to in my contract. In fact, my intellectual property attorney told me that the policy would not stand up in court because copyright belongs to the creator unless it is expressly signed away. I, and other faculty members that I have talked to, fear that the administration might use this policy to claim rights that they legally do not have, and that our only recourse might be a court of law.

I realized these fears were well founded when I heard that the administration had confiscated a painting by an LC student. The painting was taken without permission, photographed, and distributed via email without giving credit to the artist. This is a clear violation of copyright. When the student asked that the painting be returned immediately, she was refused. The incident could have been reported as a theft. I was advised not to raise the issue because the painting was taken as supposed evidence against Rondall Reynoso, and I wouldn't want to appear to be on his side lest I be summarily dismissed as he was. I did my best to comfort and counsel the student, and dropped the issue when the painting was finally returned.

I am firmly committed to the truth laid out in the Baptist Faith and Message. I scrutinized the document carefully before signing my contract, and Dr. Aguillard and I discussed it at length during my interview. I made it clear at that meeting that while I wholly endorse the Baptist Faith and Message, I do not always agree with the methods that some people use to defend those beliefs. As an example, I told Dr. Aguillard about my mother, who is a lesbian and had been living with her partner for the last sixteen years. I told him that I no longer take a defensive posture toward the gay community as I once did. Instead, I try to fight my way into their lives, showing them love, professing my own faith in Christ when the opportunity arises. I share the gospel, using words only when necessary. I stand and defend my faith as needed, but I take Christ as my example and refuse to draw the sword. In the meeting, Dr. Aguillard assured me that the tenets of faith laid out in the Baptist Faith and Message are the criteria for employment here, and that as long as I agree with that document in full, I would be welcome here.

Last January, the president's chapel focused on standing and fighting the enemy, using abortion and homosexuality as examples of the insidious evil that we must defeat. In his chapel message, the president used music, images, and rhetoric to clearly equate standing to fight evil with marching, protesting, and pursuing specific political agendas. He said, "I think I can speak for the faculty when I say this: Me and our faculty at LC are ready to go to jail if that's what it takes to speak up for the Biblical truths that we stand upon in this

place."¹ I certainly agree that abortion and homosexual practice are sinful. I think we should indeed stand against the devil. I think we should indeed fight. But I do not believe we win the battle by protesting, marching, yelling, or getting fiercely partisan politically. That's just my personal opinion, and it has no bearing on my belief in the Baptist Faith and Message. Again, I fully believe in the Baptist Faith and Message. Yes, I would rather go to jail than deny my Savior. But I left chapel that day feeling angry and misrepresented. It seemed that the president was aligning the college and faculty with a political agenda that goes far beyond the Baptist Faith and Message. It seemed to me that the president was questioning whether people who disagree with this political agenda have genuine faith in God. I felt personally attacked.

At the time, I was so upset that I spoke to my boss and to the Human Resources department. It seemed to me that LC was actually asking more of me than just agreeing with the Baptist Faith and Message. I felt as though this was misrepresented to me in my original interview with Dr. Aguillard and in my contract. And I feared that if the President found out I did not agree with his interpretation of "standing and fighting" that I would lose my job. Shannon Tassin assured me that I was not officially beholden to Dr. Aguillard's interpretations. However, I am concerned that I will face hostility now that my difference of opinion has been made known, and I do believe that the LC administration misrepresented itself to me. In truth, a person must hold religious ideologies beyond those of the Baptist Faith and Message to be embraced by this community.

Do all of these examples constitute a "spirit of fear" among the faculty? I confess that it has been a struggle for me to operate within a spirit of power, love, and sound mind rather than fear at Louisiana College. There is a spirit of fear here. Long time members of the LC faculty have told me that I have reason to fear the consequences of raising these issues. I have been told that individuals who do not conform are only welcome here if they hide their opinions. This, in and of itself, is evidence that there is a spirit of fear among the LC faculty.

Regarding the spirit of fear among students, the inconsistent availability of effective student helps, and the notice of reduced academic rigor by students:

I work closely with many students in my job as a librarian. Some of them are student workers, some are library patrons. I develop relationships with many of these students, and interact with others only once or twice.

The student body is well aware of most of what goes on in the faculty and administration here at LC. Rumors spread quickly, and stories from older students get passed down to

¹ Aguillard, J. (2011) "Will you stand and fight?" Video retrieved from <http://wildcats.ehclients.com>, quote is from 47:45.

newer students. Last fall, a group of freshmen told me that the administration has stripped the student government of most of its power. They claimed that students used to be represented in the decision-making process of the college as a whole, such as sitting in on Board of Trustee meetings. They did not believe that their voices were heard by the administration, citing examples of students who were not allowed to finish their degrees after raising concerns with the Dean of Students. And they were upset about being assigned only unimportant tasks such as "making sure there were enough garbage cans in the quad."

Some students have told me that they do not trust that the administration of the college is always looking out for their best interests. They fear repercussions if they raise too many questions. One student told me this week that he used to investigate what went on in the administration, but since he saw what happened to other students he is now just holding his head down. It is easier to ignore the problems than to transfer somewhere and have to start over. He does not want to be named or give his own testimony lest he lose the option of finishing his senior year.

A 'spirit of fear' does not depend on facts: it is a belief, an inkling, a feeling that things might go very wrong. Whether or not the beliefs of these students are true, there is indeed an underlying spirit of fear among them.

In my job, I work with many students on all aspects of their research and writing processes. I can testify that many students are in obvious need of remedial writing help because I see their papers on a regular basis. However, there is no writing lab on campus to send them to. Informal math tutoring often takes place in the library, with older students helping younger students along. I think this is great, but the tutors are almost always unpaid. Students that are not connected to this informal network go without. According to the student handbook, only PASS students are guaranteed extra help. The current student handbook states, "Limited individualized tutoring in various academic subjects is offered to LC students..." To access this help, students must contact the PASS office. Not all of our students that need help require all the services and expenses of the PASS program, and many are unaware of the possibility of extra tutoring. In any case, they may not receive extra help even if they ask. These students are under-served on our campus.

In terms of academic rigor, what I have noticed the most is that many of the students on campus are truly ill-equipped for academic life. I am asked many questions about basic functions of Microsoft Office programs. In my area of expertise, computer and information literacy, I am constantly surprised by our students' inability to distinguish good-quality information from subjective, coercive Internet drivel. Even seniors, who should know better, have trouble with this. One student told me that she was transferring because she decided to major in psychology, and she didn't believe she would be well equipped for graduate school if she got a psychology degree from LC. Obviously not all of our programs are weak: many of the seniors I work with seem well educated,

especially those in nursing, religion, and art. I am not credentialed to judge individual academic programs, but I do believe that there is some inconsistency in the academic rigor of our programs. Students think so, too.

One final word about our students: Without talking to a wide range of students in an environment where they feel comfortable telling the truth, there is no way to make a strong defense of any specific student opinion. Without interviewing departing students, including transfers, there is no way for an administration to truly identify students' perceptions of fear or academic rigor. And if fear does exist among students, they are unlikely to say so unless they believe they can be anonymous or immune from consequences.

Regarding the students' seeing a lack of honesty and prevailing dishonesty as an indictment of Christ:

I have had many discussions with Jordan Wade about faith. She has been directly impacted by the proceedings you are hearing about today. She has told me that her faith is strong despite the administration of LC, not because of it.

In regard to general student opinion, I would like to submit the following. There are a number of students on campus who use Twitter. I keep an eye on mentions of Louisiana College on Twitter, and I see the posts of many members of our student body, as well as those of prospective students. The following is a sample of relevant tweets from students. Please note that in twitter vernacular, the hash tag (#) is used to track topics and sometimes indicate sarcasm or other emphasis. At LC, many of our students use the phrase "on the rocks" as a pun, referring to our college being founded "on the Rock" (Christ), the way alcoholic drinks are sometimes ordered "on the rocks," and the idea of things being rocky (not going well.)

From League_Ready7 :

"I mean slippery rock.....dude got drafted from there.....man come find Louisiana CollegeI'm sure its easier"

From twfrontmen:

"I think you are confused about what is supposed to be happening. #classontherocks #newtylerperrymovie"

"Had i cared at all about this lecture, your 15 min departure from it to debate how we pronounce a name wouldve bothered me #classontherocks"

"Do you think that if you say enough long words and recognizable names that ill agree with you? amen, amen? #chapelontherocks"

""take off your hats and turn off you electronics so we can worship" i dont remember that being one of the conditions #chapelontherocks"

"epic U2 style attempt at conjuring emotional response and intellectual submission to

your version of christianity: check. #chapelontherocks"

""Remember the lord in the days of your youth." This man did more quoting one line than the whole circus shabang before him #chapelontherocks"

"Should i be worried that i just saw my professor taking down notes from wikipedia? #classontherocks"

"Ok...slideshow about how its a good idea to picket bigotous propoganda...makes me want to disagree with you even more. #chapelontherocks"

From @alexayounger

"Please accept me into your graduate program"

"Welcome to Louisiana College... Yes you are in college but we will treat you like you are in the fifth grade #chapelontherocks"

From Dunkin_On_em:

"da preacher talkin us living wid michael jackson!!!! wtf???"

"I really don't wanna take dis English test tomorrow!!"

From @IhopPoonSampler

"Im f***** 4 a living after I graduate from college"

"I feel like I'm back in highschool same s*** I did my senior yr"

Regarding the issue of nudity and art on campus:

I understand that Mr. Reynoso's testimony today includes a defense of allowing the creation of nude figures as art on Louisiana College's campus. Apart from the defense of such artwork's academic merit, I believe that the creation of nude art should be allowed because it can be a powerful ministry tool, supporting the mission of the college.

Our culture is filled with shameful messages about the human body. Some of these messages come from the media, some come from the church. A huge percentage of young women suffer with body image issues and eating disorders, including many women on our campus. I spent most of my teenage years struggling with an eating disorder because I believed that I should be ashamed of my body. As an adult, I still struggle with my body and the scars of the past that are represented in my flesh. Christ has redeemed my soul, and through His word my mind is being renewed day by day. But God is not ashamed of the body. He came in flesh and blood to live and teach and die for us.

I recently had the opportunity to view some paintings by a very talented young artist. Many of the images were nude figures. The bodies bulged and sagged like bodies do in reality. Some had been disfigured by surgeries in an effort to appear slimmer, more beautiful. But in these paintings, the bodies were beautiful just the way they were. Viewing these paintings was like having a veil lifted from my eyes, and I realized that my own body is beautiful, too. I am redeemed, and I do not have to be ashamed. God used

these paintings to minister to my heart and mind in a profound way. Jordan Wade, an LC student who was taught by Rondall Reynoso, painted them.

No one is forcing our students to paint nude figures. But for some, such painting might be an avenue of ministry. Disallowing the creation of such art rejects the possibility that God might use nudity in art as a gift or blessing. I, for one, am grateful for the art that Jordan Wade has created, and for the way God has used it to strengthen my faith. Please consider the value of this type of ministry as you consider whether Mr. Reynoso should be reprimanded for allowing a student to explore it.

A Final Word:

Thank you for considering my testimony today. I know that Rondall Reynoso believed that everything he stated in his letter was true. I believe it was true as well.

I am very concerned that by giving this testimony today I may lose my job. I humbly ask that those of you on this committee consider yourselves witnesses of my sincerity of heart. My desire is that truth, justice, mercy, and love would be upheld within our Christian community. I desire that Louisiana College would be a place where Christ is glorified not through pride and posturing, but through a humble submission to one another as dearly loved brothers and sisters in Christ.

Father God, Jesus my Lord, Holy Spirit, I ask that you grant wisdom to the committee today and to all those who will be making decisions in this matter. I ask that we would show great fruit: love, peace, kindness, patience, and gentleness toward one another. We all recommit ourselves to serving you with our hearts, souls, minds, and bodies today. In the name of Christ our Lord I pray. Amen.

Respectfully submitted,

Elizabeth Overhauser
Graduate Reference Librarian
Louisiana College

1140 College Drive
Pineville, LA 71359

PO Box 4847
Pineville, LA 71361