Minutes of a Stated Meeting of the

Senate of New York University

December 8, 2005

A stated meeting of the Senate of New York University was held in Room 914 of the Kimmel Center for University Life at 2:00 p.m. on Thursday, December 8, 2005. The meeting was convened with Dr. Sexton in the chair.

Present in addition to the President were members of the Faculty Senators Council Anderson, Billman, Black, Capan (for Al-Askari), Cappell, David, Eaton, Gans (for Ronell), Hendin, Hinojosa, Jones, Kovner, Lebowitz, Lehman, Mayher (for O'Connor), Mikhail, Milliken, Moran, Raiken, Schonberg, Tannenbaum, Taylor, Thompson, Vernillo, and Vitz; members of the Student Senators Council Bantz (for Reyes), Blumsack, Brady, Chen, Dixon, Fung, Gray, Hacker, Hou, Lee, Levine, MacDonald, Minteh, Palau, Pandya, Patel, Punjabi, Simmons, Thomas, Washington, and Woolfstead; members of the Deans Council Alfano, Brabec, Callahan (for England), Cameron (for Campbell), Cooley, Covert-Vail (for Mandel), Foley, Liebmann (for Schall), Moore (for Mirsepassi), Popik (for Stimpson), Santirocco, and Turk; members of the Administrative Management Council Al-Islam, Moppett, and Pender; and members of the University Administration Provost McLaughlin; Executive Vice President Lew; Vice Provost White (for Berne); and Acting General Counsel Meloy (for Chamberlin), constituting a quorum.
Approval of Minutes

The minutes of the stated meeting of the Senate held on November 3, 2005, were approved.

Report of the Executive Committee

Changes in Committee Assignments

Ms. Chen referred to the revised list of committee assignments found at each Senator's place that also was included in the mailing for today's meeting. The revisions assign Professor Buchanan and Professor Cappell to replace Professor Chaudhuri and Professor Choi on the Senate Academic Affairs Committee and Professor Choi to replace Professor Dopico on the Senate University Judicial Board. The Executive Committee unanimously approved the changes in committee assignments by mail ballot, and Ms. Chen asked the Senate for its approval. Upon motion duly made and seconded, the revised list of committee assignments, attached to these minutes as Exhibit A, was approved.

Upon motion duly made and seconded, the report of the Executive Committee was approved.

Report of the Academic Affairs Committee

Honorary Degrees

Professor Anderson reported that the Committee had met and discussed nominations for honorary degrees to be awarded at the University's Commencement on May 11, 2006. A final list will be presented to the full Board of Trustees for approval on December 12.
Upon motion duly made and seconded, the report of the Academic Affairs Committee was approved.

**Report of the Committee on Organization and Governance**
Professor Black reported that the Committee was working on reviewing the status of each of the constituent bodies of the University Senate.

Upon motion duly made and seconded, the report of the Committee on Organization and Governance was approved.

**Report of the Financial Affairs Committee**
The Financial Affairs Committee had no report for this meeting.

**Report of the Public Affairs Committee**

**Commencement, 2006**
Professor Tannenbaum reminded the Senate that at its last meeting Senior Vice President for University Relations and Public Affairs Lynne Brown had reported that it would be necessary to hold the upcoming Commencement ceremonies in a new venue due to the anticipated renovation of Washington Square Park. The possible alternative locations included an all-University Commencement in the East Meadow at 97th Street in Central Park, an all-University Commencement in Shea Stadium in Queens, separate ceremonies for undergraduate and graduate students at Pier 40 at Houston and West Streets, a valedictory convocation in the Skirball Center for the Performing Arts in the Kimmel Center,
and individual school ceremonies in lieu of an all-University Commencement. Based on feedback received from the University community and its own deliberations, Professor Tannenbaum informed the Senate that the Committee was recommending that an all-University Commencement be held in Shea Stadium. Professor Tannenbaum referred the Senate to the memorandum found at each Senator's place, which is attached to these minutes as Exhibit B, setting forth the Committee's decision. Because the memorandum had not been circulated with the mailing prior to today's meeting, Professor Tannenbaum asked for a waiver of the Senate Rules of Procedure to permit a vote on the recommendation contained in the memorandum. Upon motion duly made and seconded, the motion to suspend the Rules was approved to permit a vote on the recommendation. Upon further motion duly made and seconded, the Senate, with one opposition, voted to hold the 2006 Commencement exercises in Shea Stadium and to recommend that planning go forward for Grad Alley festivities to be held the evening prior to Commencement.

Coca-Cola Update

Professor Tannenbaum reminded the Senate that at its last meeting it had voted to enact a ban on the sale of all products produced by The Coca-Cola Company in any facility owned or controlled by the University beginning on December 8 if Coca-Cola did not agree to a protocol for an independent investigation into allegations of its complicity in human rights violations against the SINALTRAINAL union in Colombia. A letter dated November 11, from Coca-Cola's Director of Global Relations and Workplace Accountability
Edward Potter, responding to the Senate's resolution, is attached to these minutes as Exhibit C.

Professor Tannenbaum noted that he subsequently had received another letter from Mr. Potter dated December 7, attached to these minutes as Exhibit D, which stated that Coca-Cola had been working with a university commission to reach a mutual agreement on an independent third party assessment protocol. Professor Tannenbaum told the Senate that Mr. Potter had stated in his December 7 letter that the nearly final protocol contains language stating that the purpose of the assessment is not to investigate matters that are the subject of pending litigation in Miami concerning alleged abuses against SINALTRAINAL. The December 7 Potter letter contains the further assertion that the university commission had concurred in the expectation that the parties would negotiate an agreement providing that information uncovered in the assessment would not be admissible in the Miami lawsuit. Mr. Potter stated that while Coca-Cola was in agreement with this proposition, the plaintiffs' legal counsel in that lawsuit had refused to discuss an inadmissibility agreement.

Professor Tannenbaum reported that the Potter letter concluded that because of the stalemate regarding the inadmissibility agreement, and notwithstanding Coca-Cola's best efforts, the company had been unable to meet the Senate's deadline for finalizing details related to a workplace assessment at its Colombian bottling partners' facilities. Mr. Potter said that as Coca-Cola moves ahead in its efforts to resolve the concerns about its bottling
operations in Colombia, it hopes to have the opportunity to remain engaged with the New York University community.

Professor Tannenbaum said that because no agreement had been reached to permit an independent assessment to go forward, the University would immediately begin removing all Coca-Cola products from campus, a process which should take four to six weeks to complete.

Upon motion duly made and seconded, the report of the Public Affairs Committee was approved.

**Special Committee Reports**

**Graduate Student Working Group.** Mr. Lee noted that the Graduate Student Working Group had created two working drafts to address the concerns of the graduate student community. The first, entitled "Compact of Rights and Responsibilities of Graduate Students and the University," was modeled after similar documents at other universities, NYU's past compact, and input from current graduate students. The second document, entitled "Formal and Informal Grievance Procedures," is being drafted with student input and an examination of how grievances are handled at other colleges and universities. Mr. Lee said that the Working Group is attempting to create a grievance process that is fair, speedy, and easy to understand.
Mr. Lee noted that both drafts were being circulated among the Working Group in order to get additional feedback and modifications and that they should be available early next semester for review by the NYU community on the Student Senators Council website, through wide circulation among graduate student councils, and at informal town hall meetings. He expressed his hope that the Group, working within the established governance structure, will be able to engage the University community in an extensive and productive discussion and stressed that feedback would be solicited from all members of the University community, particularly its graduate students. Mr. Lee said that both documents would be formally presented to the University Senate at a future meeting.

**Graduate Affairs Committee of the SSC/UCSL.** Mr. Washington expressed his appreciation to the members of Graduate Affairs Committee and the Executive Committee of the Student Senators Council for their support. He reminded the Senate that the Graduate Affairs Committee ("GAC") of the University Committee on Student Life ("UCSL") was comprised of graduate student representatives from each school except the Gallatin School. The GAC is charged with considering all matters relating to the academic and extracurricular life of students enrolled in the graduate and professional schools of the University and serves as an advocate to the UCSL on issues that affect graduate students within the University community without regard to school affiliation. He reported that the GAC had set up subcommittees to conduct detailed assessments of key areas that have a significant impact on graduate life, including health care issues, graduate housing, and methods of effective communication between and among graduate schools, student leaders, and the administration.
Mr. Washington said that the GAC recently had established another subcommittee for the purpose of making recommendations for creating a mechanism through which graduate and teaching assistants can be better represented within the University on matters of special concern to them. The GAC is also seeking input from graduate and teaching assistants and faculty members in the schools and departments for suggestions about establishing such a mechanism within the University governance system. Mr. Washington reported that the GAC sent out a mass e-mail on December 4 asking the University administration and the striking students to make some concessions and support this process. Mr. Washington noted that although the University administration had accepted the proposal, the Graduate Student Organizing Committee, which is the UAW-affiliated organization at the University, had declined. However, proposals and suggestions are still being received from faculty and students.

Council Reports

Administrative Management Council. Ms. Moppett reported that the Council held a general meeting on December 6. The Chair of the Personnel and Benefits Committee Katherine Drummond presented a draft of the Council's 2006-2007 recommendations to be presented to the Financial Affairs Committee. The recommendations will be voted on at the Council's general meeting in January. The Council's Assessment and Role of Governance Ad Hoc Committee, chaired by Marguerite Sharkey, held its first meeting two weeks earlier.
Deans Council. Dean Brabeck reported that the Council continues to discuss ways to reach out to faculty and students.

Student Senators Council. Ms. Chen reported on the successful event held on November 15 at the Acme Restaurant to benefit students affected by Hurricane Katrina. The Council is currently looking for a venue for the upcoming Book Fair, which is scheduled to take place from January 23 through February 1, and is currently in the process of launching a T-shirt drive to raise money to help victims of the recent hurricane disasters. Voting for the Senior Class Legacy, a program started three years ago to promote a stronger relationship for recent alumni at the University, ends on December 12. The four options under consideration are Bobst Library access for alumni, communal space enhancement, stipends for unpaid internships, and funds for alternative spring break programs. The all-University Games are scheduled to take place on February 16.

Faculty Senators Council. Professor Hinojosa reported that as a result of the strike by some of the University’s graduate teaching assistants, it had been a busy month for the Council. He noted that Dr. Sexton had attended a Council meeting on November 17 to discuss the strike. The Council subsequently adopted two motions concerning the strike. The first motion expressed the Council’s concern over the administration’s use of “Blackboard,” the University’s online learning software, to monitor class attendance. Professor Hinojosa commented that the Council was working on recommendations concerning access to “Blackboard” in the future. The second motion recommended that
the University administration maintain scholarship and health benefits for all graduate teaching assistants and continue to support their education without interruption.

Professor Hinojosa said that while the Council recognizes that faculty have a range of opinions regarding the strike, the faculty remains committed to providing the best education for all students.

**New Business**

**Campaign for NYU.** Senior Vice President for Development and Alumni Relations Debra LaMorte reported on the "Campaign for NYU," the University's seven-year plan, begun in 2001, to raise $2.5 billion. She was pleased to note that the campaign had raised $62 million so far this year, which is $18 million ahead of last year at this time, and that the number of donors had increased by 1,100. Ms. LaMorte expressed her appreciation to Ms. Chen for her work on the Senior Class Legacy and to all of the deans for their work on behalf of each of their individual schools.

Ms. LaMorte reported on several possible prospective gifts:

- $50 million for use by the School of Medicine;
- between $25 - $75 million to establish a new program devoted to the study of the ancient world; and
$10 million to create a program called "The Institute on the Square," an interdisciplinary course to be run by the Provost to support faculty research and student projects.

Ms. LaMorte reminded the Senate that during a presentation she had given to the Senate in October, she had reported on the importance of creating ways to raise funds earmarked solely for student financial aid. She was pleased to note that NYU trustee Joel Smilow had agreed to donate $5 million designated for financial aid to increase diversity on campus. Mr. Smilow initially had agreed to donate $2.5 million, but had doubled his gift after attending a student roundtable discussion.

Ms. LaMorte said that 2006 would mark the 175th anniversary of the founding of the University. In light of this, "The 175th Anniversary Scholarship Fund Campaign" has been established to provide a way for alumni, parents, and friends to help students bridge the gap between the cost of an NYU education and what students can afford to pay.

University Dialogue

Conversation on Emerging Issues

Paris Global Initiative. Dr. Sexton noted that the University currently has an NYU study-abroad site located in Paris run by the University's Department of French, which is attended by approximately 150 students, most of whom are undergraduates. In addition, the University's Remarque Institute, which is primarily a faculty research program, has established an outpost in Paris. Dr. Sexton said that he sees the next step in the
University's global evolution as moving towards establishing branch campuses overseas, and he was pleased to report on a proposal to create an alliance with the American University of Paris ("AUP"). The proposed alliance will enable AUP to enhance the quality and size of its undergraduate student body by providing qualified AUP students special access to various NYU undergraduate programs, with similar opportunities afforded to NYU students at AUP. It also will provide opportunities beyond NYU's existing program in Paris for NYU undergraduates to study in Paris at AUP and establish a greater NYU graduate and professional school presence in Europe. AUP was founded in 1962 and is among the oldest American institutions of higher education in Europe. Dr. Sexton explained that an alliance between NYU and AUP would create a preeminent American university in Europe, offering undergraduate and graduate degrees and a first-class research center, without adversely affecting the number of students enrolled in the NYU in Paris program. AUP is currently located on the Left Bank of Paris, while the likely site of the proposed campus would be on l'Île de Seguin, situated just outside the Paris city limits. Dr. Sexton noted that plans were underway within the French government to establish the French equivalent of the National Institutes of Health on l'Île de Seguin as well.

**Antiquities Initiative.** Dr. Sexton commented on Ms. LaMorte's earlier reference to a possible gift in the range of $25 - $75 million to establish a new program devoted to the study of the ancient world. Dr. Sexton noted that if it is established, the program would operate in a similar fashion as the Institute of Fine Arts.
Report of the President

Dr. Sexton reported that, according to a study by the Institute of International Education, NYU sent more students to study abroad than any other American college or university in the 2003-2004 academic year. In addition, the University ranked fifth on the list for hosting international students during the same period, with a total of 5,140.

NYU Achievements

Dr. Sexton was pleased to report on the following events at the University and some recent accomplishments by members of its community.

- The Steinhardt School of Education’s Institute for Globalization and Education in Metropolitan Settings was formally opened last month with a day-long series of panels. Keynote speakers included former United Nations High Commissioner for Human Rights and former President of Ireland Mary Robinson and former Speaker of the Bundestag Rita Süssmuth.

- The University’s International Center for Enterprise Preparedness (InterCEP), a program of the Center for Catastrophe Preparedness, received a three-year $1.3 million grant from the Alfred P. Sloan Foundation to develop and implement new economic incentives to encourage businesses to become better prepared for emergencies of all kinds.

- Alumnus Jay Goldberg and his wife, Mary Cirillo, have given $250,000 toward NYU’s new Women in Science Initiative at the College of Arts and Science.
Scheduled to begin in fall 2006, the initiative will create a four-year program to recruit women students into the science professions.

- Alumna and NYU trustee Constance Silver has given the Ehrenkranz School of Social Work $1 million to be divided equally between the existing Constance McCatherin Silver Fellowship Fund and a new fund to support the advancement of field learning. This is one of the largest gifts made in support of social work field education in the United States.

- The College of Nursing has been awarded a three-year, $405,000 grant by the federal Health Resources and Services Administration to expand its educational programming in substance-related disorders.

- Dean of Libraries Carol Mandel has been elected president of the Digital Library Federation, which includes institutions such as the British Library and the Library of Congress, and other major research university libraries, including Yale, Columbia, and Harvard. Under Dean Mandel’s leadership, Bobst Library is at the forefront in establishing the protocol to preserve public television programs produced in digital format and in developing the Web archiving tools that libraries will need to capture, curate, and preserve collections of Web-based government and political information.

- Professor of Chemistry in the Faculty of Arts and Science Zlatko Bacic and Professor of Higher Education and Business Education Bridget O’Connor and Professor of International Education Philip Hosay, both from The Steinhardt School of Education, each have received Fulbright awards for work done during the 2005-06 academic year.
A senior in the College of Arts and Science, Tahir Ahmed, has been awarded a Marshall Scholarship. He is one of 43 winners in this rigorous national competition. Mr. Ahmed is a neural scientist and plans to study at the University of Cambridge in England.

Associate Professor of French Civilization and History and Director of Graduate Studies in the Institute of French Studies Herrick Chapman was made a Knight in the Order of Academic Service to France by the French Ministry of Education for services rendered to French culture. Last year, Professor of French and Chair of the Department of French Judith Miller also was made a Knight.

Alumna and Associate Teacher of Dramatic Writing in the Tisch School of the Arts Rinne Groff is one of ten winners of the 21st annual Whiting Writers Award. These prizes, worth $40,000, are presented annually to emerging authors who demonstrate exceptional talent and promise.

Doctoral candidate in the School of Social Work James Masten has been chosen as one of six outstanding social work students nationwide to receive the prestigious Hartford Doctoral Fellowship. The $50,000 fellowship is funded by the John A. Hartford Foundation and is administered by the Gerontological Society of America.

Professor of Politics in the Faculty of Arts and Science Lawrence Mead was named co-winner of the 2005 Louis Brownlow Book Award given by the National Academy of Public Administration for his work entitled Government Matters: Welfare Reform in Wisconsin.

The Color of Love, a film directed by Maryam Keshavarz of the Graduate Division of the Kanbar Institute at the Tisch School of the Arts, will receive the International
Documentary Association’s David L. Wolper Award for best student film at the Directors Guild of America annual awards ceremony on December 9.

Dr. Sexton called on Vice Provost for University Life and Interdisciplinary Initiatives Linda Mills who reported on the recently established Academic Resource Center (“ARC”), designed to provide help to students during the strike by some of the University’s graduate teaching assistants. Dr. Mills said that the Center offers academic assistance to students, including one-on-one sessions with faculty, tutoring on course material, and exam preparation for the end of the semester. Dr. Sexton noted that as a result of the positive feedback received from students about the ARC, there was a possibility that ARC would remain in operation permanently.

There being no further business, the meeting was adjourned at 4:00 p.m.

Ada Meloy
for
Leona Chamberlin
## COMPOSITION OF SENATE COMMITTEES

### 2005-2006

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*Chair "Spokesperson ***ex-officio ****Advisor  #Cole: fall term; Newman: spring term  

Last Revised: 12/05
EXHIBIT B
December 2, 2005

MEMORANDUM

TO: Members of the University Senate

FROM: Arthur Tannenbaum
Chair, Public Affairs Committee

RE: Location of Commencement 2006

Pursuant to the Senate Rules of Procedure, the Public Affairs Committee recommends that the Commencement Exercises, scheduled to take place on Thursday, May 11, 2006, be held in Shea Stadium.

In addition, the Committee recommends that the “Grad Alley” activities, first held in 1997, be planned this year in celebration of NYU’s 2006 graduating class.
EXHIBIT C
November 11, 2005

Mr. Arthur Tannenbaum
Chair, Senate Public Affairs Committee
New York University
70 Washington Square South, Room 1156
New York, NY 10012-1091

Dear Mr. Tannenbaum:

I am writing on behalf of The Coca-Cola Company to acknowledge the recent vote by the NYU University Senate and to share our commitment to address the issues that have been presented.

Although we believe the allegations that led to this decision will ultimately be shown to be factually unsupported, we appreciate the serious way in which the University Senate has engaged with our Company in getting to the bottom of the false allegations that have circulated regarding our business. We want you to know that we share the concerns that you have raised regarding the environment for labor in Colombia.

As I shared with you last week, in addition to my role at The Coca-Cola Company, I also serve as employer spokesman of the Applications of Conventions Committee within the International Labor Organization (ILO). This Committee evaluates country implementation and compliance with ratified ILO treaties. In late October, I was a member of a 3-person high-level tripartite visit to Colombia, and met with the Government, the organizations of workers and employers, and those responsible for the investigation and supervision of labor rights in Colombia.

The members of the high level visit made a number of recommendations preliminary to our report that will be issued by the ILO at the end of this month. These recommendations are based on our essential findings that impunity with respect to violence against trade unionists continues to exist and that trade unions face several obstacles in law and practice to the full exercise of freedom of association. Our recommendations have been issued with the endorsement of the major Colombian trade union federations.

I believe that the ILO recommendations address the core issues contributing to the violence in Colombia, and am committed to continuing this work with the ILO.

The specific allegations against our Colombian operations regarding labor rights, which are the basis for the decision by the NYU University Senate, have never been proven and are
unsupported by any verifiable facts. Two different judicial inquiries in Colombia — one in a Colombian Court and one by the Colombian Attorney General — found no evidence to support the allegations that bottler management was complicit in violence against union leaders.

I also do want to point out that, earlier this year, The Coca-Cola Company commissioned a workplace assessment process to provide an accurate picture of how the Coca-Cola system does business in Colombia and in other parts of the world. These assessments were conducted by Cal Safety Compliance Corporation (CSCC) — an independent, global leader in workplace assessments.

The CSCC assessment looked not only at the issues of workplace health and safety, but also probed more specifically into issues related to freedom of association, worker rights and security in the workplace. The CSCC auditors’ findings showed that the people employed by our Colombian bottling partners work in facilities where their labor and human rights are respected and protected. And in no case did they find threats or attempts by management to attack or intimidate workers for being affiliated with a union.

Although we have already done an assessment, we are also currently working with the Workers Rights Consortium and administrators from several colleges and universities to discuss the feasibility for another assessment of bottling operations in Colombia using a different methodology than the previous CSCC assessment. Although we agree on many things, at this time there are still a number of outstanding issues that need to be addressed before we can agree to this additional assessment, and we are continuing to discuss these issues. We remain open to another fair and impartial assessment of our system’s current workplace practices in Colombia.

The Coca-Cola Company has a demonstrable history of protecting workers’ rights, ensuring the quality of our products, adhering to rigorous environmental standards, and responding decisively when our exacting standards are not being met.

Please let me know if you would like to discuss this matter or the related issues further. I am always available to respond to your concerns and will continue to keep you updated with any new developments from our end.

Sincerely,

Edward E. Potter
Director, Global Labor Relations and Workplace Accountability
December 7, 2005

Mr. Arthur Tannenbaum
Chair, Senate Public Affairs Committee
New York University  Room 1156
70 Washington Square South
New York, NY 10012-1091

Dear Mr. Tannenbaum:

To address the concerns of university administrators and other stakeholders, The Coca-Cola Company is committed to having a credible, objective and impartial independent third party assessment conducted in Colombia. The Coca-Cola Company makes this commitment even though there has already been an assessment conducted by CSCC in February 2005, an investigation by the Colombia Prosecutor General in 2001, and a finding of no legal violation by the Circuit Criminal Court in Bogotá in 1997. Unfortunately, the parties suing our bottling partners in Miami have created obstacles to achieving this objective.

As you know, at the instigation of The Coca-Cola Company, we have been working with a university commission to reach a mutual agreement on an independent third party assessment protocol. The nearly final protocol contains clear language that: “The purpose of this assessment is not to investigate matters that are the subject of pending litigation [document will refer here to the court case of the Miami litigation].” On August 9, the plaintiffs in the Miami litigation suggested to the university commission that matters related to the litigation should be kept separate from the assessment and kept confidential. Thereafter, the commission made clear its expectation that the parties negotiate an inadmissibility agreement. We agreed. The plaintiffs’ legal counsel, however, has rejected and refused to even discuss an inadmissibility agreement proposal.

Because of this fact and notwithstanding our best efforts, The Coca-Cola Company is unable to meet the New York University Senate’s December 8 deadline for finalizing details related to a workplace assessment of our Colombian bottling partners’ facilities. We will continue to attempt to work with universities like yours on a credible third party assessment in Colombia.

The Coca-Cola Company shares your concerns for the rights, safety, and dignity of workers around the world, and we respect the University Senate’s thoughtful and deliberate consideration of this matter. As we move ahead in our efforts to resolve the concerns about the Coca-Cola bottling operations in Colombia, we hope to have the opportunity to remain engaged with the New York University community.

Sincerely yours,

Edward E. Potter

EDITORED E. POTTER
DIRECTOR
GLOBAL LABOR RELATIONS

ADDRESS REPLY TO:
P.O. BOX 1734
ATLANTA, GA 30301
404-676-2379