Minutes of a Stated Meeting of the

Senate of New York University

November 3, 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, November 3, 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, Black, Buchanan, Cappell, Choi, David, Eaton, Frommer (for Vernillo), Gans (for Ronell), Hinojosa, Jones, Kovner, Lebowitz, Lehman, Mayher (for O'Connor), Mikhail, Moran, Raiken, Schonberg, Scott, Sparrow, Taylor, Thompson, Varadhan, and Vitz; members of the Student Senators Council Bantz (for Reyes), Blumsack, Brady, Chen, Dixon, Fung, Gray, Hou, Lee, Levine, MacDonald, Palau, Pandya, Patel, Punjabi, Simmons, Thomas, Washington, and Woolfstead; members of the Deans Council Blount-Lyon, Cameron (for Campbell), Carey (for Brabeck), Delgrossco (for Santirocco), England, Foley, Godsoe (for Schall), Kastner (for Mandel), Mirsepassi, Rach (for Turk), Slocum (for Stimpson), Vogel (for Alfano), and Winer (for Cooley); members of the Administrative Management Council Al-Islam, Moppett, and Pender; and members of the University Administration Provost McLaughlin; Executive Vice President Lew; Senior Vice President Berne; and Acting Secretary Chamberlin, constituting a quorum.
Approval of Minutes

The minutes of the stated meeting of the Senate held on October 6, 2005, were approved.

Report of the President

Hurricane Katrina Transfer Policy

Dr. Sexton reminded the Senate that at its last meeting he had asked them to consider whether the University should give preference to students displaced by Hurricane Katrina who are seeking to transfer to NYU over qualified applicants from other schools who have applied for spring semester admission to the University. Dr. Sexton said that resolving this issue involved balancing two goals. One is the autonomy of students and parents to be able to select the institution of their choice, and the other is the desire to assist institutions affected by the disaster in their efforts to rebuild, for which student revenue is critically needed. Dr. Sexton reported that a decision has been reached, and the Admissions Office has notified all students seeking transfers from institutions in areas affected by Hurricane Katrina (including Gulf Coast visiting students currently at the University) that they may apply to transfer permanently for the spring 2006 semester, but that they will be judged by the same criteria as any other transfer applicant. Dr. Sexton said that the University would charge accepted transfer students from affected Gulf Coast institutions NYU's tuition for the spring semester, but would remit the amount back to the students' “home” institutions.

Dr. Sexton reported that Tulane University President Scott Cowan recently had appeared at the University and addressed over 400 guests, including displaced students from Tulane who are spending the fall semester at NYU and Columbia and their parents, Tulane
academic officers, and Tulane alumni. Dr. Cowan expressed his deep gratitude to the universities that have assisted during this crisis.

Petrie Foundation Student Endowment Emergency Fund
Dr. Sexton reported that a new emergency loan fund of $1 million for students who need financial aid had been introduced this fall thanks to the generosity of the Carroll and Milton Petrie Foundation. The amount of the individual loans to be made from the fund will be determined on a case-by-case basis.

Zuckerman Forum
Dr. Sexton announced that NYU trustee and publisher of the *New York Daily News* and editor-in-chief of *U.S. News and World Report* Mortimer Zuckerman had established a ten-year annual debate competition to be called the Zuckerman Forum. The forum, scheduled to begin in the spring, will be open to all undergraduate students and will provide annual scholarship awards totalling $135,000 during each of the ten years.

New York State Capital Plan
Dr. Sexton reminded the Senate that last spring Albany legislators had approved the New York State Capital Matching Program. This program provides funds to private colleges and universities to support capital building projects. Dr. Sexton reported that NYU will receive $8.5 million from the Program, which will be an important part of the funding necessary for the University’s major renovation of its science facilities. This award, in turn, must be matched three to one by the University’s own funds.
On a less positive note, Dr. Sexton reported that the Budget Reconciliation Bill currently before Congress includes the possibility of an increase from $35 billion to $50 billion in the total reductions necessary to close the federal deficit. Dr. Sexton said that in the event a reduction of this magnitude is passed by Congress, the House Education and the Workforce Committee presumably would be asked to slash even more money from the programs it oversees. Most importantly, the Committee is proposing to cut close to $20 billion from the student loan programs. Dr. Sexton stressed how important it is for the University’s constituents to let Congress know that they should not be balancing the budget on the backs of the nation’s students.

NYU Achievement

Dr. Sexton was pleased to report that School of Law alumnus Mohamed ElBaradei, Director General of the International Atomic Energy Agency, had been awarded the 2005 Nobel Peace Prize. Dr. ElBaradei received an honorary Doctor of Laws degree at the University’s 2004 Commencement Exercises. This is the third consecutive year that the University has produced a Nobel Laureate. In 2004, School of Medicine Adjunct Professor Avram Hershko shared the Nobel Prize in Chemistry, and in 2003, Stern School of Business Professor Robert Engle shared the award in Economics.

Graduate Teaching Assistants

Dr. Sexton noted that the graduate teaching assistants had voted to proceed with a strike in an attempt to force the University to engage in collective bargaining with the United Auto Workers (“UAW”) on their behalf. Dr. Sexton reminded the Senate that four years ago the
University had entered into an agreement with the UAW based on assurances that the UAW would not interfere with academic matters, such as who should teach specific classes. The union repeatedly failed to honor this distinction and had challenged many of the University's academic decisions. In addition, the University was unwilling to agree to terms demanded by the UAW that would have resulted in graduate students losing their financial aid packages if they chose not to join the union.

Dr. Sexton stressed that the University administration was committed to creating the best possible world for its graduate students generally and in particular for the graduate teaching assistants. He noted that there already exists a committee of more than 15 students charged with dealing with the specific issues of grievances, rights, and responsibilities. Dr. Sexton stressed the importance of establishing ongoing conversations with the elected representatives from each of the graduate programs who sit on the Graduate Affairs Committee of the Student Senators Council/University Committee on Student Life. Such interchange provides an opportunity for the University administration to become informed on issues of concern and to develop a partnership with graduate students in order to more effectively consider and address such concerns. Dr. Sexton noted that Provost McLaughlin and Executive Vice President Lew would be reaching out to the Graduate Affairs Committee to schedule a meeting within the next few days. Dr. Sexton said that he sees the union, with its now quite visible tendency toward adversarial conversations, as an inappropriate vehicle for conversation between a university and its students.
Upon motion duly made and seconded, the report of the President was approved.

**Report of the Academic Affairs Committee**

Professor Anderson reported that the Committee's fall agenda includes working on the nominations of candidates for the honorary degrees to be presented at Commencement 2006. Currently, the Committee has two lists of names: one consists of candidates that already have been accepted by the Committee, including some who have previously been approved by the Board of Trustees, and the other is a list of suggested nominations that have been forwarded to the Committee by members of the University community over the past year. The Committee will make its presentation to the Academic Affairs Committee of the Board of Trustees on November 7. Professor Anderson noted that the Committee was still in the process of accepting suggested nominations.

There being no further business, the report of the Academic Affairs Committee was approved.

**Committee on Organization and Governance**

Professor Black reminded the Senate that at its April 21 meeting, the following amendment had been proposed to a resolution then under consideration by the Senate concerning increasing access to gender neutral bathrooms across the University.

RESOLVED, That the University Senate recommends that the University administration add gender identity and expression into the University Policy on Affirmative Action/Equal Opportunity.
FURTHER RESOLVED, That since these decisions will be subject to fiscal and physical constraints, the University Senate requests that the University administration provide the University Senate with periodic updates about the progress in implementing this process.

Professor Black said that the resolution regarding gender neutral bathrooms had passed, but that the amendment had been tabled pending further study by the Committee. The Senate subsequently charged the Committee to report at today’s meeting on the implications and potential liabilities of adding gender identity to the University non-discrimination policy.

In preparation for today’s presentation, Professor Black noted that the following had been considered by the Committee: the Committee had consulted with NYU’s Office of Legal Counsel ("OLC"); staff of the Office of Lesbian, Gay, Bisexual, and Transgender ("LGBT") Student Services had conducted a survey of colleges and universities that had amended their non-discrimination policies to include gender identity and/or gender expression as a protected category; LGBT staff and the Committee had assessed the impact of such an amendment by examining publicly available information and by contacting institutions directly; and the Committee had compared the published Policy on Equal Opportunity and Anti-Discrimination, the Affirmative Action Policy, and the Anti-Harassment Policy, which variously appear in the Faculty Handbook, Student Handbook, and on-line at the University’s website.
Professor Black noted that OLC had advised the Committee that the New York City Human Rights Law prohibits discrimination on the basis of gender identity and gender expression and that violation of the Human Rights Law by the University could result in a finding of liability and the imposition of civil penalties or an award of money damages in a private lawsuit. Thus, adding gender identity to the University's policies would serve as confirmation that the institution is in compliance with its legal obligations. In addition, because the University is legally obligated to comply with the Human Rights Law, the specific inclusion of gender identity in University policies as a basis for non-discrimination would not increase the University's potential liability. Professor Black said that the University was committed to sensitivity training that encompasses gender issues, and prior Senate resolutions have addressed prohibiting discrimination on the basis of gender identity in admissions and employment decisions, as well as consideration of the objective of increasing access across campus to gender neutral bathrooms. Professor Black said that OLC further advised that ending the revised list of protected groups with the clause "or any other legally protected basis" would be a prudent step to take in order to cover future contingencies.

Professor Black reported that LGBT staff found that as of January, 2005, more than 20 colleges and universities had incorporated gender identity and/or gender expression into their non-discrimination clauses and that other colleges and universities had done so in the interim period. LGBT staff and the Committee found no evidence that inclusion of these terms had resulted in abuse at the institutions that had modified their policies and, in fact,
had resulted in the affected groups feeling safer and more welcome in the wider academic community.

Professor Black said that the Committee’s comparison of University policies revealed that a reference to gender, as well as the clause “or any other legally protected basis” appear in the University’s Anti-Harassment Policy, but not in the Policy on Equal Opportunity and Anti-Discrimination and the Affirmative Action Policy. Based on this investigation, the Committee did not see any significant objection to the inclusion of gender identity as a protected category in the University’s non-discrimination policy. However, Professor Black said that the Committee believed that any resolution presented to the Senate should include the further recommendation that all policies prohibiting discrimination or harassment at the University include a uniform set of protected categories ending with the statement “or any other legally protected basis.”

Professor Black read the following resolution for consideration by the Senate:

RESOLVED, That the University Senate recommends that the University administration revise the set of protected categories in all University policies on equal opportunity, anti-discrimination, affirmative action, and/or anti-harassment to read as follows: “race, color, religion, sex, sexual orientation, gender and/or gender identity, marital or parental status, national origin, ethnicity, citizenship status, veteran or military status, age, disability and any other legally protected basis.”
Professor Black noted that the proposed resolution was being presented to the Senate at today's meeting for consideration and discussion in anticipation of being voted upon at the Senate's next meeting.

Ms. Patel noted that the Student Senators Council had met and informally recommended that the words "gender expression" also be included in the proposed resolution. Mr. Lee expresses his preference that the Senate vote on the resolution at today's meeting and asked for a suspension of the Senate Rules of Procedure to allow this to take place. Dr. Sexton then asked the Senate to vote on whether to suspend the Rules of Procedure in order to vote on the resolution. Upon motion duly made and seconded, the Senate Rules were suspended.

Dr. Sexton opened the floor for discussion. Ms. Patel asked if the phrase "gender expression" could be included in the resolution. Dr. Sexton said that could only occur by vote of the Senate to suspend the Rules to allow for a discussion of an amendment to the resolution. Upon motion duly made and seconded, the Senate Rules were suspended to allow for discussion on amending the resolution.

In response to a question regarding the differences between gender identity and gender expression, Mr. Lee explained that the concept of gender identity in the context of non-discrimination encompasses individuals whose perceived gender conflicts with the gender assigned to them at birth, whereas the concept of gender expression encompasses individuals who express themselves in ways that are inconsistent with their assigned
gender, but who nevertheless identify with their assigned gender. Ms. Patel added that gender expression encompasses how persons express themselves as opposed to how they perceive themselves.

Mr. Punjabi asked why the words “gender expression” had not been included in the resolution. Professor Black responded that the Committee felt that the term “gender expression” was very broad and that the term “gender identity” alone was sufficient to address the concerns that had prompted consideration of amending the University's policies on non-discrimination. She said that the Committee had wanted to present a resolution that had the better chance of being approved by the Senate. Mr. Taylor said he thought it was important to include the words “gender expression,” since he believed that gender identity and gender expression are two distinct items, with identity encompassing a person's notion of essence rather than a person's performance of gender. Professor Vitz wanted to know what the implications would be for matters such as sports participation or health benefits if the University included the words “gender identity” or “gender expression” in its formal policies. Dr. Sexton said there are no court rulings that provide specific answers to those questions, and he sees such issues as something that the University would address over time as best it could.

Dean Carey explained that “gender identity” (one’s sense of being male or female) and “gender expression” (how one chooses to expresses gender) are different than one’s birth or biological sex and one’s sexual orientation. She said that although for the majority of people the sense of one's gender identity matches one's biological sex, this is not the case
for everyone, and one's gender expression does not always conform with society's expectations based on one's biological sex. Dean Carey concluded by saying that people whose gender identity or gender expression do not match society's gender role attributions and expectations frequently experience harassment, discrimination and victimization because of their gender identity or expression.

Mr. Thomas noted that as an undergraduate he had attended an institution that had included both gender identity and gender expression in its non-discrimination policy, with no apparent negative results, and that he would like to see both terms included in the University's policies as well.

Dr. Sexton called for a vote on whether to add the words "gender expression" to the proposed resolution. Upon motion duly made and seconded, the Senate approved the inclusion of the words "gender expression" to the proposed resolution.

Dr. Sexton subsequently called for a vote on the amended resolution, which reads as follows (amendment in bold):

RESOLVED, That the University Senate recommends that the University administration revise the set of protected categories in all University policies on equal opportunity, anti-discrimination, affirmative action, and/or anti-harassment to read as follows: "race, color, religion, sex, sexual orientation, gender and/or gender identity or expression, marital or parental status, national origin, ethnicity, citizenship status, veteran or military status, age, disability and any other legally protected basis."
Upon motion duly made and seconded, the resolution was approved.

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.

Special Committee Report

Graduate Student Working Group

Mr. Lee gave an update on the Graduate Student Working Group, the group charged with formulating recommendations for a permanent Graduate Assistant Grievance Process and a graduate student Rights and Responsibilities Compact. In addition to Mr. Lee, Mr. Washington will serve as co-chair of this group, which is comprised of a diverse representation of more than 15 graduate students. The group has met twice since the last Senate meeting and intends to seek a broad consensus from the graduate community regarding the substantive provisions of both of these documents, which Mr. Lee characterized as essential to defining the role of graduate students at the University. The Committee has begun to evaluate the interim grievance procedures currently in place. Mr. Lee said that while the graduate community has many opinions, the Committee hopes to be able to bring a set of comprehensive recommendations to the University Senate in the first half of the spring semester so that these recommendations may be utilized in
drafting taken the final grievance procedures and rights and responsibilities statement for the 2006-2007 academic year.

**Council Reports**

**Administrative Management Council.** Ms. Moppett reported that the Council held its second general meeting of the academic year on November 1. The Community Service Committee, co-chaired by Alexis Rodriguez-Nieves and Ida Longarino, is currently planning a Hurricane Katrina Relief program to take place early in the spring as well as the annual Holiday Toy Drive to be jointly sponsored with the Office of Community Relations. The Committee also is working with Elizabeth Kuzina and the Division of Student Affairs to sponsor a collection at each of the Council’s general meetings to benefit NYU students who are in financial distress due to the hurricane. Ms. Moppett noted that the Council had approved a motion to create an Ad Hoc Committee on “University Governance and the Role of the AMC.” This Committee will study the mission of the Council and submit a report for review by the Council at a later date.

**Deans Council.** In Dean Brabeck’s absence, Dean England reported that the Council held a meeting on November 2 and had developed a substantial agenda for the rest of the academic year.

**Student Senators Council.** Ms. Chen reported that the Council held its second general meeting of the academic year on October 27. Plans are underway to send an e-mail to all
students with updated information on the Council's activities. A survey will be included asking students for feedback on issues such as health services and academic advising. A reception for students affected by hurricane-affected areas will be held on November 15, and a T-shirt Drive for all relief efforts also is being organized. The Council held its first hospitality outreach on October 18 at the Kimmel Center and will hold its next one at 715 Broadway on November 29.

Faculty Senators Council. Professor Hinojosa reported that the Council continues to meet regularly. The Council recently held a meeting with the University administration on the Home Ownership Program ("HOP") to address the ongoing faculty housing situation. A forum is scheduled to take place on November 18 regarding medical benefits.

University Dialogue Conversation on Emerging Issue

Commencement Exercises for May 11, 2006

Senior Vice President for University Relations and Public Affairs Lynne Brown noted that the renovation of Washington Square Park was scheduled to begin in late winter or early spring. This has made it necessary resulted in the need to find a new venue for the University's 2006 Commencement Exercises. Dr. Brown reported on five different options and her report, in its entirety, is attached to these minutes as Exhibit A. The five options are: 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 school ceremonies in lieu of an all-University Commencement. In light of the short timeframe, she asked the Senate for feedback before Thanksgiving.

Report of the Public Affairs Committee

Coca-Cola Update

Professor Tannenbaum reminded the Senate that at its last meeting he had announced that a special forum would take place on October 20 for members of the Senate to hear from representatives of The Coca-Cola Company ("Coca-Cola"), NYU’s anti-Coca-Cola student group, and Scott Nova, the Executive Director of the Worker Rights Consortium ("WRC"), who spoke on behalf of a group that includes representatives of Coca-Cola and concerned universities that is working to establish a protocol for an independent assessment of allegations against Coca-Cola in Colombia. Professor Tannenbaum provided the following report on the proceedings of the forum, which took place in Kimmel Hall and was attended by approximately 40 senators, alternate senators, and guests.

The NYU students leading the campaign against Coca-Cola presented their position that Coca-Cola should cooperate within the working group and agree to a final protocol so that the assessment of the allegations of the company’s complicity in worker rights’ violations at bottling plants used by Coca-Cola in Colombia can proceed. The students also maintain that Coca-Cola should agree to comply with the final recommendations that result from the assessment. The students have said that the University’s only leverage in this matter is to ban the sale of Coca-Cola products on the NYU campus that Coca-Cola only will respond to such a measure.
Coca-Cola representatives denied the allegations of corporate wrongdoing in Colombia and attributed the crimes committed against workers to a broader environment of violence between extreme left- and right-wing groups that has affected Colombia for over 60 years and is further fueled by the illegal drug trade. Coca-Cola portrayed its current work with the WRC-led working group as making progress toward reaching a protocol for an independent investigation. Coca-Cola's Director of Global Labor Relations Ed Potter had been scheduled to attend the forum but had cancelled on very short notice.

Mr. Nova of WRC reported that the working group had been frustrated by Coca-Cola's rejection of its first proposed protocol, which delayed the working group's goal of completing an investigation assessment by early fall. Mr. Nova had hoped that Coca-Cola would approve the revised protocol within a few weeks, thereby permitting an investigation to take place by the end of the year.

Professor Tannenbaum reported on several developments that have occurred since the forum. Several student representatives from other universities sitting on the working group have resigned their positions in protest over the delays and the sense that Coca-Cola was hiding behind the working group. The University subsequently learned that the working group was making progress in its negotiations over a protocol for the investigation, and it is now hoped that the negotiations will be concluded within the next three weeks.

Professor Tannenbaum said that both he and Dr. Sexton had been contacted by Coca-Cola's Chief Executive Officer Neville Isdell and Mr. Potter and that immediately prior
to today's meeting, anti-Coca-Cola students and representatives from the Student Senators Council and the Public Affairs Committee met with Mr. Potter. Mr. Tannenbaum described the meeting as inconclusive.

Professor Tannenbaum said that the resolution which was electronically mailed to the Senate in advance of today's meeting and which could be found at each Senator's place recommends that the University administration implement a ban on the sale of Coca-Cola products on campus if Coca-Cola does not agree to a protocol for the independent investigation before the next Senate meeting. Professor Tannenbaum noted that Vice President for Auxiliary Services Robert Kivetz has said there would be no logistical or financial impediments in removing Coca-Cola products from sale on campus, but that because of vendor and other supply issues, it would take four to six weeks to remove all Coca-Cola products from sale on the campus.

Professor Tannenbaum asked for a suspension of the Senate Rules of Procedure to allow guests David Hancock from the Gallatin School, Erin Keskeney from the Tisch School of the Arts, and Owen Moore, Director, Contract Dining Services to speak at today's meeting. Dr. Sexton proceeded to ask the Senate to vote on whether to suspend the Rules of Procedure in order to allow the three guests the opportunity to speak at today's meeting. Upon motion duly made and seconded, the Senate Rules were suspended.

Professor Tannenbaum pointed out that although the resolution had been sent by email, it had not been submitted to the Secretary by Wednesday noon of the week before the
meeting, as set forth in the Senate Rules of Procedure. He then asked for a suspension of the Senate Rules of Procedure in order to allow a vote to take place at today's meeting. Dr. Sexton proceeded to ask the Senate to vote on whether to suspend the Rules of Procedure in order to vote on the resolution. Upon motion duly made and seconded, the Senate Rules were suspended.

Professor Tannenbaum read the following resolution for consideration by the Senate.

RESOLVED, that upon the recommendation of the Public Affairs Committee, the Senate recommends that the University Administration enact a ban on the sale of all products produced by The Coca-Cola Company in any facility owned or controlled by the University, to be effective as of 12:00 o'clock a.m. on December 8, 2005, unless prior to that date, Coca-Cola and the Commission have agreed upon a final protocol for an independent investigation into allegations of The Coca-Cola Company's complicity in human rights violations against the SINALTRAINAL union in Colombia; and

IT IS FURTHER RESOLVED, that in the event that a ban on the sale of Coca-Cola products at the University goes into effect on December 8, 2005, the Public Affairs Committee shall continue to monitor the progress made by The Coca-Cola Company in permitting an independent assessment of its complicity in human rights violations against the SINALTRAINAL union and shall report to the Senate at least once each academic year regarding the continued implementation of the ban.

Dr. Sexton noted that the resolution was comprised of three distinct steps: 1) giving Coca-Cola the opportunity until December 8 to agree upon a final protocol for an independent investigation; 2) banning the sale of all Coca-Cola products if Coca-Cola has
not done what is described in the first paragraph of the resolution; and 3) continued monitoring of Coca-Cola by the Public Affairs Committee in the event of a ban.

Ms. Chen noted that although Mr. Potter had clarified why it had taken so long for him to respond to the University, he still was unable to agree to a concrete protocol, and thus the situation remained unsettled. Mr. Hancock said it was important to keep in mind that the proposed resolution leaves open the window of three weeks that was requested by Coca-Cola, despite the fact that Coca-Cola has refused to agree to two separate requests for an investigation and that Mr. Potter acknowledged at today’s earlier meeting that little progress had been made. Dean Carey reminded the Senate that banning the sale of Coca-Cola products would include products other than its flagship soft drink. Owen Moore noted that a ban on the sale of Coca-Cola products would include a ban on the sale of Minute Maid and Dasani products, among others. Mr. Lee said that while he appreciated that Mr. Potter had attended the earlier meeting, he felt that it was a case of “too little, too late.” Dean Delgrosso asked if there would be a problem if Coca-Cola products were brought in from the outside in the event of a ban. Dr. Sexton said that the proposed ban was on the sale of Coca-Cola products at the University and that it would not violate the ban if an individual brought a Coca-Cola product to the campus that had been purchased off campus. In response to a question from Mr. Levine, Professor Tannenbaum said that all Coca-Cola products would be removed from vending machines on campus, and Mr. Moore added that the Coca-Cola products would be replaced by products from other companies.
At approximately 4:00 p.m. Dr. Sexton asked to be excused from the meeting as he had a prior commitment and designated his alternate, Chief of Staff and Deputy to the President Diane Yu, to preside over the continuation of the meeting.

Ms. Keskeney reiterated the earlier comment that the three week period stated in the proposed resolution was the final extension of many earlier extensions granted to Coca-Cola over the last two years. While acknowledging that some progress had been made, she argued that the progress had occurred because of the threat of a ban. She said it was important for the University to take concrete action rather than just to continue to threaten that a ban could be put in place.

Ms. Yu asked the Senate to vote on whether to table the discussion. Upon motion duly made and seconded, the vote to table the discussion was rejected. Ms. Yu then asked the Senate to vote on whether to conclude the discussion. Upon motion duly made and seconded, the vote to conclude the discussion was approved. Ms. Yu finally asked the Senate to vote on the motion found at page 19 of these minutes, and the motion was approved.

Upon motion duly made and seconded, the report of the Public Affairs Committee was approved.
There being no further business, the meeting was adjourned at 4:10 p.m.

Leona S. Chamberlin
Secretary
EXHIBIT A
COMMENCEMENT 2006

Renovation of Washington Square Park
Scheduled to begin late winter/early spring 2006
Space and Time Requirements for All-University Commencement

- Minimum of 5-6 acres of flat, unobstructed area
- Approximately 20,000 – 21,000 chairs with regulation aisles
  - Total of 19,607 ground seats in Washington Square Park
- Assembly and robing areas for nearly 300 people including Platform Party, Banner Bearers, Faculty, and Alumni
- Line-up and assembly areas for 6,500 students in 14 different columns (approximately 6 – 8 city blocks)
- Room for 2 stages: main (44’ x 49’’) and side (7’ x 7’’)
- Seating for 300 faculty and alumni
- 2 large jumbotron
- Audio requirements

Minimum time required: Monday, May 8 through Thursday, May 11:
- Assembly of stage begins Monday, May 8
- Final set-up begins the morning of Wednesday, May 10
- Load-out and academic attire return conclude the afternoon of May 11

Capacity of Other NYC Venues

- Metropolitan Opera House: 3,800
- Madison Square Garden Theatre: 5,600
- Radio City Music Hall: 6,000
- Battery Park: 9,000
- Javitz Center: 10,000
- Icahn Stadium: 10,000
- Pier 40: 13,000
- Madison Square Garden Arena: 17,000
- Central Park, East Meadow: 18,000
- Washington Square Park: 19,000
- Arthur Ashe Stadium: 22,000
- Belmont Park Raceway: 32,900
- Shea Stadium: 53,000
- Yankee Stadium: 65,000
Factors to Consider

- Location/Proximity
- Venue: Atmosphere, Aesthetics, etc.
- Capacity
- Preserving Traditions/Rituals

Commencement 2006 Options

- **Option I:**
  All-University Commencement in Central Park, Manhattan
  (East Meadow/Fifth Avenue at 97th Street)
- **Option II:**
  All-University Commencement in Shea Stadium, Queens
- **Option III:**
  Separate Undergraduate/Graduate Ceremonies at Pier 40
  (Houston and West St.)
- **Option IV:**
  Valedictory Convocation in Skirball
- **Option V:**
  School Ceremonies Only / No All-University Commencement
Option 1: All-University Commencement in East Meadow, Central Park

East Meadow, Central Park

- Location: East Meadow (Fifth Avenue at 97th Street)
- Maintains ceremony as we know it
- Keeps the ceremony in Manhattan
- Give 2 guest tickets per student
- Very susceptible to rain, 3/4 of the ground is dirt – rain 48-72 hours before the ceremony would make the space unusable
- Limited parking
- Closest subway is the Lexington Avenue line at 96th street
- NYC Parks would have to close the East Drive for 3 hours
  Commencement morning for student line-up and procession
- Load-in 36 hours before as opposed to 72 hours that we had in Washington Square Park, closes the rain window
- Lose approximately 1,100 seats compared to Washington Square Park
- No option for TV viewing; 9,000 TV viewing tickets usually distributed
Option II: All-University Commencement in Shea Stadium

Shea Stadium

- More than enough seats, approximately 56,000
  - Perhaps too big (would we fill enough of it?)
- Give each student at least 8 tickets
- Location: Flushing Meadows in Queens; not in Manhattan
- #7 train from Washington Square takes approximately 45 minutes with a change at Grand Central or Times Square
- Ample parking
- Depending on flight patterns over La Guardia airport, planes may be going over the stadium every 10-15 minutes, noise can be deafening
Option III:
Separate Undergraduate/Graduate Ceremonies at Pier 40

Separate Undergraduate/Graduate Ceremonies at Pier 40

- Location: Houston Street and West Street
- Close to campus
- Stay in Greenwich Village
- Give 2 guest tickets per student
- Physically can accommodate 13,000 chairs – enough for undergraduates only – or separate undergraduate and graduate/professional ceremonies
- Nice venue (part of redone Hudson River Park corridor)
- Adequate line-up areas
- Self-contained area; little disruption to the community
- No TV viewing
- No parking
Option IV: Valedictory Convocation in Skirball Center

Valedictory Convocation in Skirball

- Keeps event at Washington Square
- Very limited seating of 850
  - Would have to distribute student tickets by lottery or by dean selection
- No procession of students
- Academic attire for platform party only
- Honorary degrees could be awarded
- Student representatives and student speaker could be included
- Not affected by rain
Option V
School Ceremonies Only;
No All-University Commencement

- Only individual school ceremonies
- Currently each school hosts an individual ceremony; most take place prior to the All-University Commencement. Every student's name is read as opposed to class representatives. These ceremonies were established years ago to alleviate the requests for tickets for the All-University Commencement ceremony.

Other Points

- Grad Alley will continue in its present form
- Commencement date (May 11) cannot be changed. Depending on which option is chosen, some time changes may be in order.
- University Events Office will work to make any venue as festive/accommodating as possible
  - Design features
  - Added programming
  - Help with transportation, etc.
Feedback

Please e-mail comments to:

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SUBJECT LINE: “Commencement 2006”