MINUTES OF THE C-FACULTY SENATORS COUNCIL MEETING OF MARCH 8, 2018

The New York University Continuing Contract Faculty Senators Council (C-FSC) met at 9:00 AM on Thursday, March 8, 2018 in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Colloquium Room.

In attendance were Senators Celik, Davis, Ferguson, Howard-Spink, Illingworth, Jahangiri, Joachim, Killilea, Kim, Liston, Paiz, Renzi, Saravanos, Slater, Steeves, Stehlik, White, and Youngerman; Alternate Senators Casey, Goldmann, Grillo, James (for Aldrich), Kleinert, Lee (for Boroweic), Ritter, and Talib.

APPROVAL OF THE AGENDA

Upon a motion duly made and seconded, the meeting agenda was approved unanimously.

APPROVAL OF THE MINUTES OF THE MEETING HELD FEBRUARY 1, 2018

A motion was made to amend the minutes to state the Personal Relationships in the Workplace Policy’s focus on New York and DC “may” be due to labor laws in other countries.

The minutes of the February 1, 2018 meeting were approved as corrected.

REPORT FROM THE CHAIRPERSON: MARY KILLILEA

See attached Document A: C-FSC Chair Update

Salary Compression Issues

A Senator asked if there is information on compression issues from various schools. It was noted the Finance Committee has not received specific, verified data. This will be addressed in the Finance Committee report, which specifically requests a formal review conducted by a third party firm specializing in compensation and benefits specifically within the academic community.

Steering Committee (SC) Meeting with the Provost

Work-Life Balance

Chairperson Killilea reported on the discussion of work-life balance as it pertains to faculty in general and C-Faculty specifically. The SC would like the Benefits Committee to create a report on issues that are important to C-Faculty.

She noted the T-FSC put out a report on NYU’s tenure clock stoppage policy and how the policy aligns with peer institutions.

She highlighted the topics of elder care, the potential of long term care insurance for parents, and funding for childcare. She noted financial childcare support is currently minimal compared to the high cost of childcare in...
New York City and the areas. She also noted that many university members do not enroll in dependent care flexible spending accounts. It is important that constituents are made aware of this benefit.

A Senator asked if there was discussion on partnerships with preschools and schools, in terms of access and potential co-funding with NYU. Killilea noted her support of adding this topic to the agenda. She stated that there is currently no subsidy for even childcare centers located in campus buildings.

Killilea also added the issue of course scheduling conflicts with childcare responsibilities and long commutes, for instance for 8 am classes.

The SC also discussed issues related to retirement and communication on retirement benefits.

Benefits Committee Chair Renzi noted the top items that came out of the work life survey last year included: 1) purchasing a home in the next 5 years, 2) resources to help cope with stress, 3) more events on campus focusing on nutrition and exercise, 4) more training for improving job skills at current job, and 5) supervising full time faculty but not living on campus, and 6) retirement in the next five years.

The Benefits Committee was encouraged to work with the T-FSC Committee, as it finds productive.

**NYUAD**

Killilea reported she shared with the Provost her observations from a recent trip to Abu Dhabi concerning C-Faculty titles and guidelines for reappointment and promotion. She noted the issue of title changes, with no warning, on contracts faculty were asked to sign. She also noted the complexities between contract versus tenure-track faculty titles. After the discussion, the SC thinks it is important for the Provost's office to review the current titles used in Abu Dhabi.

**Meeting regarding the University’s Administrative Process Improvement Initiative (APII)**

Killilea reported she had a meeting with EVP Marty Dorph, Assistant VP Peter Christensen, and T-FSC Chair Wen Ling about the Administrative Process Improvement Initiative. The current phase of this initiative is a review of the University's budget processes. The meeting was to provide a brief update on the initiative and discuss faculty input. Killilea will schedule a meeting for the C-FSC to review the pilot design and provide feedback.

**Save the Date for the C-FSC End of the Year Retreat and Celebration**

Killilea announced this year, instead of separate events, the annual retreat and end of year celebration will be held in Rosenthal on Wednesday May 23, 2018. The retreat will take place during the day followed by a reception.

**Response on Disciplinary Procedures**

A Senator asked about the Provost's response to the C-FSC's resolution regarding disciplinary procedures.

Killilea noted the response is in the meeting binder. See attached Document A, page 6. The response stated faculty can file a disciplinary procedure against an administrative supervisor without having to change the handbook, because the process is through HR.

A Senator expressed concerns with the process. Killilea recommended the Council review the link in the document to the Code of Conduct to confirm the appropriate process.

She also noted in the future any resolution regarding administrators should be communicated to the Administrative Management Council (AMC).
An Alternate Senator reported he developed a flow chart detailing the process for various grievances. It was suggested the Council take this document to the Provost to confirm it details the correct process.

**Question on Principles of Shared Governance**

A Senator presented a question from his School’s Faculty Council on whether the principles of joint shared governance which appear on the NYU website and are approved by the Trustees apply to communication between Schools’ Deans and the Faculty Councils.

Killilea stated her understanding is that the principles do apply but stated she will formally ask for clarification from the Provost’s office in terms of that specific communication.

The Chair’s Report was accepted into the minutes.

**PRESENTATION, DISCUSSION, AND VOTE**

**C-FSC Proposed Resolution Recommending Schools Establish an Attendance Policy for Members of the Full-Time Continuing Contract Faculty Senators Council**

*See attached Document B.*

Committee Chair Saravanos presented the Governance Committee’s proposed resolution. The resolution was approved by vote of the Council.

**C-FSC Proposed Resolution to Establish a Clearer Record of Attendance for Members of the Full-Time Continuing Contract Faculty Senators Council**

Committee Chair Saravanos presented the Committee’s proposed resolution. He suggested one amendment to remove the title “Manager of Faculty Governance” to make the process less specific. The resolution, with the one amendment, was approved by vote of the Council.

**C-FSC Proposed Resolution for the Outgoing C-FSC Chair to Serve in an Ex-Officio Capacity**

Committee Chair Saravanos presented the Committee’s proposed resolution. Senators asked if the ex-officio capacity would apply to the Council as well as the Steering Committee. Saravanos noted the Committee discussed this and worded the resolution to include ex-officio capacity on the Council.

A Senator asked about cases where the outgoing chair takes on an administrative role that might not make it appropriate for them to serve on the Council. Saravanos noted the Committee changed the language to “may continue to serve” to allow the Steering Committee the discretion to decide if the person will serve. It was noted the document currently states “shall”. Senators suggested the process for deciding if an outgoing chair should serve in this capacity be detailed in the resolution.

Killilea suggested the Committee discuss these suggestions and bring the resolution back to the Council after reviewing the following points: 1) how the decision will be made if the outgoing chair may continue to serve, 2) clarify that this would only be necessary if the outgoing chair is also no longer on the senate, and 3) the process if the outgoing chair is in an administrative role after serving on the Senate.

**Proposed resolution on the Vanguard Total International Bond Index Fund**

*See attached Document C.*

Committee Chair Renzi presented the Benefits Committee’s proposed resolution. He noted while the faculty will not have a seat on the University Retirement Committee, the C-FSC and T-FSC will be briefed on their quarterly meetings. The Committee’s hope after today’s vote is to have opportunities to continue to make recommendations such as this on specific funds.
The resolution was passed by vote of the Council.

Renzi announced the move to TIAA as the single record keeper will roll out in the next couple of weeks. There will be an email coming out after spring break, a mailer sent to people’s homes in the beginning of April, and a series of town hall information meetings on campus during the month of April.

**COMMITTEE REPORTS**

*See attached Document D: Committee Reports*

**Discussion/Questions on the following submitted reports:**

**Administration & Technology**

Committee Chair Steeves presented the Best Practices suggestions for course directors using software. She noted the document has passed through the T-FSC and has been reviewed by Vice Provost for Educational Technology, Clay Shirky.

A Senator expressed concerns regarding requiring faculty members to specify the use of social media or third-party web tools in the course description at registration time, especially for those that teach multiple sections.

Steeves noted she will take this concern back to the Committee.

A Senator noted his concern regarding defining a syllabus as a contract between faculty and students. He suggested instead describing a syllabus as a table of contents for the course that should be a guide for the students.

In response to a question on ownership of courses, Steeves stated the syllabus is owned by New York University. The content, if it is provided by an adjunct, not under a memorandum of understanding, is owned by the adjunct.

Steeves noted one of the drivers behind this guideline was concerns over third party software that may be used, social media, and the ownership of the content.

Steeves directed Council members with questions regarding fair use in class content to the scholarly communications librarian: April.Hathcock@nyu.edu.

By general consensus, the Council passed their support of the document, with the few follow-up items discussed.

**Announcement of University Closure**

Senators expressed their concerns over the announcement of the University closure, which was first communicated on Twitter before it was announced on the website or by email and text. It also was unclear at what time the University activities would be closed. Senators noted examples in which students received information before faculty and the effects on classes and exams. Senator suggested drafting a letter of complaint to the Provost.

**Educational Policies & Faculty/Student Relations**

A Senator inquired on interest in mandatory trainings for full-time faculty members around Title IX issues as well as other forms of bias training. It was noted the administration does not tend to support mandating trainings for
faculty. A Senator suggested incentives rather than mandates. The Council did not express a strong interest in mandatory trainings or resistance to mandatory trainings.

**Finance & Policy Planning**

Committee Member Stehlik presented the Committee’s Report and Recommendation on Faculty Annual Merit Increase Budget for 2018-19. She noted the Committee conducted a successful faculty survey two years ago on compensation issues.

She presented the basic principles of the document. At the center is a request for a formal review conducted by a third party firm specializing in compensation and benefits specifically within the academic community. The request is based on several concerns that appear to be escalating without specific policies to monitor their implantation as it relates to an annual merit review. The four issues that continue: 1) compression problems continue without a salary structure or banding system to categorize contributions in relation to titles/job responsibilities, 2) equity issues (see 2016 FAS report ) continue to go uncorrected for gender and under-represented minority faculty, 3) annual Merit Reviews administered at the local school level within guidelines that offer little or no comprehensive structure to address and monitor merit in a just and fair manner, other than reliance on the Dean’s discretion, and 4) Professional Development Funds that adequately support our faculty’s ability to stay current in their respective fields.

She noted the new item in the report is the support for the students’ recommendation for more student mental health resources.

Senators expressed support for better mental health services. Senators discussed options of creating networks across other Universities or local NYC doctors.

A Senator commented on the Dean’s discretion in merit increase decisions and suggested that schools be asked to develop best practices in these decisions. Stehlik commented the university does have guidelines, however there may be inconsistency across schools on how closely they are followed.

Senators noted they needed more time to provide feedback on the document. Stehlik stated she plans to present the final document at the March 27 Senate Finance meeting and was asked by the Chair of the Financial Affairs Committee to send a draft the week of spring break. It was decided that Senators would send comments and/or edits to the shared Google doc by Monday, March 12. Then the draft of the document, with any revisions, would be circulated for electronic vote with a response date of Friday, March 16. Stehlik will send the Chair the draft with the proviso that it is before the Council for a vote.

It was suggested that Stehlik, whose term ends in the spring, continue in an ex-officio capacity on the committee next year. A Senator proposed the immediate past chair of every Council Committee serve in this capacity.

A Senator suggested ensuring documentation be passed along to future committee members. It was also suggested that each committee have a secretary responsible for all documentation being stored in a central location.

It was suggested the Governance Committee review the possibility of staggered terms on committees. The Governance Committee noted they discussed ex officio positions, but with the new visitor policy, suggested this is a way to maintain contact with former chairs.

Killilea recommended the Governance Committee discuss how to best keep institutional knowledge, structure committees for best turnover, and the question of ex officio status.

**Graduate Program Committee**

A Senator expressed his concern regarding the number of online programs being approved. This will be added to the April agenda.
No Discussion/Questions on the following submitted reports:

Communications  
Global Network University  
Faculty Advisory Committee on NYU's Global Network  
Senate Ad Hoc Committee on Sexual Misconduct  
Undergraduate Academic Affairs Committee  

The reports were accepted into the minutes.

OLD BUSINESS

Board of Trustees Resolution

See attached Document E.

Killilea noted that resolutions from the Student Senators Council (SSC) and T-FSC are being presented at the March 29 University Senate meeting. She presented the C-FSC proposed resolution for Fostering Mutual Cooperation between the Standing Committees of the Board and the Standing Committees of the C-FSC. She noted this formalizes the Board’s commitment to engage with faculty.

The resolution was passed by vote of the Council.

ADJOURNMENT

The meeting adjourned at 11:00 AM.
C-FSC—Chair's Report
Chairperson Mary Killilea

Report for March 6, 2018

1. Board of Trustees
   We received two notifications from the February 21, 2018 Board of Trustee's meeting.
   • The Board passed a resolution concerning suspension of Bylaw 81(c) to allow a faculty member to enroll in a doctoral program at NYU.
   • The Board approved the renaming of the Department of French as the Department of French Literature, Thought and Culture and the renaming of the Center for French Civilization and Culture as the NYU Center for French Language and Cultures, effective February 21, 2018.

2. Steering Committee meeting with the Provost
   The C-FSC Steering Committee met with the Provost on March 2, 2018. Our agenda included:
   • A discussion of work-life balance as it pertains to faculty in general and C-Faculty specifically. We would like the benefits committee to create a report on issues that are important to C-Faculty.
   • I shared some observations from my recent trip to Abu Dhabi concerning C-Faculty titles and guidelines for reappointment and promotion. After the discussion, we think it is important for the Provost's office to review the current titles used in Abu Dhabi.
   • They are also working on a response to our Resolution on Termination of Programs and Resolution on Disciplinary Procedures.

3. Meeting regarding the University's Administrative Process Improvement Initiative
   On March 5, 2018, I had a meeting with EVP Marty Dorph, Assistant VP Peter Christensen, T-FSC Chair Wen Ling about the Administrative Process Improvement Initiative. The current phase of this initiative is a review of University's budget processes. The meeting was to provide a brief update on the initiative and discuss faculty input. If there is interest I will work on scheduling a meeting for members of the C-FSC to review the pilot design and provide feedback.

4. Save the Date for the C-FSC End of the Year Retreat and Celebration
   We will have our annual retreat and celebration on Wednesday May 23, 2018. More details will be coming soon.
TO: Steering Committee of the Full-Time Continuing Contract Faculty Senators Council

FROM: Terrance Nolan, Secretary

CC: Carol Morrow, Karyn Ridder

DATE: February 28, 2018

RE: Resolutions Passed at February 21, 2018 Board of Trustees Meeting

Please find attached copies of resolutions passed at the February 21, 2018 meeting of the New York University Board of Trustees that pertain to the academic operations of the University.

For your convenience, below is a list of the attached resolutions:

- Approve Renaming of Department
- Approve Renaming of Center

Attachments
RESOLUTION OF THE BOARD OF TRUSTEES OF NEW YORK UNIVERSITY

APPROVE RENAMING OF DEPARTMENT

WHEREAS, the Dean of the Faculty of Arts and Science has recommended to the Provost of New York University the renaming of the Department of French in the Faculty of Arts and Science; and

WHEREAS, the Provost of the University approves the renaming of such department.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the University approves the renaming of the Department of French as the Department of French Literature, Thought and Culture, effective February 21, 2018.
RESOLUTION OF THE BOARD OF TRUSTEES  
OF NEW YORK UNIVERSITY  

APPROVE RENAMING OF CENTER  

WHEREAS, the Dean of the Faculty of Arts and Science has recommended to the Provost of New York University the renaming of the Center for French Civilization and Culture in the Faculty of Arts and Science; and  

WHEREAS, the Provost of the University approves the renaming of such center.  

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the University approves the renaming of the Center for French Civilization and Culture as the NYU Center for French Language and Cultures, effective February 21, 2018.
TO: Steering Committee of the Full-Time Continuing Contract Faculty Senators Council

FROM: Terrance Nolan, Secretary

CC: Carol Morrow, Karyn Ridder

DATE: February 28, 2018

RE: Resolution Passed at February 21, 2018 Board of Trustees Meeting

In addition to the resolutions sent to you earlier today, a resolution was passed at the February 21, 2018 meeting of the NYU Board of Trustees concerning suspension of Bylaw 81(c) to allow a faculty member to enroll in a doctoral program at NYU. Given the confidential nature of this resolution, it is not provided for distribution.
Memo to: Mary Killilea, Chairperson, C-Faculty Senators Council  
From: Katherine E. Fleming, Provost  
Subject: C-Faculty Senators Council Resolution Regarding Additional Language to the “Disciplinary Procedures” Section of the “Faculty Policies Applicable to Full-Time Continuing Contract Faculty,” NYU Faculty Handbook

March 5, 2018

I reviewed the C-FSC Resolution to amend the section in the Faculty Handbook on Disciplinary Regulations that applies to Full-Time Continuing Contract Faculty. The Resolution proposes to amend the clause, “[Who may file a complaint]” to provide that a complaint may be filed against “any administrative officer charged with supervising Full-Time Continuing Contract faculty or part-time faculty.”

This section of the Faculty Handbook pertains only to disciplinary procedures that may be applied to faculty. This section does not have bearing on disciplinary procedures applicable to administrators; the safeguards, penalties, and appeals that this section provides to faculty are not extended to administrators. Thus, it is not appropriate to add a reference to administrators in this section.

A number of university policies provide for filing complaints and disciplinary procedures against administrative officers, including those who are charged with supervising faculty. These include policies related to discrimination and harassment, sexual misconduct, and financial misconduct. The NYU Code of Conduct provides for reporting, including anonymous reporting, of suspected violations of the Code.

Cc: Carol Morrow  
Ellen Schall  
C.Cybele Raver  
Ulrich Baer  
C-FSC Steering Committee Members:  
Susan Stehlik  
Lauren Davis  
John Gershman  
Leila Jahangiri  
Larry Slater  
Beverly Watkins
C-FSC Governance Committee Report dated February 25th 2018

Committee Members: Lauren Davis, John Gershman, Mitchell Joachim, Antonios Saravanos, Larry Slater, Patrick Ying
Report submitted by: Antonios Saravanos (chair)

Since our last report, our committee has been working extensively online and also on March 2nd 2018. Over this time we revised the proposed resolution on Full-Time Continuing Contract Faculty Senators Council (C-FSC) Senator and Alternate attendance based on the discussions at the last C-FSC Council Meeting but also within the C-FSC Governance committee. We felt that it was the council’s consensus that the responsibility of censuring, removing, and/or replacing a Senator and Alternate rests with the schools. However, we agreed that the C-FSC should make accessible a simpler mechanism to view Senator and Alternate attendance that did not require sifting through meeting minutes. To that end we generated two resolutions. The first entitled ‘C-FSC Proposed Resolution Recommending Schools Establish an Attendance Policy for Members of the Full-Time Continuing Contract Faculty Senators Council’ asks schools to formulate their own attendance requirements for the C-FSC. The second entitled ‘C-FSC Proposed Resolution To Establish a Clearer Record of Attendance for Members of the Full-Time Continuing Contract Faculty Senators Council’ establishes on the website a record of attendance that is easily accessible by Full-Time Continuing Contract Faculty. It also empowers the C-FSC to email schools to inform them if their Senators and Alternates have missed three consecutive meetings and alert them to their Senators and Alternates attendance records. Our next scheduled meeting is for April 6th 2018.
C-FSC Proposed Resolution Recommending Schools Establish an Attendance Policy for Members of the Full-Time Continuing Contract Faculty Senators Council

WHEREAS members of the Full-Time Continuing Contract Faculty (FTCCF) deserve to be actively represented; and

WHEREAS members of the Full-Time Continuing Contract Faculty Senators Council (C-FSC) are expected to actively represent their constituents at their respective schools, colleges, institutes, and portal campuses (collectively, Schools) through attendance at meetings of the C-FSC and the University Senate;

BE IT RESOLVED that the C-FSC recommends to every School that it establish and publish an attendance policy for its Senators and Alternates.
C-FSC Proposed Resolution To Establish a Clearer Record of Attendance for Members of the Full-Time Continuing Contract Faculty Senators Council

WHEREAS the Full-Time Continuing Contract Faculty Senators Council (C-FSC) constituents deserve to know if they are actively being represented; and

WHEREAS it is time consuming for C-FSC constituents to review meeting minutes to identify whether their C-FSC titular Senator and his or her respective alternate was present at a meeting;

BE IT RESOLVED that after each C-FSC and University Senate meeting the Manager of Faculty Governance will reflect on the C-FSC pages of the University Senate website meeting attendance for each of the C-FSC seats, grouped alphabetically by school, college, institute, and portal campus (collectively, Schools); and

FURTHER BE IT RESOLVED that if a C-FSC Senator or his or her respective active Alternate Senator(s) is/are absent from more than three (3) consecutive C-FSC or University Senate meetings and not on paid or unpaid leave, the C-FSC Governance Committee will inform the appropriate faculty governance body at the School of the lack of attendance of their duly elected representatives.
C-FSC Proposed Resolution for the Outgoing C-FSC Chair to Serve in an Ex-Officio Capacity

WHEREAS the Full-Time Continuing Contract Faculty Senators Council (C-FSC) seeks to retain institutional knowledge and provide for continuity of leadership; and

WHEREAS the C-FSC Chair has the experience, knowledge, and relationships to support the C-FSC in carrying out its mission;

BE IT RESOLVED that the outgoing Chair of the C-FSC shall continue to serve in an ex-officio capacity for one year, whether or not he or she has completed his or her elected term of office as Faculty Senator.
Contract Faculty Senators Council
Committee on Faculty Benefits and Housing

Report and Resolution on the Vanguard Total International Bond Index Fund
March, 2018

The Vanguard Total International Bond Index Fund began May 31, 2013. Retail investor shares in the fund (VTIBX) have a current expense ratio of 0.13%. Money magazine has named it one of the Money 50 Best Mutual Funds Now. It is one of the core funds for Vanguard’s family of Target Retirement Funds, which are recommended as the default investment options for Vanguard-electing participants in the NYU Retirement Plan.

No other approved Vanguard bond fund provides international diversification. Among investment options available from TIAA, only the variable annuity CREF Bond Market Account (QCBMIX) has substantial international exposure. This fund’s expense ratio is 0.29%; its investment strategy aims at a favorable long-term rate of return, not diversification; and it seeks to have not more than 20% of holdings in assets other than U.S. Treasury Inflation-Indexed Securities. (As of December 31, 2017, the fund’s current international holdings are 14.4%.) Given its investment strategy, this fund is of little use to retirement plan participants seeking to adjust the international fixed-income asset allocation of their portfolios.

It is clear from its role in the Target Retirement Funds that the Vanguard Total International Bond Index Fund is a high-quality, low-expense investment option for international asset diversification. That it is not also available for direct investment by plan participants seems to be an oversight due to its recent inception date. Particularly with the lack of a similar investment option from TIAA, the committee therefore recommends that this fund should be made available to retirement plan participants as a direct investment option, and moves for the adoption of the following resolution.

WHEREAS the Council has accepted the report of its Committee on Faculty Benefits and Housing in this matter, it is

RESOLVED that the Council requests the University approve the Vanguard Total International Bond Index Fund as an investment option for participants in the NYU Retirement Plan.

1. For admiral shares—VTABX—the ratio is 0.11%.
2. [Link](http://time.com/money/5090045/best-mutual-funds-2018/)
3. Twelve such target funds are currently available to plan participants. Their international bond allocation in this index fund varies from 15.7% (for the in-retirement plan) to 3% (in the 2065 target-retirement plan).
4. The other available fixed-income option from TIAA, the CREF Inflation-Linked Bond Account, has only 0.1% in international assets.
Report from C-FSC Administration & Technology Committee
Date: March 2, 2018

The subcommittee charged with drafting a best practices and guidelines document has completed its charged and produced the final draft, attached. We would like this body to ratify it. The best practices document has passed through the T-FSC and has been reviewed by Vice Provost for Educational Technology, Clay Shirky.

The members from the C-FSC of the subcommittee are as follows: Vicky Steeves, Ed Kleinert, and Antonius Wiriadjaja.

Respectfully submitted,
Vicky Steeves & Edw. Kleinert (co-chairs)
Date: February 12, 2018
To: NYU Senate Councils
From: Carol Shoshkes Reiss, Chair,
Joint Senate Committee on Administration and Technology
Re: Best Practices suggestions for course directors using software

Our committee is forwarding this document for discussion to each of the NYU Senate Councils for consideration. This set of recommendations grew out of discussions by the committee over the course of a year. Our goals are to protect both the privacy and the intellectual property of students.

We are requesting that your councils include discussion of the recommendations. Please inform me of your consensus. The committee will forward the recommendations to the Provost, Katherine Fleming, for implementation in courses beginning Fall, 2018. Clay Shirky, Vice Provost for Educational Technology, has already reviewed and approved this document.

Membership of joint senate committee:
T-FSC: James, Jacobs (co-chair, Law), Frank Upham (Law), Amanda Watson (Libraries), Thomas Wisniewski (Medical) & Carol Shoshkes Reiss (chair, FAS)
C-FSC: Mitchell Joachim (Gallatin), Edward Kleinert (SPS), Jung Kim (Medical) Vicky Steeves (co-chair, Libraries), Antonius Oktaviano Wiriadjaja (NYU-SH)
AMC: Norma Kenigsberg (ITS)
SSC: Jacob Abbott, Christine Dah-In Chung (NYU-AD), Karan Ganta (S18)
DC: Carol Mandel (Libraries)
Student Affairs: Craig Jolley
General Counsel’s office: Mark Righter
Public Safety: Heba Nassef Gore
ITS: Kitty Bridges, Jim Robertson (also Public Affairs)

Subcommittee that drafted recommendations:
Co-chairs: Vicky Steeves, Edward Kleinert
Members: Jim Jacobs, Norma Kenigsberg, Antonius Wiriadjaja & Jim Robertson
Considerations for the Use of Social Media and non-NYU Third-Party Digital Platforms for Teaching and Learning

Purpose:
Social media provides powerful ways to communicate and have re-defined human interactions in the 21st century. When faculty assign social media use for a course, it can help engage students in expression or discussion of their ideas. However, when we require students to register for, post, upload, or otherwise communicate via a software platform not licensed by New York University, it can raise concerns about privacy, accessibility, and equity.

These risks are particularly acute considering our global university; our community members are teaching, learning, and working in nations where laws and norms are different or are interpreted differently than in the United States, and where students are often experimenting with identities and expressions in class that they would never share with the people at home.

Though faculty have the right to teach in the manner appropriate to our classes, we should assess the possible risks when we require social media use on non-NYU platforms, either as a class assignment, or in our own interactions with students. The intersection of personal and professional digital environments (aka the accounts we create from email to Amazon) creates challenges for our university members.

Faculty and staff at NYU have opportunities to use social media and third-party platforms to advance teaching, learning, and scholarship. Just as students have the right, under FERPA, to opt-out of allowing NYU to share directory information, they should have the right not to enter use of social media that generates public disclosure of their contact information or other personal details. And faculty and staff have a responsibility to ensure that the user of such services does not compromise NYU policies and values at the heart of teacher-student and mentor-mentee relationships.

These guidelines are aimed at NYU faculty and staff to guide their interactions with students, when these interactions take place on third-party platforms like Facebook, Twitter, Wikipedia, Wordpress, or Github. (Hereafter, these are referred to collectively as social media.) This can take the form of a requirement for the course itself, as with students being asked to edit something on Wikipedia or post on Instagram, or as a communications tool in the class itself, as with the use of Slack or Facebook to communicate with the students.

Faculty Responsibilities:
If a course requires students to use social media or third-party web tools, faculty should specify that at registration time, in the course description. This will minimize the disruption to any students deciding to request accommodations or decline to enroll upon hearing these expectations. The expectations should be in the form of written guidance posted on the course’s class site and
delivered in a soft and hard copy form to the students, ideally in the syllabus. The course syllabus is the first contact between the instructor and the learners and so sets the tone for the course. It also serves as a de facto contract between faculty and the students, so it is important that it be clear and accurate.

**Sample Syllabus Language:**

During this class, students will be required to use [list app/software] as a part of course studies, and thus, will be required to agree to the “terms of use” associated with such [app/software]. [Choose applicable sentence:] These services do not require you to create an account. OR These services require you to create an account, but it can be a pseudonym. OR These services require you to create or use an account identifying you personally.

You should read carefully those terms of use regarding the impact on your privacy rights and intellectual property rights. If you have any questions regarding those terms of use or the impact on the class, you are encouraged to ask the instructor prior to enrollment.

Unless the course topic is the study of social media or third-party sites, faculty should use such sites only as secondary or tertiary channels for instruction. Students should always be given an alternative channel to access instructional content and interaction. Students should be given the option of posting under a pseudonym. (This recommendation makes it hard to use sites with ‘Real Names’ policies like Facebook or WeChat.) Students should not be required to create an account to view class activities on social media.

NYU-provided services (e.g., NYU Classes, NYU Box, NYU WordPress, Google Drive) have typically been vetted by NYU Office of General Counsel and NYU IT office of Policy and Compliance for privacy, FERPA, and HIPAA compliance. For instance, in 2011, NYU negotiated with Google regarding the university’s use of Google Apps for Education suite (NYU Email, NYU Calendar, NYU Drive, NYU Groups, etc.), which stipulates that -- while Google can monitor traffic and usage patterns to optimize and customize the user experience -- Google will not monetize information captured in these apps (i.e., via advertising targeting and demographic sharing). Forwarding NYU email to your personal email account exposes those emails to “regular” Google Terms of Use -- with less protection than NYU has negotiated and allows the monetization of your personal data. The major risk in using social media or third-party web tools to provide instruction is the lack of such protections.

Remember: the typical business model of free social media and third-party sites is the demographics and data mining these companies conduct on their users, which they then can sell without restriction. As such, be careful when giving away your personal information to a third party, and careful about asking students to do so, as you do not know how and when this would be used.
Considerations:

The key to being safe online is common sense.

- Follow NYU IT Security updates and news -- [https://wp.nyu.edu/itsecurity/](https://wp.nyu.edu/itsecurity/)
- Think through creating friend/fan/follower connections where authority relationships exist (e.g., faculty/student, boss/employee, etc.). Many times you cannot control someone sharing your content or adding you to their connections, thereby gaining visibility to your content.
- Check the default setting when using third party software. Set it to “non-public” if at all possible.
- The Terms of Service Agreement is mainly used for legal purposes by organizations which provide software or services, such as browsers, e-commerce, or search engines. A legitimate terms-of-service agreement is legally binding and may be subject to change. [TOSBack.org](https://www.tosback.org), supported by the Electronic Frontier Foundation, lists changes in terms and policies.

As voice-based services become more popular (e.g., Siri, Amazon Echo, Facebook app on your mobile device), be aware that these services may be “always on,” “listening” in the background, and sending what it hears back to corporate headquarters for analysis. Be thoughtful in requiring or recommending voice-based services as a channel for communication between/among faculty and students.

To access the internet, students and faculty at NYU global locations are urged to use a VPN or connect from an NYU campus; this provides better, safer access than from an Internet cafe or from home. Additionally, students and faculty should take care to follow [best practices](http://example.com) when scraping data from third party websites using an Application Programming Interface (API).

Individual NYU schools may offer school-based tools and services. The NYU IT Office of Information Security is available to help schools assess and vet such tools. We urge schools and individual faculty members to avail themselves of this consultation.
Scenarios:

The following examples are meant to describe the landscape where these best practices might apply:

- A student(s) is encouraged to post data about their grades, projects, past education, jobs, or written articles to an academic social networking site such as Research Gate, Academia.edu, and/or LinkedIn, which may compromise privacy and confidentiality. A faculty member may ask or try to require students to join Twitter to scrape data for classwork or to observe social connections.
- A student(s) or faculty member may need data controlled by for-profit companies for their research. Is there an agreement or ‘Terms of Use’ (not entered into by NYU) related to access to the data, which may impact the ability of the student or researcher to publish the findings?
- A student(s) or faculty member (or staff) is asked to establish a “friend” or “follow” between one another on social media which they may object to.
- A student(s) and/or researcher(s) using Google Glass are required to sign/accept Google’s Terms of Use, which may restrict their ability to conduct and publish research and novel inventions based on this platform.
- A student(s) and/or researcher(s) may want to create a satire or parody account of real people in certain social media for their creative practice.

References & Resources:

- NYU Social Media Best Practices
- NYU Digital Respect initiative
- Education Law Insights. “Are Emails, Texts, Tweets, And Other Digital Communications Student Records Under FERPA And State Law?” February 20, 2013
- Terms of Use for NYU Google Apps for Education
- Tips from Social Media for Educators: Strategies and Best Practices
- 8 Things You Should Know Before Using Social Media in Your Course
- Learning in Bursts: Microlearning with Social Media
- FERPA and Social Media
- Is Your Use of Social Media FERPA Compliant?
- Pros and Cons of Social Media in the Classroom
- Consenting Adults? Privacy in an Age of Liberated Learning Data
- Overcoming Hurdles to Social Media in Education
- Facebook 'real name' policy stirs questions around identity
Report from C-CFSC Communications Committee
Vicky Steeves (chair), Scott Illingsworth (vice chair)

Date: February 28, 2018

The Committee discussed moving forward with an open access faculty policy. We are currently doing an environmental scan on the existing policies from over 100 other colleges and universities in the United States. We are looking at the following aspects of the policy documents in particular:

- Requirements for archiving in an Institutional vs subject repository
- Copyright concerns (especially for faculty who publish creative works)
- Opt-in vs opt-out
- Timeline (do you have to deposit straight away, does it allow for embargoes, etc.)
- Waiver language (if waivers to opt-out are allowed, what language is used?)

We have also reached out to colleges at the T-FSC and the Librarian for Scholarly Communications to collaborate on scoping and developing this policy.

Respectfully submitted,
Vicky Steeves
Date: March 01, 2018

Members: Scott Illingworth, Ethan Youngerman, Fidelindo Lim, Jonathan Ritter, Joseph Borowiec, Noelle Mole Liston, Spiros Frangos

REPORT
Members of the committee met with representatives from the mirrored T-FSC and the Student Senators Council in the past several weeks.

We are working with colleagues in the T-FSC to discuss the implementation of spring admissions in various programs at the university. We are seeking information about the level of consultation and collaboration with faculty about the implementation. Key areas of interest include planning for needed prerequisites and continuity over summer sessions into the following fall semester.

Our conversation with Student Senate Council representatives included their key areas of focus for the spring semester. The SSC representatives seeks a conversation with the C-FSC about mandatory training for faculty regarding Sexual Misconduct as well as Diversity, Equity, Inclusion, and Belonging. We also discussed faculty concerns around on-line course evaluations.

We are planning a joint meeting with the mirrored T-FSC committee and agreed to meet again with representatives from the SSC.

Respectfully submitted,

Scott Illingworth
Reports of CFSC Global Network Committee and Faculty Senate on NYU’s Global Network,
submitted by Sam Howard-Spink on 2/16/18

The C-FSC Global Network committee held its first meeting of the Spring semester on February 15. In attendance were Chair Sam Howard-Spink, Scott Illingworth, Edward Kleinert, Pamela Pietro, Josh Paiz and Aysan Celik.

The committee continued its discussion of alcohol policies and faculty training regarding these policies across the portals. Members shared the specific student-facing policy documents produced by NYUAD and NYU Shanghai. The main concern that emerged was the lack of faculty training in how to deal with alcohol or drug-related incidents, especially in the different cultural and legal contexts across which NYU operates. Whereas students receive instructions on alcohol policy and their responsibilities during their initial orientation, there is no equivalent for faculty. One area of contention is the lack of clarity regarding the responsibilities or expectations of faculty in dealing with alcohol related student incidents. Whether such training is necessary, whether it should be formalized, and who would carry it out, remained unclear. We discussed who to approach about this problem, and both Faculty Affairs and Student Affairs were suggested. Aysan agreed to reach out to the Head of Health Promotion and the Dean of Students at AD, and Josh would broach the subject with the Director of Faculty Affairs in Shanghai, and report back to the committee in March. Scott and Pam also agreed to reach out to the Tisch Office of Faculty and Dean of Students to explore existing NYUNY expectations in these areas.

The committee also discussed the recent Mobility Statement from President Hamilton. It was agreed that various misconceptions about movement around the Global Network remained, and these were problematic to students and faculty across the portals and on the Square. It was suggested that the Committee generate a proposal/resolution/statement of support for students, in an effort to help resolve disagreements and confusion over actual NYU policy. Josh and Aysan agreed to draft this statement, which would in effect begin a dialogue on what we as Continuing Contract faculty can do that would benefit students in the GN in light of concerns around academic mobility.

The Faculty Senate on NYU’s Global Network held a meeting on 2/6/18, with Sam Howard-Spink in attendance. The committee was joined by Zvi Ben-Dor Benite, Associate Vice Chancellor for Global Network Faculty Planning. Dr Benite has been appointed the “point person” moving forward for future incidents involving visa denials to faculty. He described the complexity facing the free movement of NYU students and faculty around the network, given there are 140 nationalities represented across the network itself. Proposals under discussion for tackling the issue include better communications between campuses, and developing protocols for preventing or dealing with similar incidents in future. The group also continued a discussion around Coordinated Hiring between the Square and the portals. It was felt that new departments and programs in the Global Network were developing their own identities, but there was an ongoing struggle over degrees of autonomy between them, the extent to which the demand for new faculty was driven by faculty themselves or Deans, and that a new “menu” of possible joint appointments and affiliations was necessary.
Report of Representatives to the Ad Hoc Committee on Tuition Remission and Portable Tuition Benefits

The committee met on February 21, 2018. Present for the C-FSC was Vincent Renzi.

With the changes to the federal tax law having been enacted, the committee will now return to working on recommendations for updating the tuition benefits policies, using the expanded comparison group of other institutions as requested by the University administration. Importantly, the new law did not change the tax treatment of tuition benefits. The committee will therefore return to finalizing a proposed model for an increase in the portable dependent tuition benefit, with the aim of getting a revised proposal to the administration before summer.
Undergraduate Academic Affairs Committee

The UAAC has met twice this semester (in early February and again in early March). At our last meeting, Bernie Savarese (Assistant Vice President for Student Success) came to discuss...student success. NYU appears to be adopting new software called Starfish, a student information/alert system, and is gathering feedback on what faculty want it to do/not do, and how to roll it out. There was concern about yet another new tech rollout; and there was pushback against a hope that the UAAC would “sell” the new system to faculty. There was, on the other hand, strong voices in favor of a better systems (such as Starfish), largely from administrative members. The basic push is toward more people having both 1) more information about students; and 2) easier ways to connect students to NYU services (e.g. advising, wellness, Moses center, etc); the hope is that such a software system will aid in efforts to increase 1st year retention and graduation (persistence) rates.

In both meetings, the UAAC has also discussed an important but vexing question: what are the common/distinctive/salient characteristics of an NYU undergraduate experience? There has been somewhat of a push, perhaps from as high as the Provost, to create (or unearth as already existing) a shared NYU experience. Some consensus has emerged around the skill of public speaking as something that NYU students need and which could, thus, be built up into a shared experience of some kind. Hopes have also been placed on writing – either within existing writing courses (which are largely shared among undergraduates, though differentiated often by school) or as a new addition/upper-class courses – as an educational act that could both foster metacognition and foster communal experiences among students. There is increasing awareness that the previous language around “global” and “urban” are not fully capturing/uniting the student experience.

Finally, a focus has emerged around faculty-student interaction, specifically the kind of outside-the-classroom experiences often loosely referred to as “Office Hours.” The UAAC has begun thinking of ways to change the NYU culture around office hours, both from the student and faculty perspective. This comes out of an awareness of the benefits of these interactions and an awareness that these interactions don’t happen as much as they could – both because students don’t take advantage of (or know how to take advantage of, or feel comfortable taking advantage of) such opportunities, and because faculty can use help in offering these opportunities. Office Hours are seen as a gateway to more in-depth faculty-student relationships (with genuine mentorship held up as an ideal). The labor issues (time, office space) around such an initiative have also been clearly articulated.

Respectfully submitted by Ethan Youngerman
GRADUATE PROGRAM COMMITTEE REPORT

Wednesday, February 21, 2018.

Three new programs proposals were presented and approved:

- M.H.A Master’s of Health Administration, (Wagner) On-Line
- M.S. in Quantitative Management (Stern) On-Line
- Ph.D. in Urban Infrastructure Systems (Tandon)

Six Memos of Intent for Graduate Program Proposals were discussed for future presentation and voting:

- M.A. in American Journalism (GSAS) – On-Line
- M.A. in Global Art History and MFA in Art and Media (NYUAD – First Graduate Programs by NYUAD)
- M.S. in Global Sports (SPS) – On-Line
- M.S. in Human Capital Analytics and Technology (SPS) On-Line
- M.S. in Executive Coaching and Organizational Consulting (SPS) On-Line.

Respectfully submitted,

Iskender Sahin
Report Senate Ad Hoc Committee on Sexual Misconduct
March 5, 2018

This was the first meeting since Spring 2017, with many new members including students. Zoe Ragouzeos and Mary Signor gave the committee an overview of the functions and purview of OEO, resources to students, reporting procedures for both faculty/staff and students, past work in this area, and key historical points such as the Enough is Enough Law which largely informed current NYU policy.

The two most pressing agenda items were brought forward, with the intent of finishing this year out with clear action items to the following:

**1) Mandatory training for faculty and staff** (anti-harassment and title 9 sexual misconduct training)
   a. The consensus was that the committee was in strong support of pursuing work on this.
      i. Mandatory training may be coming down the pipeline in terms of NY State law, as it has already in other states (such as California and Connecticut); it was agreed we should get out ahead of this, but should try to mirror the requirements, including hours of training, to avoid the need for additional training after legislation is passed. Mandatory online training was adapted by other schools (i.e. School of Medicine).
      ii. While there are concerns around faculty resistance to mandatory training, it was discussed that there is a major climate change and that faculty need to be accountable not only to understanding their role as responsible employees but for ongoing awareness related to sexual misconduct.
      iii. Optional training is already occurring in the form of in-person 90 minute sessions. Further discussion regarding online module training (with or without live support) as a way to reach more faculty and staff occurred.

2) Climate Survey
   a. Mary and Zoe noted that the next climate survey will be conducted in 2018 and that any revisions to the tool will be brought to the committee before implementation.

3) Additional points
   a. Best resource to look at the policy: www.nyu.edu/sexualrespect
   b. To note: last year this committee made recommendation against uniform sanctions. It is the intent of a committee member to raise the issue of how to further support the needs of different schools as per curricular and contextual needs
   c. The policy on consensual relationships (consensual age is 17 years) that moved through this committee was made official on January 21, 2018 and can be viewed at: https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/policy-on-consensual-intimate-relationships.html

Respectfully Submitted by
-Aysan Celik and Gabrielle Gold-von Simson
C-FSC Proposed Resolution for Fostering Mutual Cooperation Between the Standing Committees of the Board and the Standing Committees of the C-FSC

WHEREAS New York University’s Board of Trustees (the “Board”) approved the Principles of Joint Shared Governance with respect to the Tenured/Tenure Track Faculty Senators Council (formerly the Faculty Senators Council) on December 12, 2012 and with respect to the Full-Time Continuing Contract Faculty Senators Council (C-FSC) on February 19, 2015;

WHEREAS, concomitant with the Principles of Joint Shared Governance, the Board recognizes Faculty-Board communication as a critical component of shared governance;

WHEREAS, the C-FSC is committed to the principles of Transparency and Consultation in matters affecting the lives of faculty set forth in the Principles of Joint Shared Governance;

WHEREAS, the Board acknowledges that much of their work is accomplished in Standing Committee Meetings (Board Standing Committee Meetings);

WHEREAS, the Board recognizes the significant expertise that NYU Faculty could bring to Board Standing Committee Meetings that deal with areas of primary concern to the NYU Faculty;

RESOLVED, the C-FSC calls upon Board Standing Committees to meet with the C-FSC Standing Committees one time each semester to discuss areas of mutual concern and matters brought to its attention by the NYU Faculty or members of the Board, as applicable.