I. Composition

1. Representation. The Faculty Senators Council shall consist of not more than thirty-six members. These shall be thirty-three professorial representatives, elected by the voting members of the several faculties of the University in the manner prescribed by the rules adopted by the Council for its own governance and consistent with the bylaws of the University Senate, and not more that three additional professorial representatives appointed at large for three-year terms by the Executive Committee of the Senate with the advice and consent of the elected professorial members of the Faculty Senators Council.

(b) Distribution. The thirty-three elected professorial representatives shall be selected as follows: six from the School of Medicine and twenty-seven apportioned among the schools by the method of equal proportions with the proviso that each school shall be entitled to at least one elected faculty Senator. Each year, the University Secretary shall provide to the Faculty Senators Council and the secretary of the faculty of each school the number of faculty members assigned to each school for the purpose of Senate elections and shall at the same time indicate the number of Senators to which each school is entitled.

(c) Eligibility. For the purposes of the election of professorial representatives, any professor who is a member of more than one faculty shall be assigned by the President to one faculty only, and a professor, otherwise eligible to vote, who is not formally attached to a faculty shall be assigned by the President to one of the faculties of the University. Any professor who holds an administrative office and whose administrative responsibilities encompass a school, the Division of Libraries, or the University shall not be eligible for election to the Faculty
Senators Council. A faculty Senator whose term has expired shall be eligible for reelection. Final determination of eligibility for membership rests with the extant Faculty Senators Council.

(d) Time of Elections. In order to best assure the effective operation of the Faculty Senators Council, all elections for members of the Faculty Senators Council should be held prior to the University Commencement in May. The name of each representative to the Senate should be transmitted to the Secretary of the Senate within five days of the University Commencement in May.

2. Term of Office. Each representative shall serve for a term of three years, from September 1 of the first year until August 31 of the third year, inclusive. The membership of the Faculty Senators Council shall be divided into three groups, serving in staggered three-year terms, in order to provide continuity. In no event shall the terms of a single faculty end in the same year, except when a school has only one Senator. One third of the representatives shall be chosen each year. The term of office of one class shall expire August 31 each year, and the names of the new representatives shall be presented and their offices confirmed at the first meeting of each academic year.

3. Nomination and Election of Faculty Senators: Best Practices

(a) Nominations may be made and elections may be held in any manner adopted by the tenured and tenure-track professorial members of the faculty of each school, provided that there is reasonable opportunity for the presentation of at least three nominees for each Senatorial position (whenever possible), that reasonable notice of the nominations and the election is given to the members of the faculty, and that the nominating and electoral process is conducted by secret ballot, by the faculty free from interference by School or University administrators. These administrators include but are not limited to those represented on the Deans Council and Administrative Management Council, and officers of the University as described in the NYU Bylaws.

(b) Alternatively, if the voting professorial members of the faculty of any School fail to adopt nominating and electoral procedures as provided in subsection (a), the nomination and election of Senators shall be conducted in the following manner. The School’s faculty shall appoint a nominating committee to present at least three names for each Senatorial position, whenever applicable, to the voting professorial members of their faculty by mail at least one week before an election. The notice calling the meeting at which an election is to take place shall specify that the election is among the purposes of the meeting. At such a meeting, nominations may be made from the floor. The meeting shall be held before university commencement in May of the final year of the three-year term of the representative(s) then in office. This entire process shall be conducted by secret ballot, and by the faculty free from interference by School or University administrators, as specified above.

(c) Each school’s procedures shall be published on the FSC website so that members of each school can know and monitor them. Whenever applicable, these should include who solicits nominations, when and how; how nominees are validated as eligible; whether biographies of nominees are provided; who
conducts the election and counts the votes, including when and how; and who reports results to the Coordinator of the Faculty Senators Council.

(d) On a considered belief that either a School has failed to adhere to the procedures adopted by its voting professorial members as provided in subsection (a) or, if no procedures were adopted, a School has failed to adhere to the procedures as described in subsection (b), a detailed written complaint, signed by no fewer than three voting professorial members or 50% (whichever is smaller) of the respective School, may be filed with the Coordinator of the Faculty Senators Council. Such complaint will be investigated by the Governance Committee in consultation with the Executive Committee. The full Faculty Senators Council will determine an appropriate remedy, which may include the requirement of a new election. In no event, however, will any Senator elected under procedures challenged herein be unseated during the pendency of the complaint and the seating of a replacement Senator, should that prove necessary. Until the challenge is settled, the replacement Senator shall not be seated.

4. Alternates and Vacancies.

(a) Each faculty shall elect an alternate representative for each Senator who shall serve if the elected representative is unable to attend a meeting of the Faculty Senators Council. If it is known that a representative shall be unable to serve for three consecutive months during one academic year, the nominating committee authorized to present names for election shall decide whether the alternate shall serve as a replacement for the period of such absence, or for the remainder of the unexpired term, or only until the vacancy can be filled at the next regular election of members.

(b) In cases where an alternate is representing or replacing a Senator he/she shall have full voting privileges.

(c) Alternate Senators are encouraged to attend occasional meetings of the Faculty Senators Council in a non-voting capacity and to attend occasional Senate meetings as guests of their Senators in order to acquaint themselves with the operation of these bodies.

(d) If they have particular interest or expertise, alternate Senators may be asked to serve on committees, with the right to vote on committee matters should that be required. However, alternates should generally not be asked to serve as committee chairs unless they are in an extended period of active service (see 4 a and b).

(e) A faculty failing to elect a representative to fill a vacancy shall be without such representative until one is elected in accordance with these rules.

II. Meetings

The Faculty Senators Council shall meet at least six times a year at the call of its own chairman, including at least twice a year with the President. At the first meeting of the Faculty Senators Council under its own Chair in the new academic year the new representatives shall be introduced.
III. Officers

1. Executive Committee. The officers of the Tenured/Tenure Track Faculty Senators Council shall consist of a Chair, Vice Chair, Secretary, Past Chair, and the Chair-elect, which together shall comprise the Executive Committee.

(a) The Chair shall preside at all meetings of the Tenured/Tenure Track Faculty Senators Council. In the absence of the Chair, the Vice Chair shall preside at the meeting. In absence of both the Chair and the Vice Chair, the Secretary shall preside.

(b) All meetings of the Tenured/Tenure Track Faculty Senators Council are conducted in accordance with Robert’s Rules of Order.

(c) The Secretary shall bear the ultimate responsibility for the minutes.

2. Nominations.

(a) Nominating Committee: The Executive Committee shall appoint a Nominating Committee at the start of the fall semester to consist of 3 members of the Council in the second year of their first terms or the first or second year of any successive terms.

(b) The Nominating Committee for the election of the Chair and the election of Vice Chair and Secretary shall also include, as an ex-officio non-voting member, the current Chair of the Council. The Nominating Committee for the election of the Vice Chair and Secretary shall also include, as an ex-officio voting member, the Chair-elect.

(c) The Nominating Committee should make every effort to prepare a list of at least two candidates for the position of Chair-elect. The list of candidates will be announced in the notice prior to the November meeting.

(d) The Nominating Committee should make every effort to prepare a list of at least two candidates for the positions of Vice Chair and Secretary. The list of candidates will be announced in the notice prior to the February meeting.

(e) FSC members in any year of their term are eligible for election to the position of Chair, Vice Chair, or Secretary. If the Chair-elect or Vice Chair-elect or Secretary-elect is in final year of his/her Senatorial term, then his/her term will automatically be extended by one year and the school election normally scheduled for that Senator’s seat will be postponed for one year. In no event, however, may a Senator’s term be extended by more than two years under this provision.

(f) No person may serve as Chair for more than two academic years without interruption. There is no lifetime limit.

3. Elections.

(a) The Chair-elect shall be elected by secret ballot at the December meeting and will sit with the Executive Committee thereafter.

(b) The Vice Chair and the Secretary shall be elected by secret ballot at the March meeting.
(c) Absentee ballots are permitted for FSC members (senators or active alternates only) in good standing.

(d) For each of these elections, members of the Nominating Committee shall act as Tellers. Election results will be announced at the end of the meeting when the election took place. The vote tally will not be made public.

(e) Nominations from the floor, duly seconded, shall be permitted after the list of candidates has been announced.

4. **Terms of Service.**

   (a) The Chair-elect, Vice Chair-elect, and Secretary-elect will assume their offices following the May meeting of the Council and serve until the following May.

   (b) To ensure continuity, the Past Chair, Past Vice Chair, and Past Secretary will continue to serve on the Executive Committee without voting privileges for one year, even if they have completed their elected terms of office as Faculty Senators.

   **IV. Regular and Special Meetings**

1. **Regular meetings.**

   (a) A calendar of meetings shall be sent to the members of the Faculty Senators Council at the beginning of each academic year.

   (b) Reminders of regular meetings of the Faculty Senators Council shall be sent to the members one week before each meeting.

   (c) Materials pertinent to the meeting will be provided in advance, in so far as possible.

   (d) The text of all substantive motions to be considered at a regular meeting of the Faculty Senators Council must be submitted to the FSC Coordinator by Monday 10:00 am of the week of the regular FSC meeting. The agenda, text of motions, and supporting materials shall be distributed to the members by Tuesday, midday before regular FSC meetings. A motion from the floor is possible but, without this prior notice and documentation, the vote will normally take place at the next FSC meeting following the debate and in exceptional cases by e-mail no less than one week after the debate.

2. **Special meetings.** Special meeting of the Faculty Senators Council may be held on three days’ notice, if called by the Executive Committee or if five or more members, in consultation with the Executive Committee, request it.

3. **Quorum.** At least one half of the voting members of the Faculty Senators Council plus one shall be present at a meeting to constitute a quorum.

4. **Voting.** A member of the Faculty Senators Council or his alternate representative present at a meeting shall be entitled to one vote. There shall be no voting by proxy.

5. **Order of Business.** The usual order of business shall be as follows:
(a) Consideration of the minutes  
(b) Report of the Chair  
(c) Reports of Committees  
   1. Faculty Senators Council Committees  
   2. Special Committees  
(d) Old business  
(e) New business  
(f) Adjournment

V. Other Meetings

1. The agenda for a meeting with the President or with the Provost or Chancellor or with a Committee of the Board of Trustees shall be prepared in consultation with the Chair of the Faculty Senators Council.

VI. Committees of the Faculty Senators Council

1. Standing Committees.

   (a) Executive Committee: oversees and organizes all Council activities; appoints the chairs of the other committees and appoints the committee members; reviews all communications of the Faculty Senators Council; meets with the Provost, Vice Provosts, and the President on behalf of the Council, presenting the concerns of the Council and reporting to the Council on substantive matters discussed.

   (b) Administrative Issues: examines non-academic areas which affect faculty.

   (c) Communications: develops the means whereby faculty can express their opinions and concerns to the FSC and develop a variety of methods whereby the FSC can report back to all faculty. The overall goal is to improve the effectiveness and the visibility of the FSC.

   (d) Educational Policies: acts as the Faculty Senators Council counterpart to the Academic Affairs Committee of the University Senate; interacts with the NYU Center for Teaching Excellence.

   (e) Faculty Benefits: reviews and makes recommendations with regard to faculty benefits. It makes recommendations regarding benefits in concert with the recommendations by the Finance and Policy Planning Committee.

   (f) Faculty/Student Relations: proposes, develops, and implements new programs to enhance faculty participation in campus life; interacts with the University Committee on Student Life (UCSL); helps to inform the faculty about opportunities on campus for faculty-student interaction.

   (g) Finance and Policy Planning: studies faculty salaries, working conditions, negotiation processes; examines long-range issues; addresses other relevant financial matters. It makes recommendations regarding salary increases in concert with the recommendation by the Benefits Committee.

   (h) Governance: monitors University-wide governance and the governance process in the several schools; considers the impact of policies that affect faculty governance; conducts regular periodic reviews of the NYU Faculty Handbook.
(i) **Grievance**: hears faculty appeals from a dean's decision on appointment, reappointment, promotion, or tenure; ascertains compliance with school grievance procedural safeguards; makes recommendations to the President.

(j) **Housing**: discusses issues related to housing for faculty; monitors University policies and practices that affect faculty in University housing.

(k) **Personnel and Affirmative Action**: reviews University personnel policies and practices, including affirmative action, which affect the faculty.

(l) **Tenure Modifications**: considers any proposals affecting tenure; examines problems experienced under tenure rules and considers alternative solutions.

2. **Ad Hoc Committees.** The Executive Committee of the Faculty Senators Council shall have the power to appoint other committees, as it may deem necessary, to aid it in carrying out its responsibilities. Such committees shall report to the Faculty Senators Council.

3. **Membership of Committees.** The Executive Committee of the Faculty Senators Council shall have the power to appoint to its committees such faculty members as it may deem useful to the accomplishment of the work of its committees to serve ex-officio as advisors or consultants.

VII. **Reports from Faculty Senators Council Representatives**

1. **Receiving Reports.** The Faculty Senators Council shall from time to time receive reports from its representatives on the committees or boards of other bodies.

VIII. **Report to Faculties**

1. **Reporting as Council and as Committee.** The Faculty Senators Council shall make regular reports to the members of the faculties of the University of its deliberations and recommendations, both in its character as a Council and in its character as the Faculty Affairs Committee of the University Senate. These may include, but not be limited to, information posted on the Faculty Senators Council website, contained in the Faculty Senators Council Newsletter and presented at Faculty Forums sponsored by the Faculty Senators Council.

2. **Reporting as Senators.** Senators are expected to make periodic reports to their own faculties regarding the deliberations of the Council and its Committees.
Appendix A

There are 5 basic features of shared governance:

1. **Representation**

   WHEREAS: Shared governance means that input from the faculties’ duly elected representatives (FSC) is central to the process of “consulting with faculty”,

   IT IS RESOLVED: That the Faculty’s Senate Council will have representatives, selected by the FSC, on University Committees, Taskforces, or other like bodies dealing with all matters that affect faculty and university policy.

2. **Information**

   BACKGROUND: The Faculty Senators’ Council functions as the personnel committee for the faculty. As such, it is obligated to represent the faculty’s interest in dealing with the administration, and to insure that the faculty is informed on issues that pertain to them and impact their well-being. It has been common practice by the administration to impose a rule requiring confidentiality with respect to deliberations on certain topics, such as, but not limited to, benefits. This practice is referred to as “deliberative privilege”.

   WHEREAS: This practice prevents the faculty from obtaining timely knowledge concerning issues that affect them, and

   WHEREAS: This practice prevents the administration from obtaining valuable feedback from the FSC, and when appropriate, from the entire faculty,

   IT IS RESOLVED: That the Faculty Senators’ Council does not support the practice of a code of confidentiality, also known as “deliberative privilege”, except in cases concerning information specific to individuals, whose privacy rights transcend the need for transparency, and cases involving university negotiating positions with external financial entities.

3. **Consultation**

   WHEREAS: Consultation is a means to obviate potential crises of confidence that can occur when a decision-making group within an organization unilaterally imposes its decisions on the organization, and

   WHEREAS: The quality and effectiveness of academic policy making depends on consultation between informed faculty representatives and the other principals in the University’s decision-making process, and

   WHEREAS: Shared governance means seeking and evaluating faculty input before decisions that affect faculty are made and adequately responding to faculty input,

   IT IS RESOLVED: That when a decision is not pressing, a reasonable length of time for consultation must be provided. During semesters, this means at least a few weeks in order for at least one FSC meeting to occur. For decisions that must occur during the summer, when FSC is not in session, the FSC will establish, before its last meeting of the spring semester, an internal structure for timely consultation and input to administration decisions that affect the faculty.
4. **Reasoned Justifications**

WHEREAS: Accountability is an important element of the consultation process,

IT IS RESOLVED: That when FSC advice is not taken, the Administration will provide, in writing, its reasons for not accepting the FSC’s advice developed through the process of consultation.

5. **Communications**

WHEREAS: Access to information is fundamental to policymaking,

IT IS RESOLVED: That FSC Senators will circulate, through their Schools and departments, the agreement FSC worked out with the Administration (see Memo from Provost McLaughlin, 3/3/2011), which allows Senators access to email addresses of all faculty for the purpose of communicating with the faculty (their constituents).

IT IS RESOLVED: That FSC Senators are obligated to keep their respective faculty informed on an ongoing basis.

**Appendix B**

Addendum to the Resolution on Nomination and Election of Faculty Senators (I.3.)

School election officers and University and School administrators –including but not limited to those represented on the Deans Council and Administrative Management Council, and officers of the University as described in the NYU Bylaws– should avoid any appearance of impropriety or conflict of interest during elections for Senators to serve on the Faculty Senators Council. For this reason, it is preferable that members of School election committees, University and School administrators, or any other person charged with carrying out and/or monitoring elections should refrain altogether from publicly campaigning on behalf of any candidates vying for election to the Faculty Senators Council. This includes, but is not limited to offering public statements on a candidate’s behalf; using any form of print or electronic media to circulate statements on a candidate’s behalf. Further, no member of School election committees may utilize, or provide candidates or persons advocating on behalf of candidates, exclusive access to faculty contact information.