MINUTES OF THE FACULTY SENATORS COUNCIL MEETING OF FEBRUARY 20, 2014

The New York University Faculty Senators Council (FSC) met at noon on Thursday, February 20, 2014 in Room 905/907 in the Kimmel Center for University Life.

In attendance were Senators Alter, Ampka, Backus, Becker, Cappell, Carpenter, Chan, Cowin, Dinwiddle, Dreyer, Jacobs, Jelinek, Kamer, Karl, McIlwain, Miller, Morning, Porfiri, Stanhope, Sundaram, Uleman, Zwanziger; Active Alternate Dasanayake and Stewart; Alternate Senator Archer (for Goodwin), Jerschow (for Mincer), Reiss (for Simoncelli), Simon (for Stokes), Tannenbaum, and Upham (for Kane); Immediate Past Chair Magder. FSC Former Chair Al-Ashkari and Former Member Moskowitz attended as guests.

APPROVAL OF THE MINUTES OF THE MEETING HELD JANUARY 30, 2014

Upon a motion duly made and seconded, the minutes of the January 30, 2014 meeting were approved unanimously.

ANNOUNCEMENT OF THE SLATE OF CANDIDATES FOR FSC CHAIRPERSON, 2014-15

Senator Alter reported that McIlwain has removed his nomination from the slate and current chairperson Raghu Sundaram has made himself available to continue his duties as chair if nominated and elected. Senator Alter asked for nominations from the floor. A senator nominated current chairperson Raghu Sundaram and it was seconded. Senator Alter asked for other nominations from the floor. None were made. Calls for statements were made to the candidates. Current chairperson Sundaram and Angela Kamer both made statements.

ELECTION OF THE FSC CHAIRPERSON, 2014-15

A senator proposed that the current chairperson Raghu Sundaram be re-elected chairperson by acclamation and it was seconded. A vote was made and it was passed unanimously. The elect FSC Chairperson, 2014-15 is Raghu Sundaram.

Executive Committee (EC) Elections – Vice Chair and Secretary

Chairperson Sundaram announced that Senators Amkpa and McIlwain are both in their third year as senators and are not able to run for office in the EC again.

REPORT FROM THE CHAIRPERSON: RAGHU SUNDARAM

Meeting with the President

Chairperson Sundaram reported the meeting focused on a lot of issues but, one particular issue kept resurfacing. The issue was trying to institutionalize many of the openings they have established with the administrative offices in terms of sharing information and decision making going forward. In particular, Chairperson Sundaram proposed the disclosure of financial information to faculty members within Stern. He stated that each school should propose this as well and continue to ask on a regular basis.

Chairperson Sundaram also reported from the meeting that when the university sets up committees in the future it should be largely elected but the FSC should be given some representation and then equal representation in the number of nominees the administration is putting into the committees.
FSC COMMITTEE REPORTS

Personnel Policies & Tenure Modifications: Committee Chair McIlwain & Jelinek

Review and Recommendations: University Guidelines for Full-Time Contract Faculty Appointments

See attached Document D: Recommendations of the FSC in Regard to: NYU Guidelines for Full-Time Contract Faculty (FTCF) Appointments

Senator Jelinek stated that the report is from an ad-hoc faculty advisory committee constituted by the Provost in November 2012. The committee’s goal is to establish University guidelines that will set forth core principles and procedures for hiring, review, and renewal of non-tenure track faculty. The committee was chaired by Jules Coleman, Senior Vice Provost for Academic Planning and Carol Morrow, Associate Provost for Academic Operations Planning and was composed of FTCF who were nominated by the Deans of Schools (and Portal Campuses) and representatives of the Faculty Senators Council (Ted Magder and Molly Nolan), the Office of the General Counsel and the Office of Academic Appointments.

The goal was to set up guidelines that secured and protected the legitimate interests of FTCF while branding the school’s complex ability necessary to deliver and approve their academic programs and thus to meet their educational responsibilities. The idea is that this is a broad set of guidelines that would apply to all schools but not be intrusive into the schools that may then need to determine how best to apply them within their programs. It was designed that way because the schools are very diverse.

The report was reviewed by the Personnel Policies & Tenure Modifications Committee and they feel it is far away from being a set of guidelines. With that, the committee suggests a list of five substantive recommendations and six minor editorial issues. The recommendations are:

Substantive Issues

1. Section III. Titles and Terms of Employment
   Transfer between Contract and Tenured or Tenured-Track Appointments:
   Second sentence, “In rare cases, and then only with provostial approval, a school may choose to convert a non-tenure-track position into a tenure-track position for which the incumbent is eligible to apply within the search process.

   Recommendation:
   Consider stating explicitly that conversion of a non-tenure-track position into a tenure-track position will not foreshorten an existing contract duration, as could occur, for example, if the conversion occurred before expiration of an existing contract and the contractee was not selected for the tenured or tenure-track appointment.

2. Section IV. Hiring, Reappointment, and Performance Assessment
   Reappointment and Promotion
   a. Eligibility and Criteria for Reappointment and Promotion
   First paragraph:

   Recommendation:
   Consider adding after the first sentence, “Schools are encouraged to provide regular feedback to faculty on multi-year contracts regarding their performance.”

   A senator asked who would be responsible in the schools to provide performance feedback. Senator Jelinek proposed either the chair or dean of the department or school. Another senator proposed that the feedback should be written so that there would be a paper trail.

3. Section IV. Hiring, Reappointment, and Performance Assessment
   Reappointment and Promotion
   a. Eligibility and Criteria for Reappointment and Promotion
   First paragraph, second sentence:

   Recommendation:
   Consider removing “Normally” and making this sentence congruent with the January 7, 2014 memo from Carol Morrow and Jules Coleman Re: Decanal Reflections and Questions About 30, 2013 University
Guidelines for Full Time Contract Faculty Appointments – Answer to first question – “…It is also expected that each contract will address whether there is a possibility of reappointment. Make it mandatory that each contract will specify whether there is a possibility of reappointment. In the event that it is not known whether reappointment is a possibility at the time the contract is initiated, the contract should clearly state so.

4. Section IV. Hiring, Reappointment, and Performance Assessment

Reappointment and Promotion
a. Eligibility and Criteria for Reappointment and Promotion
   Second paragraph, first sentence:
   
   Recommendation:
   Consider adding “and establish clear processes” after “standards” to read: “Each school shall set exacting standards and establish clear processes for reappointment and promotion…”

5. Section V. Grievances Related to Reappointment and Promotion of Full-Time Contract Faculty

   c. Who Can Grieve
   Second sentence:
   
   Recommendation:
   Consider clarifying the definition of “negative decision”—does it mean only non—reappointment or could its meaning include the terms of reappointment? For example, would a reappointment for a fewer number of years than a previous appointment qualify as a legitimate grievance (assuming such grievance is based on allegations that “1. The procedures used to reach the decision were improper, or that the case received inadequate consideration; or 2. the decisions violated the academic freedom of the faculty member in question”)?

Chairperson Sundaram asked if the “negative decision” includes promotions and Senator Karl asked if this guideline pertains to faculty in international locations. Senator Jelinek confirmed he would include promotions and raise the issue regarding faculty in international locations in the final recommendation.

Minor editorial Issues

1. Section I. Introduction: replace “represent” with “are” to read “Full-time contract faculty are a distinct and …”

2. Section II. Formulation of School Policies (and elsewhere throughout):
   When referring to school policy/policies, use “policy” or “policies” and the appropriate pronoun consistently in context throughout. “Policies” is the most appropriate as the guidelines refer to multiple policies (i.e., appointment, review, and reappointment).

Footnote 3: strike “Of course” and begin sentence “All policies must be consistent…”

3. Section III. Titles and Terms of Employment
   Transfer between Contract and Tenured or Tenure-Track Appointments:
   Second sentence: change “On the other hand, which is colloquial to “However”

4. Section IV. Hiring, Reappointment, and Performance Assessment: add “Promotion” to read “Hiring Appointment, Promotion, and Performance Assessment”

5. Section IV. Hiring, Reappointment, and Performance Assessment
   Hiring Plan and Process
   a. Duration of Contracts: second paragraph, first sentence, change second “are” to “is” to read, “which is approved by the Provost.”

6. Section V. Grievances Related to Reappointment and Promotion of Full-Time Contract Faculty
   d. The School Grievance Process:
   3rd paragraph: change “convened” to “convoked” to make parallel with previous usage.

Governance: Committee Chair Uleman

Faculty Handbook Amendments

See attached Documents E: Faculty Handbook Introduction, Document F: Faculty Handbook Introduction – Track Changes
Senator Uleman reported that the committee discovered in Fall 2012 that there was no procedure in the handbook to amend the handbook. Since then, the committee has been working with administration to create a procedure. To modify the Faculty Handbook, begin by contacting the Office of the Provost who determines whether the proposed change has merit and where it goes next. Eventually all proposed changes have to be approved by the Board of Trustees. It was once stated and printed that the Faculty Senators Council (FSC) were the approvers of changes to the handbook but, it has since been removed from print because that statement was found incorrect. Administration stated that FSC can review and be notified when changes were made and can comment on those changes on the FSC website. When things are changed, they are in effect and a note is made. FSC has to be notified of the changes but, if the FSC does not get a chance to review the changes before it is posted it is designated as pending review by the FSC. On the FSC website it is clear what is pending review and what the FSC has commented on. Senator Reiss mentioned that in a meeting with Bonnie Brier, she stated that there are times when federal law changes and it requires immediate change of all university documents to be consistent with federal law. These are the only situations where something will be put up before having a discussion. Another senator suggested that it be explicitly noted that only in that condition can administration have the ability to change items for federal or legal reasons without the notification of the FSC.

Senator Uleman also mentioned that the Office of the Provost wants to maintain a record of changes to the faculty handbook online. This will apply to not only the handbook but, all the documents linked to it. Carol Morrow and her office have a system in place that will aid in the collection and maintaining of the change records.

A senator asked if the changes to the handbook can include the changes to tenure and tenure-track faculty. Senator Uleman stated that after long discussions with central administration that it doesn’t make sense for the changes for both to go hand in hand. The faculty handbook changes in a number of respects. The definition of tenure cannot change in the handbook because it was agreed that tenure is inviolable.

Senator McIlwain proposed a motion to approve the Faculty Handbook Amendments and it was approved.

Global Network University: Committee Chair Amkpa

_Eliot Borenstein and Una Chaudhuri, Co-Chairs, Faculty Advisory Committee on NYU’s global Network_


Senator Amkpa presented the questions provided to the Provost regarding the GNU and his responses. As a committee, they decided that the FSC should hear from people in the forefront, especially faculty, who are advising the university on this matter. Senator Amkpa introduced Eliot Borenstein, Una Chaudhuri, and Martin Klimke.

Eliot Borenstein, faculty from FAS Russian and Slavic Studies, and Una Chaudhuri, faculty from FAS English and Drama at Tisch, are co-chairs for the Faculty Advisory Committee on NYU’s Global Network. The committee is at the stage where they are actively seeking input from as many constituents from the university and faculty as possible. The committee spent the first year gathering information and speaking to people to understand the complexity of the Global Network. They gathered their information and initial thoughts into two documents which were sent out in a mailing to all university school’s chairs and department heads.

One document was “Principles and Tensions” which attempts to summarize persistent and pervasive themes and concerns that they found in many of their conversations. The second part, tensions, seemed to be the major obstacles that were being confronted at the study away sites and the opportunities and demands being made on the faculty by the establishment of the two portal schools. Two items on this document were most strongly heard from faculty:

- Departments, programs and schools should have ultimate and unfettered authority to establish requirement and recommendations regarding study away for their majors.
- Participation in global initiatives must be voluntary and should not be a yardstick for measuring the success or vitality of a department or other academic unit. Global initiatives cannot be the only path for a department or academic unit’s development.

The second document was a questionnaire they developed from the portal schools. They went directly to the program heads and faculty to ask them to share what they wanted about the programs. They asked them about the academic vision of it and particularly the collaboration between their department and the counterpart department here at the main campus.
The committee hoped that these two documents might help the departments shape the conversations internally which might help identify some topics they want to convey to the committee. In turn, this will feed into the final report that will be submitted by the end of the semester.

**Provost David McLaughlin**

Provost David McLaughlin stated that NYU is first a research university and over the last 20 years has become a truly excellent research university. Today, the university competes successfully for faculty in the very best universities in the world. Universities, almost without exceptions, are high-endowment schools. Given NYU limited financial resources, it’s reasonable to ask how has NYU been so successful and is NYU’s success sustainable? Simply put, NYU has remained successful by investing its available resources in faculty and academic resources and capitalizing on the NYC location as a feature that distinguishes NYU from other excellent universities. To sustain this success, President Sexton and Provost McLaughlin have become convinced that NYU needs a second distinguishing characteristic. They believe that the Global Network University has the potential to provide that second characteristic, when added to the traditional characteristics of academic excellence and NYU’s location and city will provide NYU the distinctions needed to maintain, improve and sustain the excellence that the university now has.

For this concept for a Global Network University to really meet this academic/sustainability need, it must be a fully connected network. It’s hard to imagine that Abu Dhabi and Shanghai’s tiny campuses can have the breadth and depth of a research university. Not unless, those tiny campuses are completely and fully connected to New York. Those campuses might be excellent but, isolated nodes will not accomplish either the sustainability and excellence of NYU or the creation of full research campuses in Abu Dhabi or Shanghai.

NYU’s Global Network must be a network founded upon the flow of information, people, and ideas. A network where the linkages are more important than the individual nodes. This contrasts greatly from the best research university network that we know, namely the University of California system, where their excellence is based on the excellence of their nodes. The Global Network has been designed for these academic purposes. Each of the steps taken during the design and implementation has been to enable and enhance connectivity of the network. Needless to say, faculty and departmental engagement are essential for the success of this endeavor. This faculty and departmental engagement is, and has been, our current focus for the past several years. As an important part of that focus, the president and provost have been working with the FSC Global Network University Committee, Faculty Advisory Committee for the Global Network University, and with the Trustees Committee on Global. Provost McLaughlin is particularly pleased this year with the interactions and coordination between the two faculty committees.

Chairperson Sundaram asked how the Global Network University is going to enhance research productivity among the faculty. Provost McLaughlin responded that the two portal campuses and their sites provide resources that the university just couldn’t have without them. The Research Institute in Abu Dhabi primarily houses 60 post-doc students that work on projects that are completely tied to New York. In each case, the PI tied to the project is an NYU faculty member. That NYU faculty member is leading a team of other NYU faculty members, NYU Abu Dhabi faculty members, research scientists, post-docs, and grad students. For the most part that team is located in Abu Dhabi for their work but they are eminently tied to the many different departments on the main campus. The whole model rests and falls on connectivity.

A senator asked about department inequalities that have been fostered and enhanced through connectivity. Provost McLaughlin clarified that there are two big sets of resources, faculty lines and the Research Institute. The first resource is faculty lines in either Abu Dhabi or Shanghai and their impact on faculty development on the main campus. Affiliated lines are an example. A department sends a faculty member rather regularly to Abu Dhabi they can replace them on a tenure or tenure-track line. The faculty lines began primarily with curriculum coverage to make sure the university had faculty on the ground in Abu Dhabi and Shanghai that could cover the curriculum. Standing faculty in Abu Dhabi and Shanghai were used as well as affiliated faculty. That was the first requirement. The university then selected a dozen or so disciplines and tried to do faculty searches in those disciplines. There are departments in fields that don’t fit in either of those categories and cannot not fit into them in those department’s minds. Unfortunately, those departments won’t reap the benefits of other departments that do fit. Some departments are highly skeptical and can’t figure out how they can participate. The second resource is the Research Institute. The university was trying to create a research institute that was not only in science and engineering but encompass projects from other disciplines. In two separate occasions, the university called for proposals. Both were wide open calls. Each set of pre-proposals were reviewed internally in the university by the Provost office and a few were asked to submit full proposals. Those full proposals were juried externally. During that process, the Provost office made sure not only one project was funded but try to have a collection of projects being funded. There were no pre-selections of certain areas. Although in the process of reviewing, the Provost office tried to make sure that the entire university’s activities were represented.

**Martin Klimke, NYU Abu Dhabi Faculty Member**

*See attached Document K: NYUAD Faculty Governance Structures & Procedures*
Martin Klimke reported that there are 200-210 faculty members at NYU Abu Dhabi. As far as setting up a governance structure at NYU Abu Dhabi, they are heavily inspired by the governance structure in New York. They have adopted the 5 Principles of Shared Governance and their governance structure mirrors that of New York. They have a Faculty Council Steering Committee which is similar to the Executive Committee of FSC. The Faculty Council in Abu Dhabi resembles the FSC in New York. It combines the faculty on the ground with the leadership and administration. In addition to Faculty Council, they have Faculty Forums that follow a dual chamber structure. The only difference is that Faculty Forums are a safe space for faculty to hear and discuss grievances and concerns without the leadership and administration present. That structure was instituted last year and has been very successful so far.

Agenda items that they are currently pursuing are academic policies, curriculum issues, faculty development, and creating an infrastructure to strengthen the ties with colleagues from New York.

ADJOURNMENT