MINUTES OF THE FACULTY SENATORS COUNCIL MEETING OF OCTOBER 14, 2010

The New York University Faculty Senators Council (FSC) met at noon on Thursday, October 14, 2010 in Room 405 in the Kimmel Center for University Life.

In attendance were Senators Bogart, Cappell, David, Economides, Fernandez, Gale, Hammack, Harrington, Hutchins, Jones, Karl, Lebowitz, Magder, Monaco, Nolan, Phillips, Raiken, Schacht, Shimakawa, Simon, Sundaram, Tranchina, Van Devanter, Wachtel, and Zwanziger and Alternate Senators Deneys-Tunney, Kleiner, Kropf, Reiss, and Tannenbaum. FSC Consultant/Advisor Al-Askari attended as a guest.

APPROVAL OF THE MINUTES OF THE MEETING HELD SEPTEMBER 23, 2010

A motion was duly made and seconded to approve the minutes of the meeting held September 23, 2010 as distributed.

REPORT FROM THE CHAIRPERSON: ROBERT SCHACHT

Chairperson Schacht reported the FSC sponsored a New Faculty Welcome Reception on Tuesday, September 28 at the Kimmel Center. 95 new faculty members, 17 FSC members, and 4 members of the University Administration attended.

The FSC also co-sponsored the New Faculty Lunch with the Office of Faculty Resources on Thursday, October 7. Schacht had the opportunity to present a brief welcome to the attendees on behalf of the FSC.

The Executive Committee met with the Provost on September 28. Schacht stated Provost McLaughlin repeated the decision on the FSC tuition remission resolution of 9/23/10 based on Alfano’s original response. See attached Document A. This will be discussed later in the meeting.

Schacht reported on the Provost’s follow-up to the Executive Committee’s question regarding academic freedom at Abu Dhabi. He shared the message sent by Ron Robin, Senior Vice Provost for NYU Abu Dhabi and Special Advisor to the Vice Chancellor, to the Interim Dean of FAS, Jess Benhabib:

“We do have a written agreement: As at NYU New York, NYU Abu Dhabi operates consistently with the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors and the Association of American Colleges and Universities. This is a core tenet of our agreement with our Abu Dhabi partners.

As you may recall, in advance of the campus opening, there had been discussion of a "cultural zone" where our academic freedom guarantees would be applied. However, among the concerns was that this approach seemed too limiting due to its geographical confinement. Consequently, it was agreed that NYUAD should operate with academic...
freedom, without limiting it to the physical boundaries of the campus. This is a positive development.

On non-academic matters, if members of the NYUAD community are respectful of local cultures and customs when they are in public, we are confident that private behaviors will remain private matters. We were clear about these issues with faculty, students, and staff prior to their arrival in Abu Dhabi.” (sent 9/30/10)

Senator Harrington questioned how the University will provide liability insurance. Senator Karl asked about NYU’s response if a NYU faculty, student, administrator, staff member or dependent is arrested in Abu Dhabi. Vice Chair Zwanziger questioned if there is a document stating an agreement on NYU’s actions. Former Chair Hammack commented that attendees at all study away sites are subject to the laws of the country in which they study abroad. Senator Cappell noted the assurances given by the University have changed over time. He gave the example of a faculty forum which addressed this issue and commented the administration did not provide legal guarantees or mention contractual agreements. Senators Hutchins and Raiken mentioned information provided by Sexton at a University Senate meeting last academic year to the effect that the head of protection at Washington Square was sent to Abu Dhabi to provide training for the NYU AD security personnel, thereby acting as liaisons with the local police. Karl suggested the need for a written statement of what the university plans to do if legal and extra-legal issues occur with NYU students, faculty, administration, etc. Schacht stated he will contact General Counsel and speak to the Provost.

FSC COMMITTEE REPORTS

Communications Committee: Senator Hutchins

Senator Hutchins reported the Communication Committee is ready to send out the final faculty survey report following the guidelines developed for distribution. See attached Document B. Senator Harrington asked if an executive summary would first be presented, as discussed at the last FSC meeting. Hutchins responded that the senators expressed a need for a timely delivery of the survey report and the Committee would like to move forward with distributing the final report. Coordinator Ridder clarified that a brief summary of respondent demographics and preliminary findings were featured in the spring 2010 newsletter, FSC minutes, and Floyd’s senate presentation. Hutchins confirmed brief points will be used to introduce the full report. Senator Jones added there will be a cover page about the methodology to introduce the survey.

Hutchins also stated the Communications Committee is moving forward on the FSC website’s transition to the new NYU website’s content management system. The committee is in touch with website communications and has been informed that the FSC is in the queue and expects by the spring of 2011 to be moved into the new user interface.

Vice Chair Zwanziger asked if the Committee could look into the issue of an online faculty directory. Hutchins stated this is a project for the Administrative Issues Committee. She reported she has been informed that printed faculty directories will not be produced. Senator Jones added the current search engine directory should be upgraded to allow for misspellings, etc. and provide better search results. Senator Lebowitz mentioned SCPS has its own printed directory, as do some other schools.

Benefits Committee: Senator Jones

Senator Jones reported the Benefits Committee met last Thursday with Katie Casey, Vice President of Human Resources and Linda Woodruff, Associate Vice President & Deputy of HR. At the meeting it was mentioned the money saved from the tuition remission cuts would not be rolled into portable tuition, as some had speculated previously. In regards to the age limit change
to tuition remission benefits, it was stated that 14 students in NYU undergraduate degree granting programs were no longer able to receive tuition remission benefits this fall because they met the age limit. It was reported that if these 14 students were grandfathered in, as the FSC 9/23/10 resolution requested [see attached Document A], and were allowed to receive tuition remission until the end of their degree program, it would cost $550,000. Jones asked for information on the number of students already enrolled at NYU who will hit the age limit before completing their undergraduate program, which is the additional cohort included in the FSC resolution. Casey and Woodruff stated the registrar’s office will be contacted for this information.

Jones reported the committee questioned how the administration plans to make tuition less burdensome for faculty and other employees who have dependents reaching the age limit. Casey and Woodruff produced the two options offered in Alfano’s 8/31/10 memo. See attached Document A. These solutions included asking one’s school dean for financial assistance or encouraging the student to pursue a full-time job at NYU to receive tuition benefits. Jones noted the first solution disadvantages smaller schools with fewer funds and is dependent on one’s relationship with the Dean. As for the second solution, Senator Monaco questioned what NYU jobs are available to those without a college degree. Jones also noted that those working at NYU can not pursue a full-time degree because of the limits on the number of course covered by tuition remission. Chairperson Schacht recalled that during the New Faculty Lunch President Sexton mentioned the significant number of NYU students with 1, 2, or 3 jobs and the lack of time they have to pursue extracurricular activities. Advisor Al-Askari underscored the importance of shared governance, and commented that matters must be brought to the attention of the FSC for faculty deliberation and advisement. Senator Harrington pointed out the issue of FSC members not being part of the ‘President’s Core Group’ mentioned in Provost McLaughlin 9/29/10 response to the resolution. See attached Document A. She stated the Governance Committee is looking into the issue of shared governance as well as developing literature and identifying best practices. Senator Raiken added there have been several instances in the past in which the FSC confronted President Sexton on issues not being first raised to the FSC.

Alternate Senator Tannenbaum stressed the immediate need of the 14 students affected by the age limit this year. Senator Karl reported 2 of the students received school funding for the current academic year. Tannenbaum suggested hosting a forum, and Monaco recommended publicizing this issue. Senator Cappell suggested the Executive Committee bring up the issue with President Sexton and cautioned against making the issue public. Monaco mentioned the Medical Center’s social media policy which restricts certain publicity by faculty members, an issue which is under examination by the Tenure Modifications Committee.

Jones concluded by stating extra handouts from the Benefits Office are available to FSC members.

NEW BUSINESS

Senator Reiss asked for an update on the idea of a 2031 Forum. Schacht reported he has been in touch with Lynne Brown, Senior Vice President for University Relations and Public Affairs, and planning will begin shortly.

ADJOURNMENT

The meeting adjourned at 1:55 PM.
Response from Provost McLaughlin, 9/29/10

From: David McLaughlin [mailto:david.mclaughlin@nyu.edu]
Sent: Wednesday, September 29, 2010 4:53 PM
To: Robert Schacht
Cc: Daniel Zwanziger; Carol Hutchins; floyd hammack; john.sexton@nyu.edu; michael.alfano@nyu.edu; Carol Morrow; karyn.ridder@nyu.edu; Diane C. Yu; ron.robin@nyu.edu

Subject: Re: FSC Resolution Regarding Age Limit on Tuition Remission for Dependent Children

Dear Bob,

We have reviewed the Faculty Senators Council Resolution Regarding Age Limit on Tuition Remission for Dependent Children, which was approved by the Faculty Senators Council at its September 23 meeting.

The FSC Executive Committee raised these issues in its August 25 correspondence with President Sexton last month, and received a detailed response from EVP Michael Alfano on August 31, 2010. The President’s Core Group discussed the September 23 resolution and agreed that the University position on these issues has not changed. Within the schools, and at the school level, Deans may choose to make special arrangements with individual faculty to help relieve unanticipated personal financial burdens associated with tuition.

Sincerely,

David W. McLaughlin
Provost
New York University
MEMORANDUM

TO: President John Sexton
    Provost David McLaughlin
    Executive Vice President Michael Alfano

FROM: Robert Schacht
       Chairperson, Faculty Senators Council
       A/Y 2010-2011

SUBJECT: Faculty Senators Council Resolution Regarding Age Limit on Tuition Remission for Dependent Children

At the September 23, 2010 meeting of the Faculty Senators Council, the attached resolution was approved.

CC: Senior Vice Provost Ron Robin
    Associate Provost Carol Morrow
    Chief of Staff and Deputy to the President Diane Yu
    FSC Vice Chairperson Daniel Zwanziger
    FSC Secretary Carol Hutchins
    FSC Immediate Past Chair Floyd Hammack
Resolution of the Faculty Senators Council
Regarding Age Limit on Tuition Remission for Dependent Children
Approved September 23, 2010

Until June 1, 2010, the qualification of a “dependent child” for purposes of tuition benefits at NYU required only the submission of the faculty member’s tax forms indicating that the child was in fact a dependent. There was no limit on the age of the child.

In an email dated July 28, 2010, from the NYU Benefits Office, with a subject line of “REMINDER: Tuition Remission Changes Effective Fall 2010 Semester,” it was announced for the first time that, effective June 1, 2010, a child must meet the following qualification in order to be deemed a dependent child for purposes of tuition benefits: “A dependent child must be age 23 or younger as of the end of the calendar year to be eligible for TR in that year, aligning eligibility with the IRS definition of a dependent child. If a child will be 24 by the end of the calendar year, he or she is not eligible for TR in that year.”

In view of the absence of notice, the absence of any opportunity for the faculty to discuss and respond to this sharp cut in anticipated benefits for affected faculty, and the sudden imposition of an unanticipated financial burden on affected faculty members that could mount to more than $100,000, the Faculty Senators Council hereby resolves that:

Resolution Approved by the Faculty Senators Council on September 23, 2010:
Dependent children of active or retired NYU faculty who have been officially accepted by a degree-granting program at NYU as of September 1, 2010, will be eligible for the same tuition benefits for which they would have been eligible under NYU’s previous definition of a dependent child, which imposed no age limit.
Guidelines on Distribution of FSC Faculty Survey Report and Raw Data

- **Posting on FSC website**
  - The Survey Report will be posted on the FSC website: www.nyu.edu/facgov/

- **Distributing to NYU Faculty**
  - The Survey Report will be distributed to all faculty via email
  - The Fall Newsletter will also contain an article on the survey and a link to the Survey Report
  - The complete open-ended comments and raw data will not be sent to the faculty

- **Distributing to NYU Administration, etc.**
  - The Survey Report will be distributed to the following members of the administration: President John Sexton, Provost David McLaughlin, Executive Vice President Michael Alfano, Senior Vice Provost Ron Robin, Associate Provost Carol Morrow, and Chief of Staff and Deputy to the President Diane Yu
  - The report will be distributed at the same time as distributed to the faculty
  - If Committee Chairs or other FSC members would like to provide the link to the Survey Report to other members of the university community, they may do so as needed

- **Distributing to FSC Committee Chairs**
  - FSC Committee Chairs will be sent copies of the report and the open-ended comments from their section. These comments will be categorized and sorted by category in order of frequency the category is mentioned.
  - Committee Chairs will also receive the raw data for internal use by their committee. This data is not for outside circulation. If the committee would like to make wider use of this raw data for further dissemination, they must first get permission from the FSC Executive Committee.