MINUTES OF THE FACULTY SENATORS COUNCIL MEETING OF DECEMBER 12, 2013

The New York University Faculty Senators Council (FSC) met at noon on Thursday, December 12, 2013 in Room 905/907 in the Kimmel Center for University Life.

In attendance were Senators Allgood, Alter, Amkpa, Backus, Becker, Cappell, Carpenter, Diner, Dinwiddie, Disotell, Dreyer, Goodwin, Jacobs, Jelinek, Kamer, Kane, Karl, Ludomirsky, McIlwain, Miller, Mincer, Rajagopal, Rodwin, Simoncelli, Stanhope, Stokes, Sundaram, and Uleman; Active Alternates Dasanayake and Stewart; Alternate Senators Walters (for Chan), Frydman, and Tannenbaum; and Immediate Past Chair Magder. FSC Former Chairs Al-Askari and Lebowitz; and Former Member Raiken attended as guests.

APPROVAL OF THE MINUTES OF THE MEETING HELD NOVEMBER 14, 2013

Upon a motion duly made and seconded, the minutes of the November 14, 2013 meeting were approved unanimously.

CALL FOR NOMINATIONS: CANDIDATES FOR FSC CHAIRPERSON, 2014-2015

Chairperson Sundaram announced the members of the Nominating Committee: Mark Alter, Angela Kamer, and Dan Zwanziger, and Raghu Sundaram as current Chair of the Council will serve as an ex-officio non-voting member. The Committee called for nominations for the position of FSC Chairperson, 2014-2015. Nomination, including self, should be sent to karyn.ridder@nyu.edu

REPORT FROM THE CHAIRPERSON: RAGHU SUNDARAM

Proposed Amendments: FSC Rules of Procedure and Bylaws regarding Senator elections


Chairperson Sundaram presented the following resolution, approved by the Governance Committee and the Executive Committee:

IT IS RESOLVED: That the Faculty Senators Council approves the following amendment to the FSC Rules of Procedure:

Current Language:

1. Representation (d) Time of Elections

All elections for members of the Faculty Senators Council shall held prior to May 1, and the name of each representative to the Senate shall be transmitted to the Secretary of the Senate within five days.
Revised language:

1. Representation (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.

The resolution was approved unanimously by vote of the Council.

Chairperson Sundaram presented the following resolution, approved by the Governance Committee and the Executive Committee:

IT IS RESOLVED: That the Faculty Senators Council approves the following Bylaw amendments:

Amend language of Bylaw 63(c) in December 2013 [which will become Bylaw 64(c) due to another amendment to the Bylaws] to the following:

Current language:

63. The Faculty Senators Council c. Elections and Appointments

All elections for members of the Faculty Senators Council will be held prior to May 1, and the name of each representative to the Senate will be transmitted to the Secretary of the Senate within five days.

Revised language:

64. The Faculty Senators Council c. Elections and Appointments

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.

The resolution was approved unanimously by vote of the Council.

Board of Trustees (BOT) Resolution: Senate Representation for Poly


Chairperson Sundaram presented the following resolution, approved by the Governance Committee and the Executive Committee:

IT IS RESOLVED: That the Faculty Senators Council approves the following Bylaw amendment:

RESOLUTION OF THE BOARD OF TRUSTEES OF NEW YORK UNIVERSITY

Interim Amendment to the Amended and Restated Bylaws with Respect to Senate Representation for the University’s Polytechnic School of Engineering:
WHEREAS the Polytechnic Institute of New York University ("NYU-Poly") will become the Polytechnic School of Engineering of the University ("School of Engineering") effective on the merger (the "Merger") of NYU-Poly into New York University (the "University"), which is expected to occur on January 1, 2014; and

WHEREAS, the University Senate expects to make comprehensive recommendations with respect to the composition of the University Senate in the spring of 2014, including with respect to representation in the University Senate of the University's full-time contract faculty and the School of Engineering; and

WHEREAS, the University Senate has made an interim recommendation that would assure representation of the School of Engineering in the University Senate effective as of the date of Merger; and

WHEREAS, the Board of Trustees of New York University endorses the interim recommendation of the University Senate.

NOW, THEREFORE, RESOLVED, that the composition of the University Senate will be increased by four members beginning on the date of the Merger through August 31, 2014 as follows:

(a) the faculty member of NYU-Poly who currently serves as an Observer on the Faculty Senators Council ("FSC") will become an FSC representative in the University Senate;
(b) the Dean of the School of Engineering will become a Deans Council representative in the University Senate; and
(c) an undergraduate student and a graduate student in the School of Engineering, each selected as determined by the Student Senators Council ("SSC"), will become SSC representatives in the University Senate; and

FURTHER RESOLVED, that these resolutions constitute an interim amendment to the Amended and Restated Bylaws of the University effective January 1, 2014 (the "Bylaws") and that provisions in the Bylaws (including Bylaws 60, 64(b) and (c), and 66(b)) that provide limits on the size of the Senate, the FSC, and the SSC without consideration of this interim amendment are deemed amended from the date of Merger through August 31, 2014 so as to increase the sizes consistent with these resolutions.

A Senator asked if this conforms to the FSC rules on proportional representation. Senator Jelinek, a member of the Senate Committee on Organization and Governance (SCOG), confirmed it does conform to the current formula.

The resolution was approved unanimously by vote of the Council.

**Questions: NYUAD**

See attached Document B: *Questions from FSC Executive Committee, Answers from the Office of Vice Chancellor of New York University Abu Dhabi: Alfred Bloom*

Chairperson Sundaram presented this document to the Council.
Provost response to review of TSOA Guidelines for Arts Professors

See attached Document C: Provost response to review of TSOA Guidelines for Arts Professors.

Chairperson Sundaram stated this is the final response to the FSC’s review of this document.

Executive Committee (EC) Meeting with the President on December 2, 2013

See attached Document D: Student Financial Aid

Chairperson Sundaram reported the Executive Committee and President Sexton discussed the data on student financial aid and presented several questions for a follow-up discussion, including where aid funding is coming from and how we compare to other institutions. According to the figures, the number of students receiving aid has stayed roughly the same, but aid received by students has gone up. The President commented this is part of the University’s commitment to offer aid to those with the most need. The EC also explored the definition of minority versus under-represented minority. Secretary McIlwain clarified these categories match the federal categories.

Executive Committee (EC) Meeting with the Provost on December 6, 2013

Chairperson Sundaram reported the EC met with members of the Provost Office and discussed the category of Global Professor. This is a term used by the Faculty of Arts and Science, and is not a designation within the Global Network University. The EC was informed any tenured/tenure-track hire at the portal campuses must be considered eligible to serve on the Ph.D. committees of local department and both local department and portal campus must approve the hire. Faculty will have a primary affiliation with one campus: New York, Shanghai, or Abu Dhabi. Contracts may require faculty to spend time in another location, but there will be a primary affiliation with one campus. There is intent to have a few specialized Ph.D. programs in both AD and Shanghai. The GNU Committee will explore the possibility of Ph.D. students working with faculty in New York versus on their primary campus. A Senator stated in his department students must specifically apply to the New York department or the Abu Dhabi department.

FSC COMMITTEE REPORTS

University Space Priorities Working Group: Committee Members Magder, Chan, and Kamer

University Space Priorities Working Group Q & A with FSC

See attached Document E: University Space Priorities Working Group Q & A

Chairperson Sundaram asked if the FSC had any follow-up questions on the information received by the University Space Priorities Working Group.

A Senator asked if the University would provide an answer on the University’s current real estate. Magder responded there should be detailed information in the submission to the city and this information may be available in the Uniform Land Use Review Procedure (ULURP) declaration.

A Senator asked if it is possible for zoning regulations to be revisited or revised. Magder responded this has happened in some instances, for example 730 Broadway was re-zoned when web labs were put in place for the Physics department. He noted that labs are different than classroom zoning regulations. The general understanding of the University is it will not receive a variance to build classrooms on the other
side of Broadway. For instance, the former Tower Records property, to date, has not received a variance to convert to an academic space. It is zoned for industrial and commercial use.

A Senator asked about the two buildings mentioned in question 1, one with 100,000 and one with 180,000 square feet, and asked why there are considered unsuitable. Magder responded one is considered too small to accommodate performance space or larger classrooms and the other has issues with classroom zoning. This means purchasing would add to the cost but there still would be a need to find another building or build somewhere else to meet the needs. Magder stated these real estate opportunities were looked at in detail and the factors of space needs, cost, and disturbances during construction were taken into account.

A Senator expressed his concern with quality of life issues and the University’s inability to deal with current, basic noise problems. Magder stated the Working Group has had many long conversations with Operations about how the University has handled these issues historically. He stated the University made a commitment to replace all windows with double-pane windows. The Group also recommended establishing a standing body to manage quality of life issues and hire an independent industrial agent to work directly with this standing body.

A Senator added his concern about the safety of workers, noting he witnessed workers without proper safety equipment.

A Senator stated the University does not have a good history of appointing independent agents and expressed her lack of faith and a belief that trustees are personally benefiting from this construction. Another Senator objected to the last comment as verging on defamatory and asked that any evidence that trustees are self-dealing be produced.

**Benefits & Housing: Committee Co-Chairs Chan and Stokes**

*NYU/NYU-Poly Summary Benefits Analysis*

See attached Document F: *NYU/NYU-Poly Summary Benefits Analysis*

Senator Stokes presented the report created by the Office of Human Resources on the comparison of NYU-Poly benefits received last year versus this year, after the merger is complete. In short, they will need to pay more for benefits. For example, for families it will cost $1,000-2,000 more for coverage. But there are mitigating factors, including merit increases, transition bonus, improved 403B plan contributions, and expanded tuition remission benefits. It was noted that it would cost too much for all of NYU to receive the benefits package offered to NYU-Poly pre-merger, and NYU is generous in cost-sharing. Employees pay 18%, which is less than other institutions. It was noted that benefits are under pressure at many institutions. A Senator noted Columbia University has removed tuition remission benefits for Medical School faculty members.

Stokes stated the Committee has a meeting with Alison Leary, Executive Vice President for Operations, to discuss obtaining information and detailed reports from the Housing and Benefits Offices.

**Upgrades at Lease Renewal, Incentives to Down-size, Emergency Preparedness**

In terms of Faculty Housing, the Committee is working on a proposal to offer a menu of options for apartment upgrades, besides just painting, during lease renewal. There also exploring the opportunity of cost-share for higher priced upgrades. The Committee is also discussing incentives for empty-nesters to down size and reviewing emergency preparedness.
Questions for Committee

A Senator asked about the impact of the GNU on housing, the circulating of new faculty, how new faculty are being accommodated, and if/how many apartments are remaining vacant in the process? Stokes stated there are certain departments that are responsible for specific apartments. Stern, for instance, controls certain apartments. A Senator asked how many apartments are controlled generally, by specific schools, and which schools have apartments in their control. Another Senator asked about the University’s long-term plan on rent increases.

Senate Committee on Organization and Governance (SCOG): Committee Member Jelinek

SCOG/Senate EC/Planning Committee meeting on FTCF Representation

See Document G: SCOG/Senate EC/Planning Committee meeting on FTCF Representation

Senator Jelinek reported SCOG received the responses from the other Councils on the Full-Time Contract Faculty (FTCF) representation. The Student Senators Council recommended that Tenure Track Faculty, Tenured Faculty, and Full-Time Contract Faculty are collectively categorized as “The Faculty”, regardless of representative structure and “The Faculty” representative structure should not increase the total Faculty voting power on the University Senate beyond its current 41%. The Administrative Management Council recommended the FTCF be given 6 seats. The Dean’s Council agreed with the SSC that the SSC should maintain their current voting power, which would mean they would receive more seats if other Councils received additional seats. And the FTCF should receive the same proportional representation as tenured/tenure-track faculty, meaning if the Senate is not going to grow in size the FSC should have 18 seats and the FTCF should have 18 seats.

Senator Uleman sent a document stating his opinion on the functions of the various constituents of the University Senate.

SCOG sent a memo to John Sexton and Bonnie Brier on November 25, 2013. See Document H: SCOG Memo to University Senate Executive Committee. In the memo they stated the following suggestion from SCOG’s meeting of November 21, 2013:

After the FTCF are represented in the Senate, the Senate would begin a self-evaluation, which would not take more than two years, and that, based on this self-evaluation, there would be developed a recommendation for the relative and appropriate proportional representation of the different Councils in the Senate that aligns the functions of their respective constituencies in the University with the functions of the Senate. Preparations for the self-evaluation process, which would be coordinated by SCOG, could begin immediately, but such process would not officially commence until the FTCF are seated in the Senate so that its members could participate.

A Senator stated the spirit of the FSC’s resolution was to recognize the role of tenured/tenure-track faculty, maintain the University’s commitment to tenure, and not count all full-time faculty as a whole.

A Senator stated the need for more information on the credentials and roles of the contract faculty.

A Senator stated the Trustees want this decided by the June meeting, but this is not a requirement. A Senator countered if the FSC/SCOG does not move forward the Trustees may still move forward in June.

A Senator recommended letting the Schools decide on the issue of representation.
Another Senator stated the FTCF will never agree to having fewer seats and will argue for an equal number of seats as the FSC. He suggested re-visiting including FTCF on the FSC. Chairperson Sundaram suggested adding this to January’s agenda.

SPECIAL PRESENTATION

NYU Divest: Go Fossil Free Presentation: Special guests Sophie Lasoff & Blake Sugarman

See attached Document H: NYU Divest Presentation

Students Sophie Lasoff and Blake Sugarman presented on NYU Divest, a group of NYU students, faculty, staff, and alumni calling on NYU to divest the university endowment from the fossil fuel industry, specifically from the top 200 publicly traded coal, oil, and natural gas companies.

NYU Divest is dedicated to fighting climate change and the fossil fuel industry is the leading cause of man-made climate change. They presented the following data:

At the UN climate summits, every country has agreed that the maximum amount of atmospheric warming the Earth afford is 2°C, which equates to burning approximately 565 gigatons of hydrocarbon fuels beyond current levels. Recent reports show that the fossil fuel industry has over five times that amount in its reserves. Fossil fuel divestment is a clear way for NYU to live up to its values and help address this crisis.

NYU Divest is part of a growing movement of over 400 campus campaigns across the country. So far, 7 schools, 20 cities, and 14 religious institutions have committed to divesting.

They mentioned the success of other divestment movements, for example NYU divested from companies profiting from South African Apartheid,

The presenters acknowledged NYU’s commitment to sustainability and emphasized that the divestment demand is in line with the mission and values of the university.

A Senator commented that these companies are also developing alternative energies. He emphasized the economic challenge. He also suggested creating another movement, such as encouraging students to take a fossil fuel vacation, avoiding car, boat, or air travel.

The presenters cited several articles linked in their presentation (see attached Document H).

NYU Divest is asking for the support of the FSC and the next step is the FSC’s formal support through a resolution. They provided an example of a proposed resolution in the handouts and encouraged the FSC to review. The group also presented to the Student Senators Council and is waiting to hear back on their formal support.

ADJOURNMENT

The meeting adjourned at 2:20 PM.
Proposed FSC Resolutions Regarding
FSC Rules of Procedure Amendments and Bylaw Amendments
Approved by the Governance Committee and presented by the Executive Committee for consideration
at the Faculty Senators Council Meeting, 12/12/13

Resolution 1:

IT IS RESOLVED: That the Faculty Senators Council approves the following amendment to the FSC
Rules of Procedure:

Current Language:

1. Representation
(d) Time of Elections

All elections for members of the Faculty Senators Council shall be held prior to May 1, and the name of
each representative to the Senate shall be transmitted to the Secretary of the Senate within five days.

Revised language:

1. Representation
(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.
Resolution 2:

IT IS RESOLVED: That the Faculty Senators Council approves the following Bylaw amendments:

Amend language of Bylaw 63(c) in December 2013 [which will become Bylaw 64(c) due to another amendment to the Bylaws] to the following:

Current language:

63. The Faculty Senators Council
   c. Elections and Appointments
      (sentence 1)

All elections for members of the Faculty Senators Council will be held prior to May 1, and the name of each representative to the Senate will be transmitted to the Secretary of the Senate within five days.

Revised language:

64. The Faculty Senators Council
   c. Elections and Appointments

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.
Resolution 3:

IT IS RESOLVED: That the Faculty Senators Council approves the following Bylaw amendment:

RESOLUTION OF THE BOARD OF TRUSTEES OF NEW YORK UNIVERSITY
Interim Amendment to the Amended and Restated Bylaws with Respect to Senate Representation for the University’s Polytechnic School of Engineering:

WHEREAS the Polytechnic Institute of New York University (“NYU-Poly”) will become the Polytechnic School of Engineering of the University (“School of Engineering”) effective on the merger (the “Merger”) of NYU-Poly into New York University (the “University”), which is expected to occur on January 1, 2014; and

WHEREAS, the University Senate expects to make comprehensive recommendations with respect to the composition of the University Senate in the spring of 2014, including with respect to representation in the University Senate of the University’s full-time contract faculty and the School of Engineering; and

WHEREAS, the University Senate has made an interim recommendation that would assure representation of the School of Engineering in the University Senate effective as of the date of Merger; and

WHEREAS, the Board of Trustees of New York University endorses the interim recommendation of the University Senate.

NOW, THEREFORE, RESOLVED, that the composition of the University Senate will be increased by four members beginning on the date of the Merger through August 31, 2014 as follows:

(a) the faculty member of NYU-Poly who currently serves as an Observer on the Faculty Senators Council (“FSC”) will become an FSC representative in the University Senate;
(b) the Dean of the School of Engineering will become a Deans Council representative in the University Senate; and
(c) an undergraduate student and a graduate student in the School of Engineering, each selected as determined by the Student Senators Council (“SSC”), will become SSC representatives in the University Senate; and

FURTHER RESOLVED, that these resolutions constitute an interim amendment to the Amended and Restated Bylaws of the University effective January 1, 2014 (the “Bylaws”) and that provisions in the Bylaws (including Bylaws 60, 64(b) and (c), and 66(b)) that provide limits on the size of the Senate, the FSC, and the SSC without consideration of this interim amendment are deemed amended from the date of Merger through August 31, 2014 so as to increase the sizes consistent with these resolutions.
MEMORANDUM

Date: November 22, 2013
To: Executive Committee, Faculty Senators Council
From: Bonnie Brier, General Counsel and Secretary
Subject: Proposed Bylaw Changes

As you know, the Board of Trustees expects to make modest changes to the Bylaws in December and more substantial changes in June. The most significant December changes relate to Polytechnic Institute of New York University becoming NYU's Polytechnic School of Engineering effective January 1, 2014.

Marty Lipton approved the proposed Bylaw changes yesterday. If the FSC desires to have Bylaw 63(c) [which will become Bylaw 64(c) due to another amendment to the Bylaws] amended in December, as opposed to June, we are prepared to ask the Board to do so. We are proposing the following language:

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.

The FSC Resolution regarding what will become Bylaw 64(c) recommended: changing the outside date for elections from May 1 to June 1, adding "extenuating circumstances" language to the timing, requiring an explanation to the FSC Governance Committee if an election is not held within the June 1 time frame, and having notice of the results of an election go to the Secretary of the Senate within five days of June 1 (as opposed to five days of the election).

We believe our proposed language captures fully the intent of the FSC resolution, but in a manner that is consistent with the Bylaws. A few thoughts on the logic and rationale:
Memorandum to Executive Committee, Faculty Senators Council  
Proposed Bylaw Changes  
November 22, 2013  
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(1) We agree that extending the date beyond May 1, as recommended by the FSC, makes good sense. As noted in a prior email, we would think that extending the date beyond graduation - after which so many faculty are gone - may be less advisable.

(2) We are in full agreement that it is prudent to clarify that the timing of elections is not mandatory. At the same time, it also seems worthwhile to explain why the timing is important, ergo the addition of: “In order to best assure the effective operation of the Faculty Senators Council”.

(3) The Bylaws are at a high level and it would be extraordinary to include a provision requiring an explanation in writing for an election that is held after an expected date - and particularly to an FSC committee that is not mentioned in the Bylaws. If the FSC still desires that a school going beyond the expected date for elections provide notice to the FSC Governance Committee, we think the more appropriate way to achieve that outcome is for the FSC to amend its own Rules to require the notice.

The proposed changes that affect faculty in educational and administrative policy are adding the Dean of the Polytechnic School of Engineering to the Dean’s Council and correspondingly permitting the Deans Council membership to be up to 16, instead of up to 15 (Bylaw 65(b)) and adding the Polytechnic School of Engineering to the list of Schools and Colleges (Bylaw 70). We propose to have an uncodified, temporary amendment to the Bylaws (draft Resolution attached) that would effectuate the University Senate Resolution on Senate representation for the Polytechnic School of Engineering.

We bring to your attention other Bylaw amendments that will be considered by the Board in December but that do not relate to changes that affect faculty in educational and administrative policy: the officer position “The Executive Vice President” has been vacant since Mike Alfano stepped down and it is proposed to clarify that this is a permissive, but not mandatory, officer position (Bylaws 24 and 34), the Board Committee on Online Education and Technology that was created by Board resolution in 2012 is expected to be added to the Bylaws (Bylaw 39 and new Bylaw 45, which caused the renumbering thereafter), and there is a proposed change to the duties of the Finance Committee (Bylaw 50). It also is possible that there may be changes to the IFA advisory board provisions (Article XIII), as requested by IFA. Many schools and institutes have advisory boards but for historic reasons only the IFA and ISAW boards are referenced in the Bylaws.

Please let me know if you would like to move forward on the Bylaw 64(c) amendment at this time or wait until June. Many thanks.
RESOLUTION OF THE BOARD OF TRUSTEES
OF NEW YORK UNIVERSITY

INTERIM AMENDMENT TO THE AMENDED AND RESTATED BYLAWS
WITH RESPECT TO SENATE REPRESENTATION FOR
THE UNIVERSITY’S POLYTECHNIC SCHOOL OF ENGINEERING

WHEREAS the Polytechnic Institute of New York University (“NYU-Poly”) will become
the Polytechnic School of Engineering of the University (“School of Engineering”) effective on the merger (the “Merger”) of NYU-Poly into New York University (the “University”), which is expected to occur on January 1, 2014; and

WHEREAS, the University Senate expects to make comprehensive recommendations with respect to the composition of the University Senate in the spring of 2014, including with respect to representation in the University Senate of the University’s full-time contract faculty and the School of Engineering; and

WHEREAS, the University Senate has made an interim recommendation that would assure representation of the School of Engineering in the University Senate effective as of the date of Merger; and

WHEREAS, the Board of Trustees of New York University endorses the interim recommendation of the University Senate.

NOW, THEREFORE, RESOLVED, that the composition of the University Senate will be increased by four members beginning on the date of the Merger through August 31, 2014 as follows:

(a) the faculty member of NYU-Poly who currently serves as an Observer on the Faculty Senators Council (“FSC”) will become an FSC representative in the University Senate;
(b) the Dean of the School of Engineering will become a Deans Council representative in the University Senate; and
(c) an undergraduate student and a graduate student in the School of Engineering, each selected as determined by the Student Senators Council (“SSC”), will become SSC representatives in the University Senate; and

FURTHER RESOLVED, that these resolutions constitute an interim amendment to the Amended and Restated Bylaws of the University effective January 1, 2014 (the “Bylaws”) and that provisions in the Bylaws (including Bylaws 60, 64(b) and (c), and 66(b)) that provide limits on the size of the Senate, the FSC, and the SSC without consideration of this interim amendment are deemed amended from the date of Merger through August 31, 2014 so as to increase the sizes consistent with these resolutions.
From the Office of Al Bloom, NYU-AD  
In response to questions from the FSC-EC

- Are curriculum matters decided by the portal campuses on their own or in collaboration with the respective departments at NYU?

The curriculum of each major at NYUAD is coordinated with the corresponding department in New York. One of our goals is to facilitate student mobility so we have tailored the majors to assure that Abu Dhabi students have met the prerequisites for courses in their majors when they study in New York. Upper-level electives in the NYUAD majors tend to reflect faculty interests and the global orientation of the NYUAD curriculum, however even those AD inflections are developed in consultation with NY colleagues. Faculty hiring committees combine NY and AD faculty, and the hiring decisions of these joint committees involve curricular choices.

- Can the partner institutions/host governments object to certain courses or material being taught (in history courses for example or certain texts)?

No. NYU Abu Dhabi is protected by academic freedom.

- On the other side, can they insist on certain material being part of the curriculum?

The Commission on Academic Accreditation, a division of the UAE Ministry of Higher Education, has set an Islamic Studies requirement for all universities in the UAE. We have accommodated that requirement by asking our students to take at least one course on:

1. The history, society, literature or culture of the Islamic world; or
2. Muslims in the global diaspora; or
3. A full year of Arabic language study before graduation

The course may also count toward other requirements, such as the core, a major, or a concentration. Courses that fulfill this requirement are available across the curriculum. We think it is appropriate for students at NYUAD to learn about their host society and have not encountered any concerns with this requirement.

Finally, Provost McLaughlin mentioned to us the provisions in faculty contracts that protect them against visa problems or other site-related issues (viz., that they are given two years of salary in that case). Have any faculty members or students in your experience had such problems? If so, what was done?

The UAE requires every employee at educational institutions to complete a security clearance process and obtain a visa, whether faculty or administrator, living abroad or in
the UAE. NYUAD requires prospective employees to complete these procedures before we offer an employment contract. If a candidate encounters a legal hurdle, we work closely with our government partner to appeal the decision.
Memorandum from: David W. McLaughlin, Provost
To: Raghu Sundaram, Chairperson, Faculty Senators Council
Re: TSOA Guidelines for Arts Professors

I write in reply to the October 10 Resolution of the FSC Regarding Review of the TSOA Guidelines for Arts Professors: Appointments, Renewals, Promotions. I appreciate the Council’s careful review of the document and your comments. The FSC requested “changes and clarifications” on two points and “clarification” on three additional points. I respond below to each point, incorporating consultation with Dean Campbell. I am also attaching a clean and tracked copy of the Guidelines amended by TSOA in response to points raised by the FSC.

With my approval, the attached revised interim TSOA Guidelines for Arts Professors, dated November 8, 2013 take effect immediately. As I noted in my September 17 letter to the FSC, this document will be employed until such time as University guidelines for full-time non-tenure track faculty are adopted. At that time, like all schools, TSOA will need to review this interim document and, if needed, amend it to be consistent with the guidelines.

FSC item 1: “Reconcile language in 1.2 regarding “Full-Time Faculty” to be consistent with University Handbook guidelines for who can be designated as such. This consistency can be accomplished without altering the spirit with which the language is proposed by the Tisch faculty by making the second-to-last sentence read, “Arts Professors and tenure/tenure track professors both provide full-time service to the Tisch School.” We note that the Faculty Handbook makes a distinction between the term “full-time”, which is reserved for tenure/tenure track faculty, and the term “full-time service” which applies to both tenure/tenure track faculty and those non-tenure track faculty who provide full-time service to the University. Accordingly, the term “full-time faculty” should not be applied to non-tenure track faculty.”

Correspondence of October 29, 2013 from W. Jelinek and transmitted by R. Sundaram referenced two passages in the Faculty Handbook: 1) Organization and Administration, The University Senate, citing Bylaw 59 and concluded “Thus, the implication that ‘full time’ is synonymous with tenured/tenure track;” and 2) The Faculty, Section VI. Academic Tenure.

The cited sections in the Faculty Handbook are not a model of clarity. We have consistently interpreted these two passages to mean that only a full-time faculty member can be eligible for tenure, and not that all full-time faculty are tenure eligible. In other words, we believe that these passages are addressing only tenure/tenure track faculty. Any ambiguity in the first text can be clarified when the issue of representation of the full-time contract faculty is resolved later this academic year.
My firm position is to interpret the Handbook consistent with our practice - our full-time contract faculty receive full-time employee benefits and enjoy the privilege of full-time status within the University - and in a manner that is respectful to our full-time contract faculty. Thus, I do not accept the view that the term “full-time faculty” should not be applied to non-tenure track faculty. On this point, the TSOA faculty are adamant.

FSC item 2: “Clarify the final sentence in section 1.5. In keeping with prior sentiment expressed by the FSC, we would strongly prefer that the policies in effect at the time of appointment apply to any action taken regarding Arts Professors with respect to appointments, renewals and promotions (see March 14, 2013 FSC resolution, Library Proposal to Create a Non-Tenure Track). We understand that the Provost has previously pointed out that the University Policy On Policies, and guidelines for contract faculty in other Schools similarly dictate that “it is the policies in effect at the time of an action that apply.” (See May 1, 2013 Memo from the Provost, FSC Recommendation about Division of Libraries Revised Faculty By Laws). However, we note that the example provided in that document is not commensurate with the FSC’s primary concern: ensuring that faculty are not unfairly disadvantaged by changing guidelines directly related to their appointments, renewals, or promotions that might be instituted after the time of appointment.”

Let me take this opportunity to further clarify University policy. This is an important issue that is also under discussion with respect to procedures for amending the Faculty Handbook. University policies can be changed and applied to existing faculty and other employees, as stated in the NYU Policy on Policies that you cite. Laws and their interpretations change, and ethical standards, customs, and expectations also change over time. No institution can remain stagnant over the decades a faculty member is employed; in addition, the practical challenge of administering policies differently for different persons would be unduly burdensome if not impossible. The sentence in Section 1.5 that reads, “it is the policies in effect at the time of an action that will apply to that action” aptly expresses this position. This is not to suggest that grandfathering is not considered when a new policy is promulgated or a current policy is revised in a manner that significantly adversely impacts a class or category of faculty or other employees. Even then, however, the grandfathering may be limited (e.g., to longer-serving employees or employees closer to retirement or for some period of time).

With respect to the Arts Professor policy: It is not uncommon for academic standards for appointment, reappointment and promotion to change during the course of the faculty member’s appointment, as is the case here. Arts Professors currently have contracts that set forth the length of the term of the appointment (three years for an Assistant Arts Professor, and five years for Associate and Full Arts Professors), and that the review is in the penultimate year of the contract. The new policy explicates considerations and criteria in the review process, increases the length of appointment by one year in each rank, and describes how the new policy will be implemented: In section 1.5 TSOA added the sentence, “In accordance with NYU Policy, this Policy regarding Arts Professors shall apply to all appointments and promotions henceforth. While the standards and procedures for review stated in this Policy apply to all Arts Professors, all Arts Professors currently in rank will have the option of being reviewed in the year applicable under their current contracts, or having their contracts extended by one year and being reviewed in the year applicable to their contracts under the New Policy.” The TSOA Dean’s Office will send a notice shortly to all Arts Professors explaining the option and providing a specified time in which faculty must file the election. Arts Professors who do not make a timely election will be reviewed in the year applicable under their old contracts.

FSC item 3: “Also in section 1.5 the procedure for amending the policy should be defined, and the procedure should include the faculty.”

TSOA added language to Section 1.5 to address this point: “Any amendment to this Policy must be in writing, submitted to the Tisch faculty for discussion and vote at a Faculty meeting and follow
University and Tisch policies for compliance with laws, consistency among policies, and guidelines for amending."

**FSC Item 4:** "Add language in sections 4.1 and 4.2 that specify what the review process is for determining whether an Arts Professor will be appointed past the first year probationary period, what the process is for annual review following the probationary period, including what School governing bodies/individuals will conduct the reviews."

TSOA amended the text to address these points: In section 4.1: “An Arts Professor’s review during the probationary year is conducted by the Department Chair. Guiding criteria for the Department Chair’s probationary year review may include, without limitation: evidence of commitment to teaching excellence, teaching syllabi, classroom observations, reports from area heads, professional activities and the quality of service contributions to the Department and to the School.” In section 4.2: “The Department Chair shall conduct an annual review of Arts Professors of all ranks. Beginning in the term of initial appointment, the format for the annual review and the criteria used to evaluate success in the areas of teaching, professional activity and distinguished service shall follow the annual review guidelines implemented by Tisch and the Department in which the Arts Professor teaches."

**FSC Item 5:** "Specify in the final sentence of section 4.7: "The Chair of the Department is also notified and a request is sent [to whom?] that external evaluators be identified [by whom?]."

TSOA amended section 4.7 to address these points: “The Chair of the Department is also notified and the Chair sends a request to external evaluators who will be identified by the Chair."

Again, we appreciate your careful review of the TSOA policy and your suggestions for improving it.

**Attachment**

TSOA Guidelines for Arts Professors: Appointments, Renewals, Promotions, November 6, 2013

cc: Awam Amkpa, FSC Vice Chairperson
    Ulrich Baer, Vice Provost for Arts, Humanities and Diversity
    Mary Schmidt Campbell, Dean, Tisch School of the Arts
    Peter Gonzalez, Assistant Provost for Academic Appointments
    Katherine Fleming, Deputy Provost and Vice Chancellor
    Ted Magder, Immediate Past FSC Chair
    Charlton McIlwain, FSC Secretary; FSC Personnel Policies & Tenure Modifications Co-Chair
    Warren Jelinek, FSC Personnel Policies & Tenure Modifications Co-Chair
    Carol Morrow, Associate Provost for Academic Operations Planning
    Louis Scheeder, Associate Dean, Tisch School of the Arts
### First-time, Full-time Freshman Financial Aid

#### Cohorts 1999-2000 to 2012-2013

Source: IPEDS Student Financial Aid

<table>
<thead>
<tr>
<th>Year</th>
<th>Number Receiving Institutional Grant Aid</th>
<th>Average amount of institutional grant aid received</th>
<th>Tuition and fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999-2000</td>
<td>2,543</td>
<td>$8,048</td>
<td>$23,456</td>
</tr>
<tr>
<td>2000-2001</td>
<td>2,622</td>
<td>$8,240</td>
<td>$24,336</td>
</tr>
<tr>
<td>2001-2002</td>
<td>2,677</td>
<td>$8,176</td>
<td>$25,380</td>
</tr>
<tr>
<td>2002-2003</td>
<td>2,661</td>
<td>$8,960</td>
<td>$28,496</td>
</tr>
<tr>
<td>2003-2004</td>
<td>2,656</td>
<td>$9,536</td>
<td>$30,094</td>
</tr>
<tr>
<td>2004-2005</td>
<td>2,689</td>
<td>$10,847</td>
<td>$31,690</td>
</tr>
<tr>
<td>2005-2006</td>
<td>2,603</td>
<td>$10,749</td>
<td>$33,420</td>
</tr>
<tr>
<td>2006-2007</td>
<td>2,748</td>
<td>$12,792</td>
<td>$35,290</td>
</tr>
<tr>
<td>2007-2008</td>
<td>2,512</td>
<td>$14,986</td>
<td>$37,372</td>
</tr>
<tr>
<td>2008-2009</td>
<td>2,956</td>
<td>$16,598</td>
<td>$38,765</td>
</tr>
<tr>
<td>2009-2010</td>
<td>2,701</td>
<td>$15,720</td>
<td>$40,082</td>
</tr>
<tr>
<td>2010-2011</td>
<td>2,673</td>
<td>$17,672</td>
<td>$41,606</td>
</tr>
<tr>
<td>2011-2012</td>
<td>2,351</td>
<td>$23,721</td>
<td>$43,204</td>
</tr>
</tbody>
</table>

#### Average Institutional Grant Aid as a Percent of Tuition and Fees

- 1999-2000: 34%
- 2000-2001: 34%
- 2001-2002: 33%
- 2002-2003: 32%
- 2003-2004: 34%
- 2004-2005: 36%
- 2005-2006: 40%
- 2006-2007: 43%
- 2007-2008: 39%
- 2008-2009: 42%
- 2009-2010: 55%
- 2010-2011: 55%
- 2011-2012: 55%
- 2012-2013: 55%
# NYU Undergraduate Student Trends

**2002 to 2012**

### Applications

<table>
<thead>
<tr>
<th>Reporting Year</th>
<th>Fall 2002</th>
<th>Fall 2003</th>
<th>Fall 2004</th>
<th>Fall 2005</th>
<th>Fall 2006</th>
<th>Fall 2007</th>
<th>Fall 2008</th>
<th>Fall 2009</th>
<th>Fall 2010</th>
<th>Fall 2011</th>
<th>Fall 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Undergraduate Applicants</td>
<td>29,581</td>
<td>33,776</td>
<td>34,457</td>
<td>34,509</td>
<td>35,458</td>
<td>34,389</td>
<td>37,245</td>
<td>37,462</td>
<td>37,464</td>
<td>41,243</td>
<td>42,807</td>
</tr>
</tbody>
</table>

### Student Profile:

#### Standardized Test Scores

<table>
<thead>
<tr>
<th>Reporting Year</th>
<th>Fall 2002</th>
<th>Fall 2003</th>
<th>Fall 2004</th>
<th>Fall 2005</th>
<th>Fall 2006</th>
<th>Fall 2007</th>
<th>Fall 2008</th>
<th>Fall 2009</th>
<th>Fall 2010</th>
<th>Fall 2011</th>
<th>Fall 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average SAT Score (Critical Reading and Math)</td>
<td>1300</td>
<td>1310</td>
<td>1318</td>
<td>1331</td>
<td>1328</td>
<td>1332</td>
<td>1336</td>
<td>1330</td>
<td>1341</td>
<td>1333</td>
<td>1340</td>
</tr>
</tbody>
</table>

### Diversity (Undergraduate Students)

<table>
<thead>
<tr>
<th>Reporting Year</th>
<th>Fall 2002</th>
<th>Fall 2003</th>
<th>Fall 2004</th>
<th>Fall 2005</th>
<th>Fall 2006</th>
<th>Fall 2007</th>
<th>Fall 2008</th>
<th>Fall 2009</th>
<th>Fall 2010</th>
<th>Fall 2011</th>
<th>Fall 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>% International</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
<td>5%</td>
<td>5%</td>
<td>6%</td>
<td>7%</td>
<td>9%</td>
<td>10%</td>
<td>12%</td>
</tr>
<tr>
<td>% Minority</td>
<td>28%</td>
<td>28%</td>
<td>27%</td>
<td>31%</td>
<td>31%</td>
<td>32%</td>
<td>33%</td>
<td>35%</td>
<td>37%</td>
<td>39%</td>
<td>41%</td>
</tr>
<tr>
<td>% Under-represented Minority</td>
<td>13%</td>
<td>13%</td>
<td>13%</td>
<td>14%</td>
<td>13%</td>
<td>13%</td>
<td>13%</td>
<td>16%</td>
<td>14%</td>
<td>15%</td>
<td>16%</td>
</tr>
<tr>
<td>% Out of State</td>
<td>51%</td>
<td>58%</td>
<td>56%</td>
<td>58%</td>
<td>66%</td>
<td>64%</td>
<td>64%</td>
<td>65%</td>
<td>65%</td>
<td>65%</td>
<td>65%</td>
</tr>
</tbody>
</table>

### Financial Aid (Undergraduate Students)

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$ of NYU Aid for Undergraduates</td>
<td>$78,138,160</td>
<td>$84,867,374</td>
<td>$93,421,189</td>
<td>$105,692,082</td>
<td>$110,872,699</td>
<td>$112,629,587</td>
<td>$122,278,105</td>
<td>$139,400,969</td>
<td>$158,145,030</td>
<td>$172,618,241</td>
<td>$185,878,888</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reporting Year</th>
<th>Fall 2002</th>
<th>Fall 2003</th>
<th>Fall 2004</th>
<th>Fall 2005</th>
<th>Fall 2006</th>
<th>Fall 2007</th>
<th>Fall 2008</th>
<th>Fall 2009</th>
<th>Fall 2010</th>
<th>Fall 2011</th>
<th>Fall 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of Pell</td>
<td>18%</td>
<td>18%</td>
<td>19%</td>
<td>19%</td>
<td>18%</td>
<td>17%</td>
<td>16%</td>
<td>16%</td>
<td>17%</td>
<td>20%</td>
<td>22%</td>
</tr>
<tr>
<td>% of Pell</td>
<td>$8,648,286</td>
<td>$9,756,614</td>
<td>$10,079,002</td>
<td>$9,964,074</td>
<td>$9,499,454</td>
<td>$9,217,850</td>
<td>$10,514,005</td>
<td>$12,024,058</td>
<td>$18,290,216</td>
<td>$20,896,467</td>
<td></td>
</tr>
</tbody>
</table>

**Financial Aid Section Sources:** Pell grant information from the Department of Education website (http://www2.ed.gov/finaid/prof/resources/data/pell-institution.html). All other data in the financial aid section is from the Common Data Set.

1. NYU Abu Dhabi and NYU Shanghai are excluded from all sections of this document.
2. For award year 2002 to award year 2008, NYU reported the estimated financial aid for the current reporting year to the CDS. Starting in award year 2009, NYU reported the final financial aid numbers for the prior award year to the CDS.
3. Institutional aid: Institutional (endowment, alumni, or other institutional awards) and external funds awarded by the college excluding athletic aid and tuition waivers.
4. Percent receiving a Pell grant as a total of undergraduate students in the fall term. As per the USNWR calculation, percent receiving Pell is based on a full award year (July 1 to June 30) of Pell recipients as provided by the DOE divided by the number of undergraduate students enrolled in the fall as reported on the CDS.

### Student Enrollment at NYU Study Away Sites

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Undergraduate</td>
<td>1,223</td>
<td>1,258</td>
<td>1,312</td>
<td>1,506</td>
<td>1,738</td>
<td>1,964</td>
<td>2,010</td>
<td>2,164</td>
<td>2,148</td>
<td>2,220</td>
<td>2,235</td>
</tr>
</tbody>
</table>

### Graduation Rate

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6-year graduation rate</td>
<td>78%</td>
<td>79%</td>
<td>80%</td>
<td>83%</td>
<td>84%</td>
<td>84%</td>
<td>84%</td>
<td>85%</td>
<td>85%</td>
<td>86%</td>
<td>85%</td>
</tr>
</tbody>
</table>
MEMORANDUM

From: University Space Priorities Working Group
To: Faculty Senators Council
Re: Answers to Questions from FSC
Date: November 6, 2013

Note: All questions from the FSC have been reproduced as received. The Working Group has added thematic sub-headers to the questions.

Question: NYU Real Estate Holding
Did you (the USPWG) ever ask for, and receive a complete list of NYU's real estate holdings in the 5 boroughs? The answer I got was that they got "a list of available properties," but that's not the same. It seems to me that all the properties should have been on the table, with some removed subsequently, for good reasons.

The Working Group has not asked for a complete list of NYU's real estate holdings in the five boroughs. Early on, the Working Group determined that our focus should be the area in and around Washington Square, what we refer to as the Core. As indicated in the Interim Report, we view the Core as the nucleus of University life, "a precious and irreplaceable asset,” especially with respect to undergraduate education.

We have examined all the NYU properties in the Core, those that NYU owns, those NYU will soon own (like the Forbes building), and those NYU leases. We have also looked at properties available for purchase near the Core, including one with just over 100,000 gross square feet listed at over $40 million, and one with over 180,000 gross square feet listed at over $140 million. Leaving aside financial considerations (i.e., the cost of acquisition plus extensive renovations), we concluded that neither building would suit NYU’s needs: the former because it was too small to accommodate large-footprint space needs; the latter because zoning regulations would prohibit its use for undergraduate teaching. We revisited real estate opportunities in the neighborhood of the Core at our second meeting this fall. The same two buildings are still on the market. There are no new options.
Question: Availability of Information
Why has it taken so long for the USPWG to obtain the information that it needed to issue their report? The assumption is that the administration had all the info necessary to formulate a plan and study alternatives, and therefore could turn it over to the USPWG quickly and easily. So what new information did they need? And why didn't the administration consider this information in their original planning?

While much of the data reviewed by the Working Group were available from the very beginning, some data had to be compiled anew, refreshed, or provided in a different form, such as information on classroom inventory and scheduling, student spaces, fundraising, and details regarding building operations and management, in some cases in order to address specific issues raised by faculty.

Crucially, the WG decided not to draw its data from the documentary material and final report submitted by NYU to the New York City Council, but instead chose to assemble its own data set and related information. We continue to ask for updates on budgetary and financial variables, real estate opportunities in the Core, academic space, fundraising, residential needs, and University operations.

The University has responded to every request for data fully and promptly. We quickly received basic data on the University’s Capital and Financing Plan, which we reviewed and posted to the public in November 2012, just a month after we first convened. Because we were interested in both quantitative and qualitative data, we also carried out interviews with deans, faculty, students, and university administrators.

The University presumably did consider the same type of information during the original planning, but again, we considered it part of our charge to gather our own data set and not work off the submitted material, and to respond, in particular, to concerns raised by our faculty members and by those we interviewed.

Question: Assessment of Alternatives
What alternatives to those presented in the USPWG's interim report were considered? The report presents no comparison of alternatives, so the reader gets the impression that only one alternative is possible. That is implausible, and unconvincing. The result is that the report reads like a promotional piece, not a study by academics, who would certainly consider several alternatives.

The Interim Report was intended to provide the community with a summary of our findings as of June 2013. It is not our final word. The findings and recommendations in
the Interim Report are based on the Working Group’s consideration of the following alternatives, most of which are referenced in the Interim Report.

i. Moving general classrooms and academic units involved in undergraduate teaching to locations beyond the Core (i.e. the financial district or midtown) (p.6);

ii. Purchase and renovation of available real estate options in or near the Core, as well as real estate opportunities outside the Core (see “Real Estate Opportunities in the Core”);

iii. Changes to classroom scheduling to include starting classes earlier in the day, and running more classes on Fridays and weekends (p. 8);

iv. Converting administrative office space in the Core to general classroom space and/or student study space (p.7);

v. Consideration of leased space vs. owned space for academic, administrative, and residential uses;

vi. Reduction in the overall size of the University (number of students and faculty, as well as the range of academic programs) to reduce the demand for space, deciding that any strategic analysis of such a significant change to the University was beyond our purview.

The Final Report will include a more detailed discussion of each of these alternatives, as well as an Executive Summary.

Question: Long-Term Space Planning at NYU
One of the first questions I had when looking over this report involves the current state of long-range planning and project management at the university level.

This space shortage problem did not happen overnight.

According to footnote 8 in the report, NYU undergraduate enrollment has increased from 15,000 to 22,000 students over the last 10 years (i.e., an approximately 46% increase). Footnote 10 reveals an astonishing 300% growth in the number of enrolled students at the Tisch Institute for the Performing Arts since 1983. Meanwhile there has been little or no corresponding increase in the NYU general classroom pool?

If, as John Sexton has been saying for many years, NYU is a tuition-driven school and growth is predicated on increasing the number of students paying tuition, then why wasn’t there someone in the Administration ten years ago planning for this large growth in the student population?

This kind of underlying “big picture” problem at the university administration level concerns me because it appears quite common at NYU. This poor university space planning represents yet another example of past large-scale projects and initiatives that were not thought through completely and have gone wrong (e.g., NYU-Abu Dhabi, etc.).
What projects and initiatives is the administration planning for the university today without the proper faculty and project management input and long-term planning? How long will New York University be paying for (and cleaning up) the mistakes of this autocratic, top-down management and administrative structure?

We cannot comment in detail on how the University has conducted its strategic planning over the past decade. But we can offer some insights.

The documents we have examined, which have been available to the University community since they were published, indicate that concerns about adequate space date back to the start of President Sexton’s time in office (see, for example, “Academic Space Committee, Transition Team Report (2002), and NYU Framework 2031 (2008). Over the past decade the University has relocated administrative units to create more academic space in the Core, and added new space, or renovated old spaces for academic units such as, Genomics (the first new science building at NYY since Meyer Hall was built in the 1970s), Linguistics, Politics, Social and Cultural Analysis, English, Philosophy, Journalism, and Economics. Some 1,600 beds for students were converted from leased to owned residence halls. Classrooms were added to the lower levels of Bobst. (This is a partial list).

It is our expectation that the process we have adopted – availability of all documents and meeting summaries to the whole community – will become one of the standard mechanisms by which the faculty and other NYU stakeholders play a role in long-term planning.

Question: Salvage Value of Coles Site in the Event of a MOOC takeoff or other Major Disruption
If MOOCs were to suddenly take off and threaten the existing form of the university, what would be the salvage value of the buildings? For example, are they zoned for educational purposes or can they converted into apartments or offices and sold? How much of a loss would result if the projects had to be abandoned at some point?

If the future of the University were threatened in a substantial way, whether by MOOCs or some other major changes in undergraduate education leading to significant reduction in enrolment or revenue, a variety of options are imaginable.

First, it’s important to remember that if capital projects had to be curtailed or postponed, south block construction is only one of many projects that might take place over the next 10 years. The Interim Report includes a recommendation that the University schedule construction with flexibility to scale back or postpone projects in the event of unforeseen or unexpected developments.

The south block is zoned to allow for housing, community activity, as well as retail/commercial. Based on current market assumptions, at roughly $300 per square foot, the
Coles Site would sell “as-is” for a little more than $300 million. However, in order to sell the land to a private developer, the University would need to obtain permission from the City. As a result, it would be more likely that the University would consider selling other properties first, such as the Mews, 730 Broadway, or Silver Towers, buildings that might yield a more substantial return, and that those present the University with landmark or zoning restrictions limiting conversion to other uses.

The Working Group provides this answer only to point out that in the event of major changes in enrollment and undergraduate education patterns, the University would consider a number of options. We don’t plan on making any detailed recommendations with respect to how the University should respond to major disruptions, except to say that academic space should always take priority.

It’s worth pointing out too that if MOOCs became a real alternative to in-class instruction, they would be unlikely to have the same impact on performance-based academic programs, one of the priority academic needs for construction on the south block.

**Question: Classroom Size & Pedagogical Models**

Why are the projected classrooms for the Coles site so large? Why is NYU acceding to the worst practices of teaching: impersonal, huge classes in which liberal arts are poorly conveyed, where there is little professor-student interaction, and where there is endless possibility for students to just get lost in the shuffle?

The question implies that large instructional spaces necessarily translate into the “worst practices of teaching,” and that the Working Group is endorsing a shift to such a model. We have made no such recommendation. We have based our calculations on an assessment of the prevailing pedagogical practices at NYU.

The Interim Report identifies priority needs that require a large footprint. NYU faces a shortage of large lecture-style classrooms for current needs, and some of the spaces now being used – Skirball, for one – are less than ideal. There is a shortage of both large and small classrooms. The Final Report is likely to include a recommendation for the addition of smaller classrooms.

The question focuses on the “liberal arts,” but the Working Group is charged with considering the space needs across the University as a whole. The performing arts especially need larger and more variable space for performance and teaching. Undergraduate and graduate classes in acting and dance, for example, have been poorly served by being held in spaces designed for other purposes.

As our work has progressed, we have developed a better understanding of the relationship between classroom size and pedagogical practices. Even in the case of
smaller classrooms, there are tradeoffs to consider. Seating configuration, in particular, substantially changes the average square footage per student. A 20 seat, fixed-seat, lecture style classroom requires 350 assigned square feet, whereas a 20 seat movable-chair discussion classroom requires 500 assigned square feet. A group work classroom for the same number of students requires over 700 assigned square feet. In other words, fixed-seat, lecture style classrooms, as opposed to classrooms with movable chairs or group discussion tables, offer the most efficient use of space per student. If pedagogical practices were not a factor in calculating academic space, we would likely recommend fixed-seat, lecture style classrooms as the best and only classroom configuration.

**Question: Space Planning: Overview, Role of Schools, and Assessment of Priorities**

In what capacity did School Deans contribute to the original space needs assessment that formed the basis for the proposed building plan?

According to the original needs assessment, what is the current available square footage of academic space available per school, and at what capacity (days per week/hours per day) is the space currently being used?

What were the specific space requests submitted by each School, for what purposes were the requested space designated, and what proportion of space needs would be fulfilled given the request?

What was the sum total of the space requests (square footage), and what proportion of that space was allocated for each purpose (classroom spaces, performance space, meeting space, etc.)?

Under the proposed building plan, what proportion of space needs will be met for each school, which space requests are given priority and why?

*Planning for space needs takes place at the School and University level simultaneously, with Deans making specific requests for new or renovated space that reflect school priorities. Internally, Deans work with faculty representatives and department heads to develop these requests, with the process differing significantly from school to school.*

*At any given time, the number of proposed school and University projects exceeds the space and financial capacity of the University. The Working Group has not reviewed the annual school plans showing the full list of space requests submitted since we are not charged with reviewing the specific decisions to prioritize certain academic programs over others. What follows is a brief account of how these requests are handled within the structures that exist at the University.*

*The starting point for these reviews are the schools’ annual Strategic Academic Plans, in which each school presents its aspirations and plans for academic development. Each plan focuses on the school’s academic dimensions and objectives, how proposed*
academic initiatives fit within the school’s long-term plan, and how they advance
teaching and research excellence. Internally, Deans work with faculty representatives
and department heads to develop these requests, with the process differing significantly
from school to school. In addition to plans from the schools, the University administration
identifies University-wide needs, such as those for library, IT, classrooms and student
spaces.

School plans are reviewed by the Provost (and by the Executive Vice President for Health
for the schools of medicine, dentistry, nursing) in consultation with the senior leadership
of the University. The University leadership is responsible for coordinating and prioritizing
academic development across the University, for aligning academic initiatives with
overarching University values and strategies, and for prioritizing associated capital
projects with respect to their claim on University and school resources. The financial
envelope for each project typically consists of a combination of school resources,
University resources, philanthropy and University borrowing, assessed against competing
priorities and the University’s overall financial capacity.

Once a project is approved, it is reviewed by the Space Planning Working Group (SPWG),
an advisory committee co-chaired by the offices of the Provost and the Executive Vice
President for Operations (not to be confused with the University Space Priorities Working
Group (USPWG)!). SPWG conducts detailed planning, working with the school, University
space designers and engineers, and school and University budget offices to develop space
needs, consider alternate locations, timetables, and design parameters, and fine-tune
cost estimates.

Despite a certain similarity in our initials, the University Space Priorities Working Group
has not undertaken any analysis of the relative merits of many of the projects proposed
at these different levels. Instead, we have based our assessment of current space needs
on the projects that have passed through the phase of University review. The best
summary of those projects is the document entitled “Academic Needs in Washington
Square Campus Core (New and Incremental)” (see website).

We cannot provide a breakdown of space use or space needs by school for a number of
reasons. The majority of the classroom space - arguably the most important type of
academic space - is managed centrally and shared between the schools. Our
recommendation that the University make academic space the highest priority for
construction on the south block is meant to address this University-wide need. But the
relationship of general classroom space to school need varies substantially. Some schools
have virtually no classroom space of their own, while others can service much of their
teaching needs with proprietary space. One of the Working Group’s interim
recommendations is that the amount of proprietary classroom space should be reduced,
a measure that might be considered a burden to those schools with proprietary
classroom space and a benefit to those without such space.
To determine whether the proposed building plans satisfy each school’s needs for space, we would presumably be required to review each school’s original request for space. We can safely assume that the proposed building projects – by which we mean all the capital projects proposed for the next ten years and not just construction on the south block – will not satisfy all school needs.

**Question: Space Shortages, Needs, and Recommendations, as well other Options**

Everyone seems to agree that there is a shortage of space at NYU, but of what size and what sort? What is the current shortage (square feet) of classroom space? Performing arts space? Lab space? Faculty office space? Space for student studying, research, and activities? Others? (Can you please also tell us how this data was obtained—e.g., comparison with peer institutions, survey of faculty/deans/students, etc.?)

What is the projected future shortage of space over the next 10-15 years? Under what assumptions on the growth of the student body and the faculty body have these numbers been arrived at?

In light of the space shortages identified above, what is the proposed allocation of the new space that will be built (in square feet)? How much will go towards classrooms (and of what sorts)? Performing spaces? Faculty offices? Faculty meeting rooms? Student dorms? Other student spaces? Administration offices?

Apart from building on the Coles site, what were the alternatives considered by the USPWG? For example, was the possibility of taking over an existing large building in the neighborhood like St Vincent’s envisioned? Why or why not? Was the possibility of constructing in multiple smaller-scale sites considered?

The calculations with respect to space were based on current need, as opposed to on estimated need in the event of growth in the student body or the faculty. The current shortage of classroom space reflects a need for both large and small classrooms, as well as different classroom configurations (for example, a 20 person fixed-seat, lecture-style classroom requires 350 square feet, while a 20 person seminar style classroom with movable chairs and tables may require as much as double the amount of space).

We have based our calculations on data from the University, including the document entitled “Academic Needs in Washington Square Campus Core (New and Incremental), as well as documents on current utilization rates for general classrooms, and information from the Registrar’s Office on classroom assignment. Our assessment continues and we will have more to say about small classrooms needs for the following:

- 325,000 gross square feet ("GSF") for classroom/academic needs;
- 130,000 GSF for large multi-use classrooms;
• 195,000 GSF for studio, production, and performance space;
• 40,000 GSF for student study and student life spaces;
• 150,000 GSF for a new, multi-purpose replacement for the Coles Sports Center.

The need for studio, production, and performance space has been a top priority for Tisch, as well as other schools, for more than a decade. The data on student study space are derived from a variety of sources, including a report from Bobst Library which shows that NYU has 3,000 study spaces for students, roughly 6,000 fewer than the standard benchmark of 0.25% per student. Our interim recommendation does address the whole of the shortfall. A single, reliable figure for the shortage of faculty office space poses a different challenge: do we include those academic departments that are currently in leased space, such as Sociology and Wagner, for example? The view of the University’s Space Planning Group is that academic departments should be housed in owned space whenever possible. The Working Group agrees with that principle.

At present, our recommendations for the south block do not include space for faculty offices or faculty meeting rooms, unless one considers general classrooms suitable for the latter. We have not recommended any space for administrative offices on the south block, nor are we likely to do so in the Final Report. The Working Group concurs with the University’s on-going effort to replace Core administrative space with academic space, such as classroom space and department space. Of all the space needs, administrative space has the lowest priority, both in terms of location near the Core, and in terms of owned vs. leased space.

The Working Group has considered all properties available for purchase near the Core, including one with just over 100,000 gross square feet listed for more than $40 million, and one with over 180,000 gross square feet listed at over $140 million. Leaving aside financial considerations (i.e., the cost of acquisition plus extensive renovations), we concluded that neither building would suit NYU’s needs: the former because it was too small to accommodate large-footprint space needs; the latter because zoning regulations would prohibit its use for undergraduate teaching. Of the other alternatives referred to in the question, such as small-scale sites, none is available in the Core, nor could they accommodate large footprint needs. The St. Vincent’s Hospital site sold for $260 million in bankruptcy court in 2011 and will be converted into luxury condominiums.

Question: Fulfillment of Current Space Needs
Will all current need for space be met by construction on the south block? If not, why would you recommend construction? Will additional construction be required?

Construction on the south block – even at maximum density – will not address the current list of University space needs, though much depends on how that list is defined. For example, the Wagner Graduate School of Public Service and the Department of Sociology are currently located in leased space in the Puck building, who’s lease is unlikely to be
renewed. The expansion of academic space within the Core is also dependent on the relocation of administrative offices to space outside the Core. There are also new construction projects outside the Core to serve current academic programs. The south block could not accommodate all of these needs for space, and was never intended to do so.

If the recommendations of the Interim Report are adopted, construction on the south block would address a critical need for academic space, as well as student study space and meeting space within the Core. New construction will also dramatically improve the quality of NYU’s main athletic facility and provide the University with the means better to serve the broader community during local emergencies. But the Interim Report’s recommendations do not address whole categories of space, such as student housing or faculty housing.

Question: Student Residence
Why can’t a student dorm be located someplace other than Manhattan where land may be cheaper? Example: Williamsburg.

Williamsburg offers one possible location for a student dorm someplace other than in Manhattan. There may be other places within the five boroughs that are even less expensive than Williamsburg, which also provide reliable access to public transit.

We haven’t investigated in detail the cost differences between locating student residence halls inside or outside the Core for two reasons: first, because from the perspective of acquiring land, nothing is cheaper than the superblocks since they are already owned by the University; and second, because the literature on student residence life suggests that distance from campus is a significant variable in the quality of a undergraduate’s college experience, a point that NYU students have emphasized repeatedly in meetings and discussions with the Working Group.

The NYU residential experience consists mostly of freshman and sophomores. Just over 90% of the students in each freshman class live in residence halls, some 4,500 of the roughly 11,000 residential students overall. Third North, one of the dorms furthest from the Core, houses roughly 1000 freshman. Third North also features apartment-style units, regarded by student life professionals as less well-suited for freshman.

There is also recent evidence that a residence hall in the outer boroughs is not an attractive option to students. This past August, one week from the beginning of Welcome Week, 300 undergraduates (mostly new transfer students) whose housing requests could not be accommodated at any of NYU’s Manhattan residential halls were offered guaranteed housing at Poly’s Othmer residence hall in Brooklyn. The average price per semester of a double room at Othmer is about $2,000 less than the average price of a double-room at NYU’s Manhattan residential halls. None of the students took the offer.
**Question: Morton Williams Site and School Partnership**

It is notable that the entire discussion of the possible K-12 public school on the Morton Williams site occurs in Part I of the report regarding space needs and is not mentioned at all in Part II regarding stewardship. Was this a conscious decision? In Part I the report states that the “SCA has until the end of 2014 to decide if it wants to partner with NYU to construct a building with 170,000 square feet of usable space.” What is the nature of the contemplated partnership? Is the idea simply that the University would make available the relevant space or has a more active role been considered? I would have thought that the University’s stance on this question relates crucially both to stewardship issues with respect to the broader community as well as quality of life issues for University students and employees. For example, has there been any discussion or consideration of whether the University might step forward and voice an affirmative desire to take a leading role in designing a genuine partner school with the Department of Education? At its best one could imagine a K-12 public school to which the University contributed meaningful educational resources (e.g., through student teachers, curriculum development, enrollment in NYU classes for qualified high school students, etc.), which alleviated school overcrowding in the broader community and also served as a zoned school (at least at the elementary level, possibly beyond) for children of University affiliates. In this regard it seems the report might consider discussion of the nature and impact of the relationship between the School of Medicine and the highly desired Salk School. This may not have been the intent but at present the report reads as if the SCA is operating on a completely independent decision track and it would be in the best interest of the University if the SCA chooses not to exercise its option (in which case the University would need only to devote 25,000 sq. ft. rather than 100,000 sq. ft. to broader community uses). To ask the question most bluntly, what is the bottom line view of the Working Group on whether it is in the University’s interest to have a public school constructed on the Morton Williams site? If the answer is that it is not in the University’s best interest, how does this relate to the broader discussion of stewardship?

*The City of New York’s approval for construction on the superblocks requires NYU to enter into a construction partnership with the School Construction Authority, if that agency decides to build a public school on the Bleecker Street (i.e., the Morton Williams site). The School Construction Authority has until the end of December 2014 to make that decision. NYU would take possession of the below-grade space should construction proceed at the request of the SCA. A decision concerning a full-scale partnership in the operation of a public school on the Morton Williams site is separate matter, and would be undertaken in cooperation with the Board of Education. Children of University employees would not be given preference, however, even if NYU did assist in the operations.*

*The Working Group does not have the requisite competency to recommend a full and formal NYU-NYC partnership for the ongoing operation of a K-9 public school. Such a*
significant and long-term commitment of institutional resources and institutional focus should emerge from the faculty with the expertise to undertake such an initiative.

At present, and primarily through faculty in its Department of Teaching and Learning, the Steinhardt School of Culture, Education, operates programs and partnerships in about 25 schools, mostly for teacher preparation, but also for the training of school administrators, as well as health professionals in speech, nutrition, occupational therapy, physical therapy, and counseling. Undoubtedly, a new public school at Bleecker and La Guardia Place would provide Steinhardt faculty and students with yet another opportunity for collaboration in the neighborhood, as is currently the case with a number of public schools in the same school district as the superblocks.

Question: Loans: Source and Type
Where are the funds being borrowed from? How are the loans to be structured -- ARM or in what ways?

The University would borrow by selling bonds to be issued by either the Dormitory Authority of the State of New York (DASNY), or the New York Economic Development Corporation (NYEDC). Interest on these bonds is tax-exempt, which results in a substantial cost savings to the University. (Note that the Dormitory Authority can sell bonds for any type of post-secondary construction, as opposed to dormitory construction only as its name implies).

The University is considered a strong credit risk, with a credit rating of AA-/Aa3 from Standard and Poor’s and Moody’s, respectively. If the University follows past practice, these bonds would be structured as 30-year fixed rated debt, with equal annual debt service payments, backed by NYU’s promise to pay, and with no mortgage on the property. The current borrowing rate is below the 6% rate used in the 10-year Capital Plan to estimate annual debt.

Question: Financial Priorities: Tradeoffs
I found the financial analysis helpful and illuminating, as far as it goes. It is certainly reassuring to know that even under fairly conservative assumptions the University predicts substantial surpluses going forward, even with the extensive capital projects that are currently contemplated. I had three remaining questions and comments. First, to the extent the information is publicly available it would be helpful to have some indication of debt levels (esp., debt service as percentage of operating budget) for peer institutions. Second, what happens as a budgetary matter when the University runs a surplus? Do surplus funds automatically go to the endowment? What is the Board’s view on what constitutes a fiscally prudent amount of surplus to budget for? It is not clear that it is optimal for the University to greatly expand its debt burden, only to run a large surplus. Third, and more fundamentally, I am not convinced that the key finding that the proposed Capital Finance and Spending Plan is “unlikely to impair the financial status of NYU” really speaks to the
central concerns of constituents who worry about the financial ramifications of the proposed capital projects. It is good to know that NYU is unlikely to default on its debt but I think only the most cynical and pessimistic critics take that to be a serious prospect. The central concern, rather, is how the capital projects, and associated debt service, will squeeze and put pressure on a range of Core issues: overall enrollment, proportion of non-tenure track faculty to tenure track faculty, financial aid, tuition costs, employee compensation/benefits and dependency on charitable donations, to name the most important. Methodologically, the financial analysis concludes financial stability based on budgeted operating margins which embed the administrations’ views and assumptions on all of these controversial matters. There may be no other way to conduct the analysis. But what would be nice is more detail on those embedded assumptions. This is related to the point raised in our meeting last week, where one of my colleagues suggested the report had an “all or nothing” cast. From the standpoint of financial analysis, the point is that it would be helpful to have a sense of the magnitude of relative tradeoffs, as opposed to simply a conclusion that the capital spending as proposed is unlikely to lead to default. For example, the single largest item of proposed new construction between now and 2021 is the $725 million for the Coles site. What does that number mean in terms of tradeoffs with some of the Core issues mentioned above? Presumably the $725 million is not set in stone. One can build relatively nicer gyms and relatively less nice gyms. To pick a random number, how would shrinking that number to, say, $500 million, impact budgeting assumptions on issues like projected (required) tuition revenues. Ideally, if the information were available one would like to see various alternate scenarios played out, which balance different visions and levels of capital spending with different visions of spending resources on other, also essential, financial commitments of the University. Is that possible? I think the central issue comes down to this. The stance of the current report is to accept the financial soundness of the current proposed capital spending levels but to reserve the possibility of shifting funds away from capital projects to preserve current salary and tuition assumptions in the case of unpredicted financial shocks. How does one make a comparative assessment of the merits of that approach versus one which scales back projected capital spending at the outset, in exchange for a different set of initial assumptions about projected salary and tuition?

There is no single standard for debt service as a percentage of operating budget. Our understanding is that NYU’s benchmarks fall within the norm.

Surplus does not get added to endowment. Instead it is used for capital investment purposes to reduce the amount of debt needed to fund projects, or held in reserve as working capital to protect the University against unexpected financial shocks. Working capital is kept in short-term investments for liquidity purposes, compared to the endowment, which consists of long-term investments and is therefore less liquid.

The $750 million for construction on the Coles site is the University’s estimate. The Working Group has not tried to calculate construction costs for the amount of space we recommended in the Interim Report. Presumably a smaller building would cost less to build, though total square footage is only one variable in determining cost. For example,
a low-carbon or carbon-neutral building may cost more to build per square foot, but may also save the University money in the long run; and even if a carbon-neutral building didn’t save the University money, there are those who would recommend paying the extra price. Moreover, if a smaller building is constructed on the south block, the University would likely need to find space somewhere else, which might require the purchase of a building, or a lease arrangement. (Recall that construction on the Coles site does not satisfy all the University’s space needs for the next decade). In other words, the comparative assessment and tradeoff begins even before other budgetary items are considered, such as tuition, salary, and financial aid.

The Working Group is not the appropriate body to revisit the University’s overall budget plan. Initial assumptions about salary, tuition, or financial aid, for example, are presumably items to be reviewed and discussed by the University Senate Financial Affairs Committee. The Interim Report, as well as documents on the University’s capital plan that have been available to senators since last year, may contribute to a more informed conversation about the University’s overall budget.

Question: Capital Spending: Last Ten Years
In section III, bullet 2 on page 14 of the report, the university proposes to spend approximately $3 billion dollars over the next 10 years (2012-2021) – a figure that is heralded because it is roughly equivalent to what the university spent during the last 10 years (2002-2012).

Believe me, I have no background or experience in Finance or Budgeting, but even on the surface this appears illogical.

Given that: the spending power of $3 billion 2012-2021 dollars is less than the spending power of $3 billion 2002-2012 dollars; and, New York University did NOT, to our knowledge, have a similar large-scale project requiring billions of dollars in capital spending during the 2002-2012 period ... ... then presumably, New York University spent approximately $3 billion dollars during the 2002-2012 period because that is how much it cost to operate, maintain, and “grow” the university.

Similarly, and again because of the eroding spending power of money over time, isn’t it reasonable to presume that the university will need to spend a somewhat larger amount for the same things over the 2012-2021 time period? Because if we don’t, then I would think a whole lot of things around the Core campus will break and fall apart while the University is focused on this new space planning construction.

It seems to me that the cost of this NYU 2031 construction must be considered in addition to the ongoing operating costs of the university. It makes little sense that the university can suddenly add this huge, capital-intensive construction project to the budget and yet still somehow spend the same amount of money we spent over the last 10 years.

Again, this makes me wonder whether anyone in the administration is qualified to perform long-term planning and project management.
[With the NYU Board of Trustees currently loaded with real estate developers, magnates &
captains of industry, I feel certain they are thrilled with the idea of a 20+ year construction project
in New York City. I’m not certain such a Board can consider a project like NYU 2031 objectively.
This lack of diversity & representation on the Board represents another big concern for the long-
term health of this university.]

Contrary to the question’s premise, the University did spend close to $3 billion on capital
projects during the previous ten-year period. A partial list of major projects would
include: Kimmel Student Center ($79 million); Gramercy Green Dorm ($295 million);
Global Center for Academic and Spiritual Life ($95 million); Cogeneration Plant ($137
million); purchase of 730 Broadway ($212 million); Stern, Shimkin Hall and the Concourse
Project ($70 million); 715 Broadway Gallatin renovation ($24 million); Genomics Building
($92 million); FAS Partners Plan Science ($111 million), and FAS Partners Plan Non-Science
($151 million).

The capital plan includes provisions to ensure that buildings around the Core campus
won’t “break and fall apart.” As Table 1 of the Interim Report indicates: of the $2.975
billion for capital projects over 2012-2021, $654 million is earmarked for capital
maintenance (only the proposed budget for the Coles Site (i.e. $725 million) represents a
higher proportion of the 10-year capital budget). A similar amount was allocated for
capital maintenance during the period from 2002-2011.

So, the statement we’ve made is true: NYU plans to spend almost exactly the same
amount of money on capital projects during this ten-year budget period (2012-2021) as it
did during the last ten-year budget period (2002-2011).

Question: Capital Plan: Details on Financing
A lot of concern has been raised about the extent to which 2031 plans will put strain on the
university’s finances. The assumptions concerning the financing costs are fairly well explained in
the UPSWG interim report but here are some additional questions.

The report says that NYU spent about $3 billion over the last 10 years on construction/building
acquisition, and projects the total cost of 2031 over the next 10 years as also being around $3
billion (including $725 million of the Zipper building). This gives the impression that the new
construction involves roughly the same scale of activity as in the past.

How was the $3 billion expenditure of the preceding 10 years financed? How does it differ from
the proposed financing structure for the next 10 years? In particular, how much did NYU’s debt
increase by over the past 10 years compared to the projected increase in debt over the next 10?
What fraction of overall revenues of the university (and of tuition revenues) went to meeting past
debt service versus projected debt service?
The report notes that the university retains options to expand the scale of construction. Assuming just one of these options were exercised (say, the Morton Williams site), how much could this adversely affect the financial situation of the university?

*For the preceding 10 years (2002-2011), approximately 40% of the $2.95 billion in capital expenditures was funded through an increase in debt of $1.165 billion (from $996 million in debt in 2001 to $2.161 billion in debt in 2011); the remainder was funded through other sources, such as operating surpluses and fundraising. For the next 10 years (2012-2021) additional long-term borrowing is projected to aggregate $1.4 billion, which will provide the funding for 47% of the $2.975 billion in projected capital expenditures; because of repayment of some (earlier issued) long-term debt, the net amount of long-term debt is projected to rise by $976 million (from $2.161 billion in 2011 to $3.137 billion in 2021) (IR, pp. 14, 17). For the next 10 years (2012-2021), debt is projected to rise by $976 million (from $2.161 billion in 2011 to $3.137 billion in 2021), which will provide the funding for 33% of the $2.975 billion in projected capital expenditures (pp. 16-17).*

*Construction on the Morton-Williams site is projected to cost NYU $133 million if built in partnership with the School Construction Authority, or $243 million if the SCA decides against a partnership and NYU chooses to build at capacity on that site. Because neither of these figures are included in NYU's 10-year capital spending and financing plan for 2012-2021, the Interim report explicitly states that "further analysis will be required to assess the impact of any MW site construction on the overall Plan or explore elimination of other construction or renovation projects in the Plan" (p. 18). Because no financial information was provided to the Working Group about any potential North Block buildings (and no figures with respect to any potential North Block buildings were included in the 10-year capital spending and financing plan), the Interim Report also states that any such construction "requires substantial further analysis to assess its impact on NYU finances" (p. 18).*

**Question: Tuition Increases with or without a Capital Plan**

The Interim Report vaguely mentions tuition increases. Does the Working Group have information on projected tuition increases with and without 2031?

*Our understanding is that projected tuition increases would be the same regardless of whether any construction takes place on the south block, estimated to require roughly 25% of the $3 billion budgeted for capital projects between 2012-2021. Of all University expenses, faculty salaries have the largest positive correlation with tuition increases. We assume that the appropriate committee of University Senate will continue to review and monitor all tuition increases.*

**Question: Board of Trustees: self-dealing**

Are members of the Board of Trustees in any way or in any possible position to enrich themselves or their firms or their families’ firms with the loan deals? With the construction contracts? With
the insurance? With any aspect of this process? What safeguards are in place so that there is neither actual self-dealing nor the appearance there-of?

NYU already owns the land on the south block, and the Working Group would recommend that Trustees have no interests in the construction or related commercial activities. There is no evidence of any such relationships in existence, or of any such relationships being contemplated. NYU’s Facilities and Construction Management group has a standard process for fully vetting any prospective firm, including ownership and management of the firm, potential conflicts of interest, and financial solvency. This vetting process includes independent verification of the data supplied, and several layers of review and approval up to and including the Executive Vice President and General Counsel.

The Working Group has concentrated on scrutinizing the University’s space priorities, not the possibility of individual malfeasance.

Question: Trustee Involvement in Project
Without Trustee involvement, is this possible at all, or is the whole project dependent upon some Trustee members making small, medium or huge sums off of the dealings, in whichever ways that could be possible (and surely, they are more creative in this regard than am I)?

NYU’s Capital and Financing Plan in whole, and any construction on the Coles Sports Center site in particular, are in no way dependent on the NYU Trustees making any sums from any dealings, small, medium or large.

Question: Unionized labor
Construction: will it be done with unionized labor?

The Working Group will recommend that any new construction is consistent with current University policy to utilize unionized labor to the greatest extent possible, with the only exceptions being those services, skills or trades which are not represented by a union.

Question: Quality of Life: Monitoring
What controls for quality of life, and not just sealing people into their apartments, but rodents, pests, dust, mess, density, street closings, etc.? What monitoring systems will be in place for all of this? How will complaints be dealt with and by whom and which offices? Responsible to what and whom?

The Quality of Life and Stewardship section of the Interim Report answers these questions in considerable detail. Above and beyond the construction mitigation measures required by the City of New York (specifically detailed in the Restrictive Declaration, July 24, 2012 (pp. 24-70)), the Working Group has recommended the creation of a construction oversight committee to work with an independent consultant
with expertise in the area of construction mitigation. Known as an industrial hygienist (and subject to OSHA training and qualifications), this monitor would be outside of NYU’s employ and purview. In addition, the city, the community board, and NYU have representation on the Open Space Oversight Organization (OSOO), which has already been formed. NYU has committed to mitigation measures for noise and dust that go beyond those required by the City. The agreement with the City also includes an extensive list of controlling measures covering: air emissions, fugitive dust, noise, vibration, dewatering, pests and vermin, hazardous material remediation and protection, historical and cultural resource protection measures, a traffic plan, use of NYU’s central heating plant (Cogen), special provisions to protect the Willow Oaks on the south block, and measures to support the LaGuardia Corner Garden in the event that construction is undertaken by the University alone (and not in partnership with the School Construction Authority), as well as the City-appointed construction monitor.

The details of these measures are far too numerous to list in full. For example, they include the maximum speed of vehicles in the work area, the trimming and maintenance of vegetation near the work, the time of day for construction, and the type of equipment that can be used.

Question: Compliance and Complaints During Construction
To what extent has the Working Group looked into what apparatus the university has in place for dealing with complaints during the construction process and making sure that construction work is done at legal times and always by legal means? Has the Working Group looked into the history of past complaints about NYU construction, whether it be through the city via 311 calls (EPA or police) or the relevant offices within the university? What is the university's record in following its own rules and the law? The GVSHP, though perhaps partisan, would possibly have useful information on this. It would be a mistake if the Working Group assumes that the university has a successful system in place for dealing with, for example, noise from both construction and university operations. Some would say that the system is flawed and that it will have to be fixed and improved immensely if it is going to be successful with such a large project. Is there evidence to the contrary? Does it seem to the Working Group that the university has had a successful history of dealing with complaints and compliance?

The Working Group is under no illusions about NYU’s history with construction and stewardship of the neighborhood and the superblocks in particular. Our main recommendation is that NYU work to improve its stewardship before, during, and after any construction. Specifically, we have recommended several oversight recommendations including a broad-based advisory committee to serve as the point of contact for relevant concerns, and to provide regular reports to the University, the Open Space Oversight Organization (OSOO), and the neighborhood regarding superblock and construction-related activities in the Core, and the appointment of an independent consultant to work with the advisory committee on Core project construction to ensure transparency in mitigation choices and accountability of the environmental effects of construction.
Question: Recent Construction Around the Core: community feedback
Has the Working Group solicited information from the occupants of 14 Washington Place, who have lived next to university construction for years, most recently continuous work for over a year and half (Steinhart across the street, the new English building, work in the Brown building, work at Philosophy, and other work)? Many longtime residents of 14 Washington Place could provide feedback about their experience of construction noise and other potential problems. It would be worth talking to them.

The residents of 14 Washington Place could also offer a useful perspective on living next to university operations (maintenance, trash collection, sidewalk pedestrian density, among other things). One of the complaints about 2031 has been that it puts faculty residences right in the middle of things, among students and university operations. 14 Washington Place is like this already and therefore much could be learned from contacting the tenants association president Howard Negrin <prohen99@yahoo.com> to hear feedback about living next to the university. The Working Group has had an open forum for discussion, but has it had targeted questioning about these specific issues? This is an accessible control group for questions. They all live in one building next to university construction and operations.

The Quality of Life and Stewardship Subcommittee has met with several tenant associations on the superblocks, and held numerous public forums. Mr. Negrin did attend one of the Working Group’s September open houses, where he had an opportunity to present his views and ask a number of questions. There are also a number of NYU faculty who live in and around 14 Washington Place, as well other locations where NYU has undertaken construction in recent years. Last spring, before publication of our Interim Report, the Working Group held a Open House on the Quality of Life considerations before, during and after any construction. Our stewardship and quality of life recommendations reflect the Working Group’s broad consultations. The subcommittee continues to meet with community members and tenants’ associations on the superblock.

Question: Time of Construction: Worst-Case
Considering delays, will construction really end in 2031? What is the projected worst-case scenario?

Until the lawsuit is settled and specific plans are drawn up for the Coles site, there is no way to determine the end date for construction. Construction time would vary based on square footage and design. A reasonable benchmark is that exterior construction would take roughly two years.

Question: Building Details and Construction Time
Can’t you provide greater detail, such as “how long construction will take,” and “where the shadows will fall”?
We cannot provide details on where the shadows will fall, and we will not be able to do so even when we submit our Final Report. We are not designing a building. The work of designing a building will be undertaken only after specific needs are identified and prioritized. The Working Group has recommended that establishment of a new advisory committee to participate in the design process should the University choose to proceed with construction.

Construction time would vary based on square footage and design. A reasonable benchmark is that exterior construction would take roughly two years.

Question: Financial Forecasting
As some background, the FAS economics department had its own meeting with several administrators including Marty Dorph last spring about the financing of 2031. One of the things we asked for was a specific breakdown with numbers on how the flow costs would be financed. These are the sources of financing listed in item 4 on page 14 of the report, and the revenue and cost assumptions (item 9, page 15). It's a step in the right direction that they have now given estimates of the projected costs (in specific dollar terms) and that they give general categories of funding sources for meeting the projected expenses. What's missing from this is a spreadsheet showing exactly how this all adds up to the required funds. In other words, we have a projected 100 million in debt service plus X amount in cash reserve that will be drawn down plus Y amount of of reinvestment of operating surpluses. This totals to some number greater than 100 million. Now this will be financed by increases in undergraduate tuition "somewhat" above the rate of inflation (by how much above?), by holding faculty salaries increases "slightly" below the rate of inflation (by how much?), by increasing enrollments 0.27% (how many extra students and dollar revenue does this bring in?) by some assumption on energy costs (why is this and by how much?) and so on. We'd like to see that this actually adds up; so a simple balance sheet would be great. Do you have any further information on this? Have you asked for it? We in the economics department have not been successful in obtaining this information; in fact I was told by Marty Dorph that they would not provide it. As a result, I'm surprised that the USPWG interim report report says that "all requested data and modeling were provided" by the administration because last fall when David Pearce and I spoke with Rajeev Dehajia about this (he was then serving on the USPWG as an FSC representative), he indicated that the finance subcommittee was committed to getting this information. Since I didn't see it in the report, I wonder what happened. Surely the administration has formed expectations and this information exists. I'm concerned that the devil is in the details here and we have less than full transparency on this.

Relatedly, have you considered whether this project would be affordable without any further growth in the student body? I understand that the 0.27% rate of growth is much lower than in the past, but it is unclear whether even that amount is in the long-run interests of the university and, in addition, whether that amount accounts for the potential impact of higher rates of growth in the GNU given the existing model of having students from the GNU circulating through to NYU-NY. Do you have any sense of how the growth in the GNU will impact the numbers here in NY? More generally, do you have a sense of how perpetual growth is sustainable? Are we not destined to run...
out of space again in 30-40 (50 or 80?) years with this growth? It seems axiomatic that this expansion cannot permanently solve our space problems if we are projected to grow indefinitely. Do you have a sense of how the administration has come to the conclusion that perpetual growth is optimal (especially given that we are already the largest private university in the country)? Do they have some reason to believe that University education is an increasing returns to scale industry? My concern is that corporate executives tend apply very heavy discounting to the future so that anything out past 20 years is not considered. You may have a better sense of what they are thinking here.

By the way, do you know where the debt service level limit of 7% of annual operating expenses comes from? Why this number? Since this budget puts us ranging above that limit for 8 years or so, how is this "limit" applicable or relevant?

The question asks us to seek definitive answers to future decisions that are made on an annual basis, such as tuition rates and faculty salaries, which we are not able to do. Nor can we predict future energy costs. As we note in our Interim Report, we did ask the University to conduct a stress test to determine the impact of zero growth in enrollment. The figures do not include the growth in enrollment at Abu Dhabi or Shanghai. As for the University's optimal growth rate, we are not the body to make that determination. Of course the current need for space could be addressed by deciding significantly to reduce the size of the student body and, correspondingly, the size of the faculty and the array of academic programs. The 7% target for debt service comes from the Board. There are no standard, external benchmarks for debt service.

It is worth noting that an increase of 0.27%, compounded over 10 years, would mean that a 40-student class would have 41 students 10 years later. And, even over 40 years of compounding, that 40-student class would have grown to only 45 students. But, also, 40 years is a long time, and it is hard to predict the technologies, instructional methods, etc., that would be appropriate 40 years from now. We do not interpret the forecast of 0.27% for the next 10 years to mean that NYU is committed to growth forever, and we would expect that future NYU administrations would periodically make re-assessments as to appropriate paths (at that point) for the (then) near-term future.
Overview and Background

• University Human Resources (UHR) was asked by the Faculty Benefits Committee (FBC) to provide a comparison of the present NYU-Poly medical plan contributions to the 2014 NYU medical plan contributions.

• Comparison of the two types of medical plan offerings is not a simple undertaking given the differences in the variety of plans and differences in coverage levels:
  – NYU’s 2014 medical plans resulted from a series of collaborative discussions over the past year between the FBC and UHR concerning both design and employee contribution levels
  – NYU-Poly offers two choices through Oxford (Basic and Premium), while NYU offers five plans – UHC Advantage, UHC Value, Aetna HMO, Oxford HMO, and a High Deductible Health Plan with a Health Savings Account
  – NYU-Poly offers two levels (Employee, Family), while NYU offers four levels – Employee, Employee and Spouse, Employee and Dependent, and Family
  – NYU-Poly presently has a fully insured plan where overall costs are constructed for insurance company profit, versus the NYU plans which are self-insured
  – If NYU were to offer the faculty and administrators, the same Poly healthcare plans, it would cost the University $11 million more than NYU currently pays for faculty and administrative healthcare
  – Plan costing analysis is most effective when reviewed over a multi-year period rather than on a single year
  – NYU-Poly cost sharing strategy is 15% for employee, while present NYU cost sharing is 18%; most institutions utilize a 20% strategy
Additional Benefit Considerations

- While reviewing the level of employee contributions for medical plans is important, the aggregate increase in value of all benefit programs being offered to NYU-Poly faculty and employees is a more appropriate measure.
- NYU provided the following to NYU-Poly employees:
  - Special 2013 annual merit increase on September 1, 2013 in addition to January 1 2013 increase (two salary increases in calendar year 2013)
  - Special transition bonus paid in early 2014.
  - Prior credited service recognized for NYU benefits (i.e. vacation entitlement).
  - Increased value of 403(b) plan that does not require employee contribution to obtain 5% University contribution as compared to the existing NYU-Poly 403b.
  - Participation in retiree medical plans to qualifying employees, same as NYU.
  - Expansion of Tuition Remission program to include NYU offerings.
  - Availability of Portable Tuition program $5,500, for qualified dependents.
  - Various benefit programs not currently available to NYU-Poly employees and provided at no cost to participants including – Health Advocate, Carebridge, wellness initiatives.
Medical Plan Contribution Comparisons

• The following pages outline the comparison of the NYU-Poly employee contributions versus the NYU contributions.

• In reviewing the details, the following assumptions should be considered:
  – NYU-Poly employees have increased number of choices in medical plans and may make selections which are more, or less expensive than their present limited NYU-Poly plans
  – Color coding compares NYU-Poly Basic Plan to NYU Value Plan and NYU-Poly Premium Plan to NYU Advantage Plan
    • Green indicates NYU plan is less expensive than NYU-Poly plan
    • Red indicates NYU plan more expensive than NYU-Poly plan
  – The number of less expensive alternatives out number the more expensive plans by a ratio of 2:1 (12 less expensive and 6 more expensive)
  – 2013 NYU-Poly rates are compared versus 2014 NYU rates
  – All contributions are shown on an annual basis
  – NYU HMO plans are not included in the comparison since they significantly differ in plan design from the NYU-Poly plans
### Medical Plans Contribution Comparison

**Example 1 – $45,000 Salary**

<table>
<thead>
<tr>
<th></th>
<th>2013 Poly</th>
<th>2014 NYU</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employee Only, Single Coverage</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic</td>
<td>$500</td>
<td>Value $168</td>
</tr>
<tr>
<td>Premium</td>
<td>$738</td>
<td>HDHP $276</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advantage $468</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>2013 Poly</th>
<th>2014 NYU</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employee and Family Coverage</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic</td>
<td>$1,094</td>
<td>Value $2,064</td>
</tr>
<tr>
<td>Premium</td>
<td>$1,953</td>
<td>HDHP $1,788</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advantage $2,976</td>
</tr>
<tr>
<td></td>
<td>2013 Poly</td>
<td>2014 NYU</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------</td>
<td>----------</td>
</tr>
<tr>
<td>Employee Only, Single Coverage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic</td>
<td>$1,376</td>
<td>$1,056</td>
</tr>
<tr>
<td>Premium</td>
<td>$2,034</td>
<td>$816</td>
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<tr>
<td>Advantage</td>
<td></td>
<td>$1,368</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2013 Poly</th>
<th>2014 NYU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee and Family Coverage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic</td>
<td>$3,013</td>
<td>$4,512</td>
</tr>
<tr>
<td>Premium</td>
<td>$5,382</td>
<td>$3,252</td>
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<tr>
<td>Advantage</td>
<td></td>
<td>$5,424</td>
</tr>
</tbody>
</table>
### Medical Plans Contribution Comparison

**Example 3 – $175,000 Salary**

<table>
<thead>
<tr>
<th>Coverage Type</th>
<th>2013 Poly</th>
<th>2014 NYU</th>
<th>2013 Poly</th>
<th>2014 NYU</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employee Only, Single Coverage</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic</td>
<td>$1,943</td>
<td>Value</td>
<td>$1,428</td>
<td></td>
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<tr>
<td>Premium</td>
<td>$2,870</td>
<td>HDHP</td>
<td>$1,020</td>
<td></td>
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<tr>
<td>Advantage</td>
<td></td>
<td></td>
<td>$1,704</td>
<td></td>
</tr>
<tr>
<td><strong>Employee and Family Coverage</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic</td>
<td>$4,253</td>
<td>Value</td>
<td>$6,144</td>
<td></td>
</tr>
<tr>
<td>Premium</td>
<td>$7,595</td>
<td>HDHP</td>
<td>$4,224</td>
<td></td>
</tr>
<tr>
<td>Advantage</td>
<td></td>
<td></td>
<td>$7,044</td>
<td></td>
</tr>
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</table>
NEW YORK UNIVERSITY
THE UNIVERSITY SENATE
Senate Rules of Procedure

Organization and Governance Committee.

Membership The Committee shall consist of the Secretary of the University and one additional representative of the Central Administration, two members nominated by and from the Deans Council, five members nominated by and from the Faculty Senators Council, four members nominated by and from the Student Senators Council, and two members nominated by and from the Administrative Management Council. The Committee shall elect its own chairperson.

Duties The Committee shall review organizational policies of the University and make recommendations regarding governance.
Historical Changes to the Composition of the University Senate

The first Bylaws to contain a description of the University Senate and an outline of its powers and duties appeared in 1899.

The Bylaws approved by the Board of Trustees on May 27, 1968, were the first to provide for multiple faculty representation according to the size of each School’s Faculty.

The first Students were added to the Senate in 1971.

The Administrative Management Council (AMC) was established in 1972, but not as a Council in the Senate.
# The Role of SCOG in Recent Changes to the Composition of the University Senate

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before 2001</td>
<td>The Administrative Management Council (AMC) existed as a Council in the University but not as a Council of the Senate and was represented in the Senate as are the Officers of the University.</td>
</tr>
<tr>
<td>April 2001</td>
<td>On recommendation of SCOG, at the April 12, 2001 meeting of the Senate: [ \cdot ] The AMC was seated as a Council of the Senate with 3 Senators; [ \cdot ] The name of the Faculty Council was changed to The Faculty Senators Council.</td>
</tr>
<tr>
<td>March 2006</td>
<td>On recommendation of SCOG, the AMC gained 2 Senators. \nThe Faculty Senators Council (FSC) and Student Senators Council (SSC) forewent expansion of their respective Councils.</td>
</tr>
<tr>
<td>Fall Semester 2006</td>
<td>The Liberal Studies Program (LSP - formerly known as the General Studies Program - GSP) moved from the School of Continuing and Professional Studies (SCPS) to a division in the Faculty of Arts and Sciences (FAS), losing its former representation through SCPS (LSP is not a School of the University, therefore its Students don’t have the right of representation according to the algorithm by which Student Senators are elected).</td>
</tr>
<tr>
<td>April 2009</td>
<td>On recommendation of SCOG, at the April 23, 2009 meeting of the Senate: [ \cdot ] The SSC gained 1 Senator-At-Large to be used to represent the Students of the LSP (total SSC Senators = 23 Senators); [ \cdot ] The FSC gained 1 Senator to maintain balance of representation of the Councils in the Senate (total FSC = 36 Senators).</td>
</tr>
<tr>
<td>November 2013</td>
<td>On recommendation of SCOG, at the November 7, 2013 meeting of the Senate, and effective when NYU Poly becomes a School of the University: [ \cdot ] The FSC will gain 1 Senator (total FSC Senators = 37 Senators); [ \cdot ] The SSC will gain 2 Senators (total SSC Senators = 25 Senators); [ \cdot ] The Deans Council will gain 1 Senator (total Deans Council Senators = 16 Senators).</td>
</tr>
</tbody>
</table>
An issue of Organization or Governance is brought to SCOG.

The Faculty Senators Council passed two resolutions regarding representation of the Non-tenure Track Full time Faculty in University governance:

**IT IS RESOLVED:** That should non-tenure track full time faculty (NTTF) seek to be eligible for representation, the FSC recommends that NTTF be eligible for representation in university governance;

**IT IS RESOLVED:** That should non-tenure track full time faculty (NTTF) seek representation, the FSC recommends that NTTF form a separate contract faculty council.

The matter was referred to the University Senate and the Senate Executive Committee referred it to SCOG.

SCOG deliberates on the issue – gathers information, consults, etc.

In two surveys, SCOG asked the Full-time Contract Faculty whether it wished representation.

The Senate Executive Committee asked the Schools to elect Delegates to a Planning Committee on Full-time Contract Faculty representation whose “charge will be solely to provide advice and counsel to SCOG in developing a proposal that is likely to be approved by the Senate.”

SCOG consulted the Councils of the Senate and is consulting the Planning Committee.

SCOG makes a recommendation to the Senate by introducing a resolution on the floor of the Senate.

The Senate debates and votes on whether to approve the resolution.

If adopted, the resolution is brought to the Board of Trustees.

If the Board of Trustees ratifies the resolution the appropriate document(s) (University Bylaws, Faculty Handbook, etc.) is/are amended accordingly.
Views of SCOG

*The size of the Senate is a consideration.*
How big IS TOO BIG?

*Balance of representation of the Councils in the Senate is a Consideration.*
There is agreement that the relative proportionality of faculty to student representation in the Senate should remain approximately equal to its current value, meaning that the number of Student Senators would increase in proportion to the added number of Senators from a Full-time Contract Faculty Council.

*Representation of Councils on Standing Committees of the Senate is a Consideration.*
There is agreement that one Senator position should be added to the the AMC so that each Standing Committee can include one AMC Senator.
Models for Representation

*Representation according to the Faculty Senators Council (FSC) model:* FTCF representatives from each school would be elected following current formulas for numbers of faculty representatives, i.e., based on the number of FTCF in each school. This would increase the size of the Senate by approximately 36-38 members.

*Representation that maintains the current overall proportion of faculty:* The total number of faculty seats in the Senate would be divided proportionally between tenure/tenure-track faculty and full time contract faculty based on numbers in each school. Each would form a separate council (The FSC has recommended that the two groups not be incorporated together into the FSC).

*Representation following the Administrative Management Council (AMC) model in which a subset of elected Council members serves as Senators:* The AMC is a university–wide body of 120 members, represented in the Senate by five elected members

*Representation following the Student Senators Council (SSC) model in which there is only one representative from most schools plus at-large members:* The SSC also oversees a University Committee on Student Life, which has broader representation for various School-based councils and provides *input to the Council. This model maintains a school-based orientation.*

*Other model(s):* During discussions a more preferable model(s) than those indicated in 1-4 may arise and is/are welcome for consideration.
<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of 2013 -2014 AY Tenured/Tenure Track Faculty in the University</td>
<td>1994</td>
</tr>
<tr>
<td>Tenured/Tenure Track Faculty at the Medical School</td>
<td>501</td>
</tr>
<tr>
<td>Total Number of Tenured/Tenure Track Faculty in the University minus Tenured/Tenure Track Faculty at the Medical School</td>
<td>1493</td>
</tr>
<tr>
<td>Total FSC Senators</td>
<td>36</td>
</tr>
<tr>
<td>The number of School of Medicine Senators is capped by the Bylaws</td>
<td>6</td>
</tr>
<tr>
<td>The number of FSC Senators-at-Large specified by the Bylaws</td>
<td>3</td>
</tr>
<tr>
<td>Total FSC Senators minus (School of Medicine Senators plus FSC Senators-at-Large)</td>
<td>27</td>
</tr>
</tbody>
</table>

Number of Tenured/Tenure Track Faculty represented in the FSC by each Senator elected in Schools other than the Medical School, with the proviso that each school will be entitled to at least one elected faculty Senator.

Six School have to few Tenured/Tenure Track Faculty to merit 1 Senator by the Method of Equal Proportions, so by default they each are awarded 1 Senator, leaving 21 Senators to be divided among the remaining schools, which, together, have 1374 Tenured/Tenure Track Faculty.

Each Senator elected in Schools represents $\frac{1374}{21} = 65.4$ Tenured/Tenure Track Faculty.

* “Each year, the University Secretary and General Counsel will provide the Faculty Senators Council and the secretary to the faculty or each school the number of faculty members assigned to each school for the purpose of Senate elections and will at the same time indicate the number of Senators to which each school is entitled.” – *NYU Bylaw 63(c)*
### Distribution of Senators Across Schools

**What If the Number of FSC Senators from the School of Medicine Were Not Capped?**

The earliest date for which we have data is for the 2005-2006 AY, a date at which the number of FSC Senators from the School of Medicine was capped at 6 Senators (We don’t know in which year the capping occurred, but in the 2005-2006 AY the capping was in effect).

In the 2005-2006 AY there were 2214 Tenured/Tenure Track Faculty in the University, of which 892 were in the School of Medicine:

\[
\frac{892}{2214} = 40.3\%
\]

**What about the Full-time Non-tenure Track Faculty at the School of Medicine?**

Currently there are 2092 Full-time Non-tenure Track Faculty in the University, of which 940 are in the School of Medicine:

\[
\frac{940}{2092} = 44.9\%
\]

**A Consideration:**

*If not capped, the number of Senators from the School of Medicine would constitute a substantial voting block in their respective Councils*
NYU Divest: Go Fossil Free

We are a group of NYU students, faculty, staff, and alumni organizing to demand that NYU live up to its stated values of sustainability and global community. We’re calling on NYU to divest the university endowment from the fossil fuel industry, specifically from the top 200 publicly-traded coal, oil, and natural gas companies.

Why divestment?

• Climate change is already loading the dice for extreme weather events like Hurricane Sandy, which not only battered communities but cost New York and New Jersey over $70 billion, including billions incurred by NYU itself. Science predicts an escalation in the intensity and frequency of future storms due to an increase in carbon in the Earth’s atmosphere. At UN climate summits, every country has agreed that the maximum amount of atmospheric warming the Earth afford is 2°C, which equates to burning approximately 565 gigatons of hydrocarbon fuels beyond current levels. Recent reports show that the fossil fuel industry has over five times that amount in its reserves. Fossil fuel divestment is a clear way for NYU to live up to its values and help address this crisis.

• Divestment is the opposite of investment—it means taking money (usually in the form of stocks and bonds) out of the securities that are related to unethical business practices. In this case, our message is simple: if it is wrong to wreck the climate, it is wrong to profit from that wreckage.

• A divestment movement has the potential to limit the political power of fossil fuel companies. If hundreds of institutions divested, it would prompt a critical discussion regarding the long-term viability of hydrocarbon fuels and the need to transition to a clean energy economy. In fact, conversations are already beginning in the financial and political sectors as a direct response to the movement.

• We’re proud to attend a university that is recognized as a leader in sustainably, earning a Gold rating from the Sustainability Tracking Assessment and Rating System (STARS). But we find it inconsistent that an institution that has committed itself to curbing its campus carbon footprint would invest millions in companies that are increasing emissions across the globe. NYU shouldn’t be putting money into an industry that is wreaking havoc on the planet’s natural atmospheric systems.

• The bottom line is that divestment is the only choice—morally and financially—for an institution that cares about society, the economy, and the planet that its students are going to inherit.

www.nyudivest.com    nyudivest@gmail.com
The Financials:

Recently, many financial figures have been warning of the dangers associated with our fossil fuel dependent economy. Notably, in early November, Bevis Longstreth, former SEC Commissioner under President Reagan, published an article in the Huffington Post titled “The Financial Case for Divestment of Fossil Fuel Companies by Endowment Fiduciaries.” He cites four main reasons why investments in the fossil fuel industry are financially unwise.

a) Governmental restrictions on carbon release will lead to stranded assets on the balance sheets of fossil fuel companies.

b) Advances made in alternative energies will reduce the demand for carbon-based fuels.

c) Increasingly powerful public action demanding steps like the cessation of CAPEX on exploration of hydrocarbon fuel sources will decrease the profitability of the industry.

d) Growing reputational effects on the fossil fuel companies from the aforementioned will have financial repercussions.

Longstreth cites the work of the Carbon Tracker Initiative, a London-based non-profit company established to align the capital markets with efforts to tackle climate change. The Initiative has published groundbreaking work related to the exposition of a “carbon bubble” which, when burst, could pose a serious danger to our financial markets. The idea of a carbon bubble stems from the belief that the carbon-based assets on fossil fuel companies’ balance sheets are overvalued; the majority of them will not, and cannot, be burned. As the financial markets begin to realize this fact, the bubble could burst in much the same manner as the recent housing crisis ended. This poses a grave threat to the stability of our national and international economy.

Prompted by the enormous economic losses in the wake of Hurricane Sandy, Tom Steyer, founder of Farralon Capital, has teamed with Michael Bloomberg to form Risky Business, an NGO that aims to assess the financial aspects of climate change in order to uncover hidden financial risks. Their report, due to be published in the summer of 2014, will likely have a large impact on the trading value of fossil fuel industry equities.

Steyer, worth $1.5 billion himself, recently appealed to the Trustees of Middlebury College to divest their endowment portfolio, citing the enormous risk of stranded assets and stating, “I have directed my financial team to divest my holdings of fossil fuel investments so that I will have a fossil fuel free portfolio myself - in part because I am convinced it will outperform the market.”

The financials of global warming are of increasing concern, and they’re gaining the attention of industry professionals. Bloomberg LP has just released a new “Carbon Risk Evaluation Tool” to its clients, providing analysts with, “data and analytics around the concept of stranded assets and help our clients protect against the potential risks and unexpected swings in markets they could cause.”

If experts are beginning to realize the dangers of continued investment in a carbon-energy-based economy, we should heed their warnings and make adjustments in our own portfolios.
The Triple Bottom Line:

The phrase “Triple Bottom Line,” first coined in 1994 by consultant John Elkington, refers to the preparation of a second and third, non-traditional measure of profit and loss in addition to the standard income statement.

The second essentially measures how socially responsible an enterprise has been in its operations during the fiscal period. The third accounts for the company's environmental impacts. Together, these 3 methods of measure account for the 3 P's: Profit, People, and Planet.

These alternative methods of accounting are becoming increasingly popular, and there has even been recent movement to legally require that corporations provide similar information to investors along with customary financial statements. This push doesn’t aim to squash profits, but rather to remind businesses that they also have responsibilities to society.

As a “private university in the public service,” and an institution that has already made great strides in committing itself to sustainability, it is prudent to align our endowment with these values. It’s critical that we ensure that our methods of producing that first P, profit, don’t hinder our positive contributions to society.

Frequently Asked Questions:

Won’t divestment lose the university money and necessitate an increase in tuition?

There’s no doubt that the fossil fuel industry is one of the most profitable enterprises on the planet, but that’s because they don’t play by the same rules as everyone else. Alone among industries, fossil fuel corporations are allowed to pollute for free while passing the hidden costs (both financial and environmental) of pollution on to the rest of the population.

Of course, there are plenty of other ways to make profit. Whether it’s investing in the clean energy economy or directing capital into a revolving loan fund for campus projects, colleges and universities have an increasing number of options when it comes to responsibly investing their endowments. A recent study by the Aperio Group concluded that the “theoretical return penalty” for fossil fuel divestment is a mere 0.0034. Simply put, divestment will not result in a loss of profit.

Shouldn’t we work with the fossil fuel industry instead of divesting?

Some critics of the divestment movement suggest that rather than divest, institutions should retain their current investments and use their power as stockholders to influence those companies’ future decisions. They argue that stockholders have the power to demand changes in a company’s business plan. In many cases, this would be an effective method of changing corporate behavior.

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FAQ Continued…

Fossil fuel companies, however, are different in that the flaw in their business plan doesn’t stem from management decisions at an individual level, but rather a flaw in the plan of the entire industry. Their plan involves running an infinite system of operations without accounting for the fact that we live on a finite planet with a limited number of resources. Ultimately, this system is destroying the balance of Earth’s natural ecosystems.

It is also important to note that the direct financial consequences are not the only threat divestment poses to the fossil fuel industry. Public opinion weighs heavily on management decisions, and by creating a stigma around fossil fuels, our campaign can force a change in corporate behavior.

Will divestment actually make an impact?

We are part of a growing movement of over 400 campus campaigns across the country pushing for fossil fuel divestment. If only NYU divests, it might go unnoticed. But as leaders in a rising global movement, we have a tremendous potential for change.

Divestment has been used as a successful tactic in the past, especially in movements against apartheid in South Africa in the 1980s and against big tobacco in the ‘90s. In the case of apartheid, 155 campuses and many cities, states, and businesses divested from companies that had ties to the South African government, speeding the country’s transition to an open democracy.

If this campaign succeeds in moving just even small fractions of endowments into conscious alternatives, that would equate to billions worth of new investment in sectors like solar bonds and advanced energy industries.

Senator Sheldon Whitehouse has mentioned the movement on the congress floor, and the campaign was featured on the front page of the New York Times. Divestment is a clear and powerful action that helps build the case for government action, along with making the economic point that we should be moving our money into the solution as opposed to the problem.

For more information:

Studies and articles referenced and for further reading:
- Unburnable Carbon, Carbon Tracker Institute
- Building a Carbon Free Portfolio, Aperio Group
- The Financial Case for Divestment By Endowment Fiduciaries, Bevis Longstreth
- The Overwhelming Case for Divestment, UMass Fossil Fuel Divestment Campaign

Please visit gofossilfree.org for more information on the national movement to divest from fossil fuels.

For the list of top 200 fossil fuel companies, please visit gofossilfree.org/companies.