MINUTES OF THE FACULTY SENATORS COUNCIL MEETING OF JANUARY 26, 2012

The New York University Faculty Senators Council (FSC) met at noon on Thursday, January 26, 2012 in Room 905/907 in the Kimmel Center for University Life.

In attendance were Senators Adelman, Amkpa, Cappell, Carpenter, Cowin, Hammack, Harrington, Hutchins, Jelinek, Jones, Lebowitz, Ling, Monaco, Nolan, Phillips, Raiken, Rodwin, Schacht, Simon, Sternhell, Sundaram, Tranchina, Van Devanter, and Zwanziger and Alternate Senators Sadoff, Reiss, and Tannenbaum. FSC Advisors Al-Askari and Moskowitz attended as guests.

APPROVAL OF THE MINUTES OF THE MEETING HELD DECEMBER 15, 2011

Upon a motion duly made and seconded, the minutes of the December 15, 2011 meeting were approved unanimously.

REPORT FROM THE VICE CHAIRPERSON: MARIE MONACO

In Chairperson Magder’s absence, Vice Chairperson Marie Monaco presided over the meeting.

Monaco announced the call for nomination for the position of FSC Chairperson, 2012-13. The responsibilities of this position and the rules of procedure regarding elections were included in the handouts. See attached Documents A and B. Monaco asked if senators would like to nominate a member of the Council or wish to self-nominate, to send an email to: karyn.ridder@nyu.edu by Friday, Feb. 3.

The Executive Committee (EC) met with President Sexton on Jan. 17. At the meeting, Sexton addressed the EC’s questions regarding reduction in work study money and allocation within NYU. Sexton reported NYU's allocation has dropped from $9 to $6 million in the past year. Allocation is made on a percentage basis to schools based on the number of students who qualify for the program. The money follows the student if he/she takes a position in another school, unless a school Dean requires that work study funds be used by students only in their "home" school.

Sexton discussed the role of the newly appointed Vice President for University Enterprise Initiatives, Rick Matasar. Matasar will work to consider new ways to generate tuition revenue for the University and will likely explore models for on-line teaching, as well as satellite MA programs, etc. Sexton clarified that Matasar is not the new dean of SCPS, but his work may influence the future direction of SCPS. Sexton continues to raise concerns about the pressure from political forces to slow tuition increases. The FSC will arrange a meeting with Matasar later in the spring.

The EC raised the issue of providing tax assistance to NYU employees who are legally married to their same-sex partners and who include their spouse on their NYU health insurance. Due to the Defense of Marriage Act, the federal government does not recognize same-sex spouses as "dependents," and the IRS requires employers to calculate the imputed value of health coverage for a same-sex spouse and treat that amount as additional income to the employee for which the employer must withhold federal taxes. In light of this policy, some employers, including universities, are providing tax assistance to their same-sex married employees to offset the federal taxes withheld from their paychecks because their marriages are not recognized by the federal government. Columbia and Yale have recently announced that they are joining the list of employers who are compensating for the additional federal
taxes paid by married same-sex couples. Sexton advised the EC to meet with EVP Michael Alfano about the issue.

The EC raised again an issue discussed briefly in the last meeting with the President: the desire to discuss the possibility of, under certain circumstances, granting access to one’s NYU retirement funds prior to retirement. Sexton directed this issue also to EVP Alfano.

The EC and Sexton also discussed the new NYU Traveler program and recent concerns raised by Stern faculty members. Sexton described NYU Traveler as a security program to ensure that NYU employees traveling abroad can be identified and located in the event of a natural or political crisis. When an employee travels on NYU business, he/she must go to the website and fill out forms to inform NYU of the trip itinerary. The employee may also choose to book their trip through one of the two travel agencies linked to the website or they may book their trip independently. Sexton provided the EC with a memo from Steve D’Onofrio responding to concerns raised by Stern faculty regarding the potentially intrusive and time-consuming nature of the plan to have faculty (and staff) log all NYU travel information (accommodation and transportation) in a database.

The main responses included: 1) the data will not be shared with outside parties; 2) the request for data is not overly time-consuming; 3) the advantages in terms of providing safety and security to NYU travelers outweighs other concerns; and 4) changes to the system are being made during the pilot period and the pilot period will be extended.

**FSC COMMITTEE REPORTS**

**Personnel and Affirmative Action: Senator Molly Nolan**

Senator Nolan stated the Committee received numbers on non-tenure track faculty growth over the last ten years, as reported and discussed at past FSC meetings. The Committee then developed and presented possible models of representation. Nolan presented the Committee’s proposed resolution regarding representation of Non-Tenure Track Full Time Faculty (NTTF). See attached Document C.

Senators inquired if NTTF have approached the FSC and expressed interest in representation. It was stated NTTF have not formally come forward to the FSC. Senators questioned if the FSC should vote on these motions without a formal request by NTTF. A Senator stated it is not surprising they have not formed a group or come forward because they serve at the pleasure of their dean and have no protection. Senators questioned if there is an interest among NTTF to form a union and Senators responded they have heard from NTTF that they are interested in some recognition in the University Senate, but are not interested in unionization. However, no formal request concerning representation has been received from NTTF.

Senators discussed the different circumstances and roles in teaching and research of NTTF at the different schools. A Senator noted the diversity of roles is an important reason for NTTF to have their own council so that each school could be represented. If NTTF were part of the FSC they would not have enough representation or be able to participate in all votes (i.e. tenure, etc.). The Senator stated NTTF have separate interests that need to be represented. Another Senator countered that outside tenure issues, there does not seem to be a division of interest between NTTF and Tenured or Tenure-track faculty.

Since the FSC had not been formally approached by NTTF on this issue, the Senators decided to add in “should non-tenure track full time faculty (NTTF) seek to be eligible for representation” to the beginning of each resolution.

Upon a motion duly made and seconded the following resolution was approved by a vote of 20 senators in favor with 4 abstentions:
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.

Upon a motion duly made and seconded the following resolution was approved by a vote of 17 senators in favor and 3 senators opposed with 4 abstentions.

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.

[See attached Document D for final resolution and memo.]

A Senator offered a follow-up motion recommending that if NTTF form a separate a council, that one representative attend FSC meetings and a representative from the FSC attend the NTTF Council’s meeting. This will be discussed at the February meeting.

Global Network University: Senator Floyd Hammack

Senator Hammack reported the Committee had several meetings with administrators this academic year. The University is working to establish the Shanghai campus as the third portal campus and there is likely to be a fourth portal, possibly in Madrid, in the future. Shanghai will start with Executive MBA programs and then develop an undergraduate program. One of the issues arising is getting schools to be able to effectively circulate faculty and students among different curricular structures and requirements. With the differences among schools, portal sites, programs, it is a challenge to facilitate movement across these campuses.

NYU 2031: Alternate Senator Carol Reiss

Alternate Senator Reiss reported during the first few weeks in January, Community Board 2 had their hearings and will make their recommendations to city agencies, then several city agencies review plans, then Manhattan borough presidents make recommendations to the city council, and then the city council makes their decision. Plans may continue to exist in the current form or change substantially.

Reiss stated there have been many comments and concerns sent from faculty members to the FSC about NYU2031. Senators added they have also heard a great deal of protest about the plans and remarked that faculty members are asking what the FSC is doing regarding this issue. A Senator suggested that the 2031 Committee bring the Public Affairs Committee into the conversation. Reiss will work with Alternate Senator Tannenbaum on this issue. The FSC is hosting two Faculty Forums this spring concerning NYU 2031 plans. Faculty are invited to learn more and ask questions concerning these plans:

Session 1: Friday, March 9 from 10 am - 12 pm
Kimmel Center, 60 Washington Square South, Room 914
Click here to RSVP: http://www.nyu.edu/rsvp/event.php?e_id=3948

Session 2: Friday, April 20 from 2 - 4 pm
Kimmel Center, 60 Washington Square South, Room 914
Click here to RSVP: http://www.nyu.edu/rsvp/event.php?e_id=3949

Updates on NYU 2031 are available on the following websites:

NYU 2031: http://www.nyu.edu/nyu2031/nyuinyc/

ADJOURNMENT

The meeting adjourned at 2:10 PM.
RESPONSIBILITIES OF EXECUTIVE COMMITTEE MEMBERS

CHAIRPERSON

- **Term:** The Chair-elect will serve a 1 year term, following the May meeting of the Council and serve until the following May.
- **FSC Meetings:** The Chair shall preside at all meetings of the Faculty Senators Council in accordance with Robert’s Rules.
- **University Senate:** The Chair shall serve on the University Senate Executive Committee. At the University Senate meetings, the Chair shall report on the activities of the FSC and submit questions on behalf of the Council for the President’s Question Time.

VICE CHAIR

- **Term:** The Vice Chair will serve a 1 year term, following the May meeting of the Council and serve until the following May.
- **FSC Meetings:** In the absence of the Chair, the Vice Chair shall preside at the meeting.

SECRETARY

- **Term:** The Secretary will serve a 1 year term, following the May meeting of the Council and serve until the following May.
- **FSC Meetings:** In absence of both the Chair and the Vice Chair, the Secretary shall preside at the meeting.
- **Minutes:** The secretary will review, edit, and approve the minutes of all FSC meetings. Minutes are produced by the FSC Coordinator.

GENERAL RESPONSIBILITIES OF THE EXECUTIVE COMMITTEE

The Executive Committee:

- oversees and organizes all Council activities
- meets twice per month or as needed to discuss FSC matters, prepare for meetings, appoint members to committees/taskforces, etc.
- meets a few times per semester with the President and a few times per semester with the Provost on behalf of the Council.
- appoints the chairs and members of the FSC and University Senate committees.
- nominates candidates for the positions of Senator-at-Large and Alternate Senator-at-Large.
- reviews all communications of the Faculty Senators Council.
I. OFFICERS

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

   (a) The Chair shall preside at all meetings of the Faculty Senators Council in accordance with Robert’s Rules. In the absence of the Chair, the Vice Chair shall preside at the meeting. In absence of both the Chair and the Vice Chair, the Secretary shall preside.

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

2. Nominations
   (a) Nominating Committee: The Executive Committee shall appoint a Nominating Committee by January to consist of 3 members of the Council in the second year of their current terms or the first year of their successive terms.

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

   (c) The Nominating Committee shall prepare a slate of at least two candidates for the position of Chair-elect to be announced in the notice of the January meeting.

   (d) The Nominating Committee shall prepare a slate of at least two candidates for the positions of Vice Chair and Secretary to be announced in the notice of the April meeting.

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

   (b) The Vice Chair and the Secretary shall be elected by secret ballot at the May meeting.

   (c) For each of these elections, members of the Nominating Committee shall act as Tellers.

4. Terms of Service
   (a) The Chair-elect will become Chair following the May meeting of the Council and serve until the following May. In the rare instance that the Chair-elect is in his/her third year of service and is not reelected as Senator in his/her school, he/she would be nominated to serve one three-year term as Senator-at-Large, according to the procedures stipulated in section I.1.a. of the Rules of Procedure. The Past Chair will continue to serve on the Executive Committee, even if he or she has completed his/her elected term of office as Faculty Senator. If the Chair serves a second consecutive term, the Past Chair may remain in office.

   (b) The Vice Chair and the Secretary will take office following the May meeting of the Council and serve until the following May.
Proposed Resolutions Regarding Representation of Non-Tenure Track Full Time Faculty (NTTF)

Presented by the Personnel and Affirmative Action Committee for consideration at the Faculty Senators Council Meeting, 1/26/12

Motion 1:

The FSC recommends that NTTF be eligible for status as University Senators. (Yes / No)

If YES,

Motion 2:

The FSC recommends that NTTF Senators form a separate Senate caucus. (Yes / No)

Motion 3:

The FSC recommends that NTTF Senators join an enlarged FSC, with full voting rights except on matters to pertaining to tenure and promotion or any other items that refer exclusively to tenure-track or tenured faculty. The final model for NTTF inclusion in FSC to be proposed by the committee and voted on by the FSC. (Yes/ No)
MEMORANDUM

TO: President John Sexton

FROM: Ted Magder
Chairperson, Faculty Senators Council
A/Y 2011-2012

RE: Faculty Senators Council Resolutions regarding Participation of Non-Tenure Track Full Time Faculty (NTTF) in University Governance

At the January 26, 2012 meeting of the Faculty Senators Council, the attached resolution was approved.

CC: David McLaughlin, Provost
Carol Morrow, Associate Provost
Diane Yu, Chief of Staff and Deputy to the President
Marie Monaco, FSC Vice Chairperson
Mary Ann Jones, FSC Secretary
Robert Schacht, FSC Immediate Past Chair
Molly Nolan, FSC Personnel and Affirmative Action Committee Chair
At the January 26, 2012 meeting of the Faculty Senators Council, the Council approved the following resolutions:

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.