MINUTES OF THE T-FACULTY SENATORS COUNCIL MEETING OF FEBRUARY 19, 2015

The New York University Tenured/Tenure Track Faculty Senators Council (T-FSC) met at noon on Thursday, February 19, 2015 in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Grand Hall.

In attendance were Senators Adelman, Alter, Backus, Chan, Economides, Garabedian, Jacobs, Jelinek, Kane, Klimke, Mincer, Pearce, Smith, Sundaram, Thurston, Uleman, Van Devanter; Active Alternates Archer, Cappell, Drysdale, Ebsworth, Martin, Ludvigson, and Pearce; Alternate Senators Chiteji (for Antoon), Dasanayake (for Kamer), Grigos (for Ling), Reiss (for Appiah), and Tannenbaum (for Allgood).

APPROVAL OF THE MINUTES OF THE MEETING HELD JANUARY 29, 2015

Upon a motion duly made and seconded, the minutes of the January 29, 2015 meeting were approved unanimously.

ELECTION BY SECRET BALLOT OF T-FSC CHAIRPERSON 2015-2016

See attached Document A: Candidate Statement

Nominating Committee member, Senator Porfiri, announced the candidate presented by the Nominating Committee: Allen Mincer from the Faculty of Arts and Science. Porfiri asked for any nominations from the floor.

The election of T-FSC Chairperson for 2015-2016 took place by secret ballot.

Senators Backus and Porfiri from the Nominating Committee supervised the counting of the 27 ballots, including three absentee ballots, and Porfiri reported the results of the election: Allen Mincer from the Faculty of Arts and Science will serve as T-FSC Chair for academic year 2015-2016.

REPORT FROM THE CHAIRPERSON: RAGHU SUNDARAM

T-FSC Executive Committee (EC) Elections: Vice Chairperson and Secretary

Chairperson Sundaram encouraged Senators to send nominations for the positions of Vice Chairperson and Secretary, noting this is a particularly important year with the appointment of a new president, who the Executive Committee will have the opportunity to regularly meet with.

Upcoming Committee Presentations

Sundaram reported the Administration & Technology Committee will present in March on the University Access to Personal Digital Content Policy and in April on the Social Media Policy. There will also be a
presentation by the Faculty Housing Office at the March meeting. He requested that all other Committees to inform him when they plan to make presentations this spring.

**Meeting with the President: February 17, 2015**

Sundaram reported the EC met with President Sexton on February 17. Topics discussed included a general conversation on the future of higher education and the role of humanities and the recent human rights watch report on NYU Abu Dhabi, which was a significant part of the conversation. The EC sent Sexton a memorandum from the EC raising points of discussion about this report. Sundaram passed around the draft of the memo and encouraged Senators to send any feedback. See attached Document D.

This discussion will be continued at the next EC meeting with the President on March 17.

The EC again asked for a presentation by Nardello and Co., and were informed they would make a full presentation to the University Senate, possibly at the March meeting or latest at the April meeting.

**Two additions to the Agenda: Finance Committee Recommendations to the Senate Financial Affairs Committee and Martin Klimke on NYU AD**

Sundaram noted Co-Chairs Backus and Smith of the Finance and Policy Planning Committee will present on the recent survey regarding AMI and salary and discuss the recommendations to the Senate Financial Affairs Committee.

Secondly, Sundaram noted that Martin Klimke from Abu Dhabi is in attendance in person at the meeting and will make a presentation regarding NYU Abu Dhabi. He noted the challenges with video-connectivity this year and mentioned the Council meetings may be moved into the Colloquium Room next year, which offers video-conferencing.

**Presidential Search**

Sundaram stated the confidentiality agreement that Search Committee members signed before the search process precludes him from talking in detail about the process. He noted the Committee has been meeting regularly and working extremely long hours for the past month. He commented the process has been open and the discussions frank and productive.

**T-FSC COMMITTEE REPORTS**

**Personnel Policies & Tenure Modifications: Committee Co-Chairs Jelinek & Ling**

*Proposed Recommendations with Respect to Tenured and Tenure Eligible Faculty Who May Join the College of Global Public Health/Faculty of Health*

See attached Document B: Recommendations.

Senator Jelinek provided a brief background on the Faculty of Health plan. He stated the plan is for the College of Dentistry, College of Nursing, and the new College of Global Public Health to be placed under the umbrella of a larger organization called the Faculty of Health. Each School will have its own Dean and the Faculty of Health will have a Dean.

The Personnel Policies & Tenure Modifications (PPTM) Committee reviewed the plan and developed recommendations, which focus on the faculty who might leave their current schools and join the new College of Global Public Health.
He read from Document B:

At this point in time the proposal for the creation of a College of Global Public Health and a Faculty of Health is sufficiently lacking in detail so as to preclude a robust review and comment on the specifics of their definition. Additionally, the relative prospect for success and sustainability versus the risk of failure and termination are unknown quantities. However, acting in its role as Faculty Personnel Committee of the Senate with respect to the Tenured/Tenure Track Faculty and with the expectation that at the appropriate time the Tenure Faculty Senators Council will have the opportunity to review and comment on the appointment, promotion and tenure policies of the School of Global Public Health and the Faculty of Health, as well as those of the Colleges of Dentistry and Nursing should they be amended to accommodate the inclusion of those Colleges in the Faculty of Health, the Tenure Faculty Senators Council, at this time, makes the following recommendations regarding Tenured and Tenure-Eligible Faculty who may join the College of Global Public Health, which, as specified in the proposal, shall reside within the Faculty of Health, as will the College of Dentistry and the College of Nursing:

He then summarized the five bullet points:

Point 1 recommends that any current faculty member who is in another school should not be pressured in any way to move from their primary school of appointment into the College of Public Health.

Point 2 recommends that if a current faculty member is asked to move and they decline to move, that it should not accrue to them any consequences, including discrimination by the administration in their current school, nor must their status be changed in any way in their current school if they decline to move.

Point 3 recommends that for those faculty who will move their primary appointment from their current school into the College of Global Public Health, there must be a mutual understanding between the faculty member and the administration about the administration’s expectations and requirements of the faculty member and his or her status, rights, and responsibilities in the new College of Global Public Health.

Point 4 recommends that because the new College of Global Public Health will become a new entity whose sustainability will remain untested and unknown for several years, that there be a policy with respect to faculty who move from their current schools to the new College of Global Public Health that outlines the university’s responsibility to them if the new entity fails or is reorganized in such a way that their position is terminated. He gave an example in Appendix C which is one of three sections to a resolution that was adopted by the senate on May 10, 1979. The Board of Trustees accepted two of the issues but not the third one, which is the one listed in Appendix C. The entire resolution that was passed can be reached by a hyperlink in the online Faculty Handbook.

Point 5 addresses tenure eligible faculty and recommends if a tenure eligible faculty member moves his or her primary appointment from his or her current school to the new College of Global Public Health, there must be a mutual understanding between the faculty member and the administration about the administration’s expectations and requirements of the faculty member and his or her status, rights, and responsibilities in the new College of Global Public Health.

In addition, the Committee recommended if the tenure probationary period turns out to be different in the College of Global Public Health versus that of the faculty member’s current school, that the faculty member be given a choice as to whether to accept the new probationary tenure period in the new College of Global Public Health or that of his or her current school.

Jelinek added the Committee expects to perform a more robust and detailed review and comment when promotion, appointment, and tenure policies become available from each of the Schools.

A Senator asked about the status of the faculty members who will be asked to move. Jelinek stated
there are six faculty members who are all tenured from Steinhardt and the Committee was informed they are agreeable about moving to the new College of Global Public Health. The current masters of public health program will be moved from Steinhardt to the new College of Global Public Health. In addition, there will be other faculty members who will have joint appointments.

Alternate Senator Reiss clarified the joint appointments will include appointments with Wagner, Steinhardt, Silver School, and Arts and Sciences. She noted in order to receive accreditation as a school of public health, there needs to be at least five disciplines.

The Senator followed-up to his question asking if departments or individuals will be moving. It was clarified individuals will be moving, and not entire departments.

A Senator commented this appears to be a significant strategic decision during a change of leadership and asked about this timing of the decision, specifically why now and not later when a new President would be involved.

Jelinek responded that the Committee asked this question of Bob Berne, EVP and read the Q &A from Appendix A of Document B:

Q: Why is this moment in time considered the most propitious for creation of the College of Global Public Health/Faculty of Health?

A: (from Berne): The momentum is significant in public health and while I thought it would take longer for a school conversation to surface, it did so last academic year. Were we to wait at this time, our student and faculty recruitment as well as our reputation would suffer—as might our prospects for significant philanthropy. Further, there are certain federal grants that are available only to schools of public health. I believe that NYU is the oldest program that is not a school.

A Senator noted NYU loses students to other Schools of Public Health, including Columbia University Mailman School of Public Health and Johns Hopkins Bloomberg School of Public Health.

A Senator commented regarding the "why now" question, stating this is not a new issue and has been discussed for several years. He asked if a faculty member in Steinhardt chooses to not move to the new College of Global Public Health, where will he or she move in Steinhardt if the masters in public health is moving to the new College.

A Senator explained the history of the College of Nursing. 10 years ago, Nursing was a division in Steinhardt. It was decided it lacked national visibility and was having challenges with recruitment and it was decided to move Nursing under the College of Dentistry. Every faculty member that was a part of the Nursing division was offered the choice to move. Those faculty members that stayed continued to teach interdisciplinary courses.

A Senator commented on the similarity of the first two bullet points. He commented the first bullet point is about inducement and what happens if one moves, and the second bullet point is what happens if one does not move. He commented an inducement could be a salary increase. He suggested replacing “discrimination” with “repercussions”, which more directly ties the action to the decision not to move the appointment.

Senators commented on the potential opportunity costs and significant financial investment. If it is not self-financing for a period of time, less money will be spent elsewhere. He questioned whether faculty had the opportunity to weigh in on this.

It was clarified the Working Group on the Health Realignment was formed at an early stage and has spent time studying these issues.

A Senator suggested postponing the recommendation until the new president is named.
A Senator stated colleagues from the involved schools have vetted the plan, shown strong support, and from their standpoint believe it will bring visibility, research, funding, etc. He suggested with this level of support from those directly involved, the Council should not postpone recommendations without reasonable grounds.

It was suggested to table the discussion to next month and invite Cheryl Healton (Director, Global Institute of Public Health and Dean of Global Public Health) to give a presentation.

A Senator recommended requesting the new Dean be chosen by the next president. It was commented this will almost be inevitable, because of the timing of the process.

A Senator asked about the perspective of the College of Nursing. The Senator from Nursing stated programs in global public health are in high demand. Nursing has tripled its enrollment by becoming more visible and was able to finance a new building through donor support because of the interest in health. To recruit the best faculty, students, and research funding NYU needs to have a school of Public Health. She mentioned the competition with other NYC universities and the potential missed opportunity.

It was approved by general consensus to table the discussion and vote on recommendations to the March meeting.

**Finance and Policy Planning: Committee Co-Chairs Backus & Smith**

**T-FSC 2015 Salary Poll Results**

See attached Document C: *T-FSC Salary Poll.*

Sundaram reported the Finance Committee has been charged with making recommendations regarding the Annual Merit Increase (AMI) for next academic year. He mentioned the challenge of viewing this at the school level versus university level, which are two separate issues since revenues are owned by central. He mentioned an incentive system at Stern, which encourages departments to save money on unnecessary expenses but rerouting a portion of that funding back to the departments. He asked the Finance Committee to put together a formal framework that Senators can bring to School deans to structure the conversation around this topic. He stressed the importance of faculty involvement in this process.

Senator Smith stated the goal is to have better input into the budget process including expenses and revenues. He presented a summary of the results of the survey sent to all Senators and Alternates. The survey asked for input on the recommended salary pool increase (AMI). Most of the responses ranged between 3 and 4%. Smith stated the Committee will propose 3.5% and show the Financial Affairs Committee this data.

Beyond this, the Committee suggests proposing a framework by which schools and departments can discuss internal ways to reduce costs or increase revenues in return for a larger salary pool.

The survey shows that Council members have ideas on cost-saving actions and other suggestions regarding the salary process.

The Committee proposed submitting a budget request which includes the suggested AMI of 3.5% and also demonstrates evidence that faculty have ideas on cost-saving actions, and use this to put a framework in place to generate more concrete discussions in order to offer more precise recommendations in the future.
Senator Backus described the Stern example in more detail. Funding for equipment, administrative support, etc. was put into one large pool and faculty could choose how to use this money. If a faculty member chose to have less administrative support, this allowed for additional funding for other expenses. He also mentioned that faculty could choose to teach additional courses for additional money. This is more cost effective than hiring new faculty to teach those courses.

A Senator mentioned if school revenue will go to central, there is less incentive for schools to generate additional revenue. He commented most of the costs are at the central level, not at the school level. He remarked the administration has been reluctant to take faculty recommendations regarding cost-savings at the central level.

A Senator mentioned an example from the School of Medicine and potential cost savings. 40% of the savings will go directly back to the department to use at its own discretion.

The definition of AMI was discussed and it was reported different school follow different policies regarding AMI.

It was approved by general consensus to table the discussion to the March meeting.

**NYU Abu Dhabi: Senator Klimke**

Senator Klimke from NYU Abu Dhabi reported AD has installed a robust infrastructure to address many of the allegations that have come forward in the wake of the NY Times, Observer and Guardian reports. A labor compliance working group, composed of faculty working together with the compliance officers in Abu Dhabi, reviews any kind of complaint being raised by workers. There is also a faculty advisory committee on labor and social responsibility that is preparing a comprehensive report as a recommendation to the University in the area of labor. In addition, there is a task force on labor initiatives that is currently looking into educational opportunities for workers on campus. And there is a domestic employment initiative that is looking to establish best practices to promote effective and ethical employment of domestic workers. He mentioned one of the landmark changes from last semester to this semester is that all the sub-contractors that were hired to maintain and manage the facilities of the new campus have moved over to a direct contractual arrangement with NYU Abu Dhabi. By holding these contracts directly, AD is able to provide educational opportunities and access to facilities on campus, intramural athletic programs, and business English classes.

There is consensus on campus that if these allegations by the Human Rights Watch and the media are being corroborated, then there needs to be swift and comprehensive compensation provided to every individual involved.

He also mentioned the expansion of the workforce and compliance interviews. Every month, the NYUAD Compliance Office hosts approximately 50 planned compliance interviews of contract staff from all service providers; interviews are conducted by Compliance staff, as well as staff and faculty members who are trained in that particular area. NYUAD Compliance also conducts random unplanned interviews each month.

He mentioned there are more initiatives, including student initiatives. The student newspaper: The Gazelle provides a good overview of the situation.

He also mentioned the faculty town hall hosted in December, which included faculty in New York and faculty in Abu Dhabi, and advocated for continued cross campus discussion.
OLD BUSINESS

Coordination Committee

Sundaram mentioned the January report from the Coordination Committee, which was supported with no objections by the Council and will therefore move forward as the plan for collaboration between the committees of the two faculty senate councils.

Divestment

Senator Thurston requested a discussion at the next Council meeting of the issue regarding investment in the fossil fuel industry, which the T-FSC Subcommittee on Fossil Fuels, chaired by Senator Goodwin, presented on in the fall semester. He will confirm with Goodwin.

NEW BUSINESS

Sundaram reported Alternate Senator Tannenbaum's proposal to replace the “T-FSC” acronym with “TFac”.

ADJOURNMENT

The meeting adjourned at 2:00 PM.
Dear Colleagues:

I am honored to be a nominee for the position of T-FSC Chair.

During my 25 years as a faculty member in the FAS Physics Department I have seen some dramatic improvements at NYU, which are reflected in the excellence of our faculty, in the rise in rankings of a number of departments and in various measures of the quality of students we are now attracting. But I have also witnessed changes resulting in concern on the part of faculty regarding issues such as the weight given to non-academic considerations and the role of faculty in University decision-making, evolution in the role of tenured faculty, NYU 2031, and the creation of the GNU and navigation of its complex relationship with NYU in New York.

Faculty from the various schools have many shared concerns, yet differences in culture, traditions and goals have complicated internal FSC discussions on important matters. Similar comments about shared goals and tenor of discussion can be made regarding the interaction of the faculty as a whole with the administration. Despite these challenges, I believe that real progress was made in the last few years. The FSC has spoken with a clear, united voice on the need for shared governance. The administration has responded by including faculty in key advisory committees and has been very good about providing the various FSC committees with information requested. The hard work and thoughtful input of you, the T-FSC senators, on a number of committees has demonstrated some of the strengths of shared governance.

This year we have also begun to develop a working relationship with the new N/C-FSC. Despite some differences in concerns and priorities between our councils, our experience so far leaves me optimistic that we can work together when our goals are aligned, and have productive discussions when they are not.

As it will be a period of transition to a new presidential administration, next year will present us with both opportunities and challenges. It will likely require much work on the part of our council, but also be very rewarding.

Best regards,

Allen

Allen I. Mincer
Department of Physics
New York University
Proposed Recommendations of the Tenure-Faculty Senators Council with Respect to Tenured and Tenure Eligible Faculty Who May Join the College of Global Public Health/Faculty of Health

Background

Health Realignment at NYU

Structure
A Faculty of Health will be created, comprised of the extant College of Dentistry and College of Nursing, which will no longer reside within the College of Dentistry, and, as an outgrowth of the extant Global Institute of Public Health, a newly created College of Global Public Health.

Each of the three constituent Colleges of the Faculty of Health will be at the level of “school-college” within the NYU lexicon and will maintain appropriate autonomy. Each will have a Dean.

The Faculty of Health will have a Dean, identified by a national search led by a Faculty-Majority Search Committee, and modest staffing to provide oversight and support in areas that include strategic planning, budget/finance, faculty recruitment, retention and promotion, human resources, research and grant management, and IT.

Purpose
The joining of the three Colleges within the Faculty of Health will establish academic and administrative synergies to take advantage of inter-professional and inter-disciplinary opportunities and to establish a distinctive edge in the increasing competitiveness in health-related disciplines.

The formation of the Faculty of Health will facilitate interactions with other health schools and programs at NYU and beyond.

Significant economies of scale might be achieved that will place the Faculty of Health at an advantage in securing faculty, students, and research funding.

Faculty
The current Master of Global Public Health program will move from the Steinhardt School of Culture, Education, and Human Development to the newly created College of Global Public Health.

It is anticipated that six tenure/tenure track faculty in public health in the
Steinhardt School will choose to move to the College of Global Public Health.

The expectation is that 50 percent of faculty appointments in the College of Global Public Health will be jointly held between collaborating schools.

Regarding decisions taken on the granting of tenure, the preliminary idea is for each College to have its own Committee, which will provide recommendations to a single Faculty of Health Committee. The Faculty of Health Committee will submit to the Dean of the Faculty of Health who will then make recommendations to the Executive Vice President for Health/Provost.

Executive Vice President for Health Robert Berne attended the January 29, 2015 meeting of the Tenure Faculty Senators Council (T-FSC) and was provided a set of written questions from the T-FSC Personnel Policy and Tenure Modifications Committee in advance of that meeting. During the meeting EVP for Health Robert Berne discussed the creation of the proposed College of Global Public Health and Faculty of Health and responded to the written questions and questions from the floor. He was asked to respond in writing to the written questions, which he did on February 2, 2015. Those responses are attached herein as Appendix A and the relevant section of the minutes of the January 29, 2015 meeting of the T-FSC that reflect the discussion with Executive Vice President for Health Robert Berne are attached as Appendix B.

**Recommendations**

At this point in time the proposal for the creation of a College of Global Public Health and a Faculty of Health is sufficiently lacking in detail so as to preclude a robust review and comment on the specifics of their definition. Additionally, the relative prospect for success and sustainability versus the risk of failure and termination are unknown quantities. However, acting in its role as Faculty Personnel Committee of the Senate with respect to the Tenured/Tenure Track Faculty and with the expectation that at the appropriate time the Tenure Faculty Senators Council will have the opportunity to review and comment on the appointment, promotion and tenure policies of the School of Global Public Health and the Faculty of Health, as well as those of the Colleges of Dentistry and Nursing should they be amended to accommodate the inclusion of those Colleges in the Faculty of Health, the Tenure Faculty Senators Council, at this time, makes the following recommendations regarding Tenured and Tenure-Eligible Faculty who may join the College of Global Health, which, as specified in the proposal, shall reside within the Faculty of Health, as will the College of Dentistry and the College of Nursing:
• Current faculty members must not be pressured to move their primary appointment from their current schools to the College of Global Public Health or to accept joint appointments.

• If a faculty member is asked to move his or her primary appointment from his or her current school and declines to move, he or she must not experience discrimination by the administration in his or her current school for declining to move nor must his or her status in his or her current school be diminished or restricted in any manner.

• If a tenured faculty member moves his or her primary appointment from his or her current school to the College of Global Public Health there must be, prior to the faculty member’s agreement to move, a mutual understanding between the faculty member and the administration of the administration’s expectations/requirements of the faculty member in the College of Global Public Health and the expectations of the faculty member of his/her status and rights in the College of Global Public Health, and the responsibilities of the University toward him/her in the College of Global Public Health.

• As the College of Global Public Health will become a new entity whose sustainability will remain untested and unknown for several years, there must be established, prior to any tenured faculty member moving his or her primary appointment from his or her current school to the College of Global Public Health, a policy that specifies the University’s responsibilities toward tenured faculty who complete such a move if the College of Global Public Health were to fail or to be terminated or reorganized such that a tenured faculty member’s position were to be eliminated. An example of such a policy is exemplified by Section C of the resolution on Termination and Reorganization of Programs adopted by the New York University Senate at its meeting of May 10, 1979, the text of which is attached below as Appendix C.

• If a tenure-eligible faculty member moves his or her primary appointment from his or her current school to the College of Global Public Health there must be, prior to the faculty member’s agreement to move, a mutual understanding between the faculty member and the administration of the administration’s expectations/requirements of the faculty member in the College of Global Public Health and the expectations of the faculty member of his/her status and rights, and the responsibilities of the University toward him/her in the College of Global Public Health. Such a mutual understanding must include any new requirements of a tenure-eligible faculty member by the administration for the attainment of tenure. If the pre-tenure probationary period is different in the College of Global Public Health than that currently in effect in a tenure-eligible faculty member’s current school, the tenure-eligible faculty member must be
given a choice, prior to moving his or her primary appointment from his or her current school to the College of Global Public Health, to either remain in the pre-tenure probationary timeframe of his or her current school or change to the pre-tenure probationary timeframe of the College of Global Public Health.
Appendix A.

Questions for Executive Vice President of Health Robert Berne regarding the creation of a College of Global Public Health and a Faculty of Health at NYU, 2/2/15

General
Why do you expect the proposed realignment will make NYU much more competitive for MPH applicants and for those who decide to matriculate compared to our competitors? The major players in public health are schools, not programs and the schools we compete with use our program status against us. We compete directly with Columbia, Yale and Boston University and we know that they use our lack of school status against us. We presume that others do as well. Many students and parents are surprised to learn that MPH programs exist outside of schools of public health. Conforming with applicants’ expectations will almost certainly enhance the success of the NYU global public health enterprise.

Why is this moment in time considered the most propitious for creation of the College of Global Public Health/Faculty of Health? The momentum is significant in public health and while I thought it would take longer for a school conversation to surface, it did so last academic year. Were we to wait at this time, our student and faculty recruitment as well as our reputation would suffer—as might our prospects for significant philanthropy. Further, there are certain federal grants that are available only to schools of public health. I believe that NYU is the oldest program that is not a school.

What is the advantage of creating the Faculty of Health, which will have its own Dean and administrative structure? Why not more simply establish an independent College of Global Public Health? If an umbrella organization is desired, could it not be comprised of the three Deans of the College of Dentistry, Nursing and Global Public Health, who would report directly to the Executive Vice President for Health? The umbrella organization has both academic and organizational advantages. Academically, the level of collaboration is likely to be higher among faculty in their teaching and research roles, and student movement among classes is likely to be greater. On the fiscal side, there is the potential for efficiencies in many administrative areas, given the similarity of the issues facing the three units. Plus, the added dean will save us from expanding my office with one or two senior positions. All three schools seek funding from the NIH and health-related foundations; the Faculty of Health can leverage and coordinate funding efforts and collaborations in ways that other places cannot. This will advantage the involved colleges both individually and collectively, especially given the increase value inter-disciplinary and inter-professional projects. Each of the colleges will be independently ranked with regard to NIH funding. Dental and Nursing already are, now Public Health will be also.
Will the faculty of the Colleges of Dentistry and Nursing, and the faculty who are current members of the Global Institute of Public Health be consulted – by an online poll – regarding their opinions on the creation of the Faculty of Health and will their opinions be considered in the creation of the structure/administration of the Faculty of Health?  Not by an online poll.  There have already been separate school discussions, I have appeared at faculty meetings, deans have consulted with their faculty councils, and we have the recommendation of a working group consisting of both faculty and deans from the involved schools as well as from all other interested NYU schools.  These have been considered the appropriate consultative settings to discuss and shape the ideas as one does in the course of academic discourse.  For the small number of faculty members being potentially transferred to the College of Global Public Health from Steinhardt, they have indicated that they plan to move to the new college.

The current organization of the College of Dentistry and the College of Nursing is somewhat similar to that proposed for the Faculty of Health.  Have lessons been learned, either positive or negative outcomes, from the creation of that organization that could usefully inform the creation of the Faculty of Health?  Yes, as we try to balance the ideas of synergies across the colleges and the need for autonomy, we will draw on the Dental-Nursing experience.  There is also a tie-in with my office where I can function more effectively with the presence of a dean of the Faculty of Health.

Will the College of Global Public Health/Faculty of Health be financially self-sustaining?  Each college will have certain financial objectives that need to be met, as will the Faculty of Health.  The College of Global Public Health will likely be in a growth mode for a while, as was the College of Nursing when it was initiated.

Will its success or its sustainability hinge on its ability to garner extramural grant funding?  All three units are in fields where grant support is correlated with success and that will be the case here.  I expect that within a reasonable period of time, our College of Global Public Health will be in the top ten in NIH funding.  However, sustainability goes beyond research funding alone.  As with the Colleges of Dentistry and Nursing, teaching and tuition revenue play a significant role in their continuing success.  The same will very likely be true in the case of the College of Global Public Health.

**Concerns for Faculty**
Regarding the six Tenure-Track Faculty from Steinhardt, will their tenure clock (pre-tenure probationary period) and current requirements to attain tenure be preserved when (if) they move to the new College of Global Public Health?  Will they change their physical location?  There are currently no faculty who are tenure track but not tenured, to my knowledge.

Where will other faculty for the new College of Global Public Health come from, other Schools?  The College of Global Public Health will certainly continue to rely on associate and affiliated faculty, of which there are already nearly 100.  In addition, the College of Global Public Health will have a core faculty.  This model is typical of
schools of public health which are intensely inter-professional and inter-disciplinary. The current Global Institute of Public Health is collaborating with the community and will need to examine the GIPH plan and adjust it accordingly with the parameters of a college and accreditation standards for schools of public health. and will the current tenure clocks and current requirements to attain tenure be maintained for current faculty who change their primary appointments from their current schools to the new College of Global Public Health? I do not know of any untenured tenure track faculty who would be affected, but each case will be dealt with in a collaborative and sensitive fashion. Will they change their physical location? The plan is for GIPH’s new home to be in the Forbes Building. Once a decision is made on a college and faculty, space decisions will follow. Down the road I could envision a physical presence for global public health at the Square as well as near Nursing and Dentistry but it is premature as space decisions follow academics and structure.

Will all members of the current Global Institute of Public Health be allowed/required to join the College of Global Public Health, and in what capacity, change of school, adjunct appointment, etc.? It is anticipated that virtually all GIPH current faculty will be faculty of the College of Global Public Health in their current status (affiliate, associate) while Steinhardt faculty who are key to the MPH and PhD program of GIPH will transfer. There are several joint appointments and these will need to be reviewed with each faculty member and home units.

Regarding the faculty in the College of Dentistry and the College of Nursing, how will expectations of the tenure-eligible faculty for attaining tenure be affected, and will the faculty (clinical, tenure-eligible, and tenured) have new responsibilities/requirements imposed by their inclusion in the Faculty of Health? There is already a well-functioning appointments and promotion committee in the College of Dentistry that covers Dentistry and Nursing, and I would expect this would evolve to the Faculty of Health with balanced inclusion for dental, nursing and public health. We would always be sensitive to faculty who are far along in the tenure process. Generally, responsibilities are determined at the college level and I would expect that to continue.

Will all current faculty in the College of Nursing and the College of Dentistry become faculty in the Faculty of Health? My expectation is yes in addition to maintaining their faculty home in one or more of the three colleges.

What will be the University’s responsibility to the faculty of the College of Global Public Health, particularly to those faculty whose primary appointments change from their current schools to the College of Global Public Health, if the College of Global Public Health/Faculty of Health fails/is dissolved? The university has rules on the meaning of tenure in relationship to an academic unit. Dean Brewer and I are discussing the Steinhardt faculty who move but I do not expect this new venture to be anything but a huge success.
Appendix B.

Excerpt from T-FSC Minutes of 1/29/15
Special Guest: Bob Berne, Executive Vice President For Health
Health Realignment

Bob Berne, Executive Vice President for Health presented on the proposal regarding the creation of a College of Global Public Health and a Faculty of Health at NYU. He reported on the consultation process around the University. The Working Group convened in the fall, met three times in the fall semester, and developed a resolution.

Berne stated the resolution calls for the creation of a college of global public health, take nursing out of the College of Dentistry and make it an equivalent college, and place the three colleges: Dentistry, Nursing and Global Public Health under an overarching umbrella organization called the Faculty of Health.

He stated the creation of the College of Global Health is a result of the momentum building at NYU around public health. He noted the hiring of Cheryl Healton as Dean of Global Public Health and Director, NYU Global Institute of Public Health. Berne reported there are around 100 affiliated faculty from around the university with associated or affiliated appointments with the Global Institute of Public Health. He noted the downside of being an Institute rather than a School/College, including loss of competitive edge with other institutions and the inability to receive a number of federal grants. He noted Nursing will gain stature and reputation by moving out of the College of Dentistry and the College of Dentistry will become part of a larger unit.

The three colleges would work together academically and also operationally. The academic synergies would occur in all 3 areas of research. He noted emerging work among the units, including in oral cancer, diabetes, and outreach programs. There are currently joint appointments between public health and both nursing and dentistry.

In addition, Berne stated he believes there will be significant operational and fiscal advantages to the creation of the Faculty of Health. Given the similarities among the units in terms of faculty composition and presence in the health field, this is an opportunity to bring units such as IT, research support, HR, and finance together and create efficiencies. He also commented on the advantages in terms of collaborative grants, joint appointments, and student recruitment.

He discussed the Faculty of Health’s model regarding teaching and research. The model at Washington Square is a nine month appointment, in which faculty fund their summers with outside funding or extra teaching. In contrast, in the School of Medicine (SOM) model research faculty are on 12 month contracts with an expectation to raise roughly 60% of their salary.

He stated the Faculty of Health would not move to the SOM model and would follow the Washington Square model. He noted these are all areas where the reputation of the unit is highly correlated with the amount of research funding, so there will be strong encouragement for people to raise research funding.

A Senator asked about number of faculty members in the College of Public Health. Berne stated he expects the number of faculty members to be about 25-30.

A Senator asked about the planned infrastructure. Berne responded the infrastructure of the Faculty of Health will be relatively small and draw upon the administrative structures and collaboration between the three units.

A Senator asked why the schools are not connecting directly to the School of Medicine, and mentioned Columbia University’s model that connects dentistry, nursing, public health and the
medical school into one large complex. The Senator noted the advantages in terms of scientific and academic connections.

Berne responded there are ties with each of these units and medicine, which will continue. He stated the answer is partly based on size and the notion that the three units of dentistry, nursing, and public health might get lost in the much larger unit of the medical school complex. He commented this allows 3 units that are an important part of NYU and on a growth trajectory in terms of reputation and academics, to continue that momentum while still coordinating with Medicine, Wagner and Social Work.

A Senator asked about the tenure clock for the tenure-track Steinhardt faculty members in public health who will presumably move to the new College of Global Public Health. Berne stated this group of faculty members are all tenured.

A Senator asked about gauging the success of the new alignment. Berne stated the metrics in all three areas will be looked at carefully. For public health, there will be certain metrics NYU uses for new units regarding enrollment, research grants, etc. He commented on the current popularity in the undergraduate combined majors, strong enrollment numbers in the master’s program, and large number of PhD applications.

A Senator asked about the process of collecting feedback on the realignment.

Berne mentioned the Working Group with representatives from each college, and presentations at faculty meetings. He noted the six tenured/tenure track faculty in public health in Steinhardt were given the choice to move to the new College of Global Public Health.

A Senator asked about cost-savings.

Berne noted the savings with these collaborative endeavors, including administrative costs.

A Senator asked about role of the Dean of Faculty of Health. Berne mentioned a macro-management role involving policy decisions, fundraising, strategy, etc.

Berne noted the three schools are hiring more people who are interdisciplinary. All three units have an interest in bioengineering.

A Senator asked about representation in governance. Berne noted the general recommendation of the Working Group is that each of the three colleges will be at the school-college level in the NYU lexicon. Therefore, he envisions each school having representation on the Faculty Senators Councils, Student Senators Council, and Deans Council.

A Senator asked if the tenure process will be aligned between the three units in terms of tenure clock.

Berne responded this is a decision that needs to be made. Currently there are no tenure appointments in public health. Dentistry and Nursing have moved to the ten year tenure clock and there is some discussion that public health would move to that tenure clock as well.
APPENDIX C.

New York University Senate Resolution on Termination and Reorganization of Programs

Adopted May 10, 1979

C. Procedures for Treatment of Faculty Following Program Termination and Reorganization.

As described below, the University accepts responsibility for deploying its resources in support of tenured faculty members whose positions are in jeopardy. If termination or reorganization might lead to dismissal of tenured faculty, it is expected that such faculty shall be accommodated in other parts of the University where reasonably possible. The Dean of the school in which the faculty member has his or her appointment and the Vice President for Academic Affairs shall be responsible for investigating the possible option(s) and for making the offer(s) to the faculty member. In cases where this is clearly impossible, the University shall support the terminated faculty member at full pay for five years until he or she finds employment (in a faculty or professional position), whichever comes earlier. During the period of unemployment, the University shall continue the terminated faculty member's fringe benefit coverage, including contributions to TIAA/CREF. If the faculty member enters into other employment during this five year period, the University's responsibility would be correspondingly reduced.

During a five year period following termination, if a comparable position opens at the University, such position shall first be offered to the terminated faculty member. If several terminated faculty are eligible, the offer of re-employment shall be made to the most capable terminated faculty member, with the proviso that if two or more candidates are equally capable, the position goes to the persons with the greatest previous length of service at the University.

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1 Parts A and B (not reproduced here) were adopted by the NYU Board of Trustees on December 10, 1979 and incorporated in the NYU Faculty Handbook. Part C was not adopted by the NYU Board of Trustees.
In the event that a faculty member believes that a reasonable accommodation [sic] has not been made, the faculty member may enter his/her grievance with the Dean of the school of his/her original appointment, if the grievance is within the school, or with the Vice President for Academic Affairs, if the grievance lies in any other school than that of his/her original appointment. If the grievance cannot be settled informally, the Dean shall call the Grievance Committee of the school or the Vice President for Academic Affairs shall call the Faculty Council Grievance Committee to consider the case, in accordance with the Faculty Grievance Procedures, in each case acting as the Grievance resort of the first instance.

In the event that financial exigency has been declared, the obligations of the University shall be limited to the obligations adopted as part of the program of the University under financial exigency.
T-FSC 2015 Salary Poll Results
Summary of a poll from the T-FSC Finance Committee
February 2015

What salary pool increase (AMI) would you recommend?

Would you like to recommend actions to reduce costs or increase revenues in return for a larger salary pool?

32 responses: 18 yes, 12 no, 1 blank

What actions?

Answers include:

- We need greater budget transparency at the school and department levels to be able to make sensible recommendations.
- Reduce administration, especially highly-paid administrators (many mentioned this)
- Smarter technology
- Energy conservation would save a lot of money: eg, install light-dimming technology, convert to hybrid vehicles
- Shrink PhD programs
- Better alumni development
- Shrink faculty, increase class size, raise salaries
- Stabilize or reduce NYU's size. And where did this Faculty of Global Public Health come from? Is it at least revenue neutral?
- Start new programs that would generate revenue
- Stop spending on refurbishing/renovations
- Cancel 2031 plan
- Shrink global sites, especially if they’re losing money

Other suggestions about the salary process

Answers include:

- The salary process should be more transparent. How is the AMI determined?
- Several responses commented on the distinction between normal and discretionary or targeted increases, particularly to those with outside offers.
- Underpaid faculty should not need to get outside offers.
- Automatic cost-of-living adjustments should be tied to inflation
- Faculty should evaluate the chair, just as the chair evaluates faculty
- Relate salary increases to housing and healthcare
- Focus more on salary level, less on percentage change

How do we get beyond “mine, mine, mine” fights over budget priorities?

Dear President Sexton:

We wanted to take this opportunity to share with you our thoughts about the recently issued Human Rights Watch Report on Migrant Workers’ Rights on Saadiyat Island in the UAE, and would like to discuss them at our next meeting. We greatly appreciate the time you spent with us over the summer when this issue was first reported in The New York Times, and we look forward to working together in the lead up to the culmination of the Nardello investigation.

We think it is helpful to distinguish among three classes of issues implicated by the HRW report and ongoing coverage of the University’s Abu Dhabi campus in the media. Although these distinctions are not drawn by either the relevant NGOs or the press, we think they are quite important, as they implicate different demands on the University, in terms of ongoing investigations, potential revisions to our agreements and compliance operations, and communications.

1. Adequate grievance procedures. The HRW raises an important issue regarding grievance procedures. As the HRW report notes, there is no grievance procedure specified in the Statement of Labor Values (SLV). As part of the University’s presentation of the Nardello investigation findings, it would be helpful to have an analysis of several issues in this respect. First, depending on what we learn about any potential lapses in the external monitoring function, does this suggest that we should build a grievance mechanism into statements of labor values with partners going forward? Second, if the view is that the appropriate grievance mechanism is through local courts, then it would be helpful to have clarification on whether the local courts in the UAE (or other available administrative bodies) will enforce the heightened labor standards under the SLV. Finally, to the extent that enforcement is in local courts there is a substantial issue about the meaningfulness of this remedy, which implicates further questions about feared reprisals, the language in which proceedings are conducted, and the timeliness of proceedings. If formally available remedies are absent in fact because of such issues, then we hope the University and its partners will consider ways to remedy these defects—for example, by ensuring that workers do not suffer reprisals for raising grievances.

2. Factual assertions in the HRW report. The HRW report includes certain factual assertions which we hope the Nardello report will address. As Nardello has been retained by our Abu Dhabi partners and not the University, it is not clear to us how much leeway we have in raising particular issues with Nardello. In your response to HRW (included in the report), though, you mentioned the possibility of sharing information with Nardello that was related to the ongoing HRW investigation. In that respect, two issues in the HRW report in particular caught our attention. First, the HRW report (at pages 52-53) includes statements about the inadequacy of actual wages paid. The SLV provides: “As a floor, workers providing services to NYU Abu Dhabi will be paid wages and benefits which comply with all applicable UAE laws and regulations and which provide for essential needs and living standards.” The HRW report, however, asserts that the UAE minimum wage laws do not apply to low-wage foreign workers. We seek clarification of this issue. If it is the case that UAE minimum wage laws do not apply to low-wage foreign workers, then is it the position of the University and its partners that the SLV requires, as a floor, wages and benefits that exceed what is required by UAE laws and regulations because of the assured provisions for “essential needs and living standards”? If so, it would be very helpful if the Nardello investigation produced reliable data on how wages and overtime
conditions compare to those required under the SLV. Second, the asserted contradiction (at page 56) between vice-chancellor Bloom’s statements about the satisfactory resolution of non-compliance with the SLV for 43 Bangladeshi workers and the statements of some of those workers that recruitment fees remained unreimbursed after the time of the NYU investigation raises an important factual question that we hope the Nardello findings will resolve.

3. Collective Workers’ Rights. The HRW report appears to conflate (as did the initial Ariel Kaminer story in The New York Times) labor practices that violate either local labor law or the heightened standards of the SLV and labor practices that violate current protections under U.S. labor law or possible norms under customary international law. The chief issue here goes to workers’ rights to organize, collectively bargain, and to strike. The HRW’s investigation surrounding collective assertion of workers’ grievances, and in particular assertions of strike-breaking and resulting deportation, are among the most graphic in the report. In this respect the HRW report suggests that the University “obtain representations from … the EEA that it will ensure all project-related employers establish, in close consultation with workers, conciliation and mediation proceedings that lead, in the event of deadlock, to binding arbitration with sufficient guarantees of impartiality and rapidity to resolve labor conflicts, as recommended by the ILO Committee of Experts.” This would seem to go beyond anything contemplated in the SLV. It also seems to us orthogonal to the immediate issues that confront the University as part of the ongoing investigation in the UAE, which we take to be centrally about whether appropriate compliance and auditing mechanisms for the SLV were in place historically and, if not, how can they be improved going forward. We assume that the University in moving forward with the construction of the portal campus at Abu Dhabi was of the view that it was precisely the heightened standards of the SLV that would ensure an acceptable level of humane working conditions for laborers—in the absence of rights to organize and to collectively bargain, which have not to date been recognized in the UAE. Although the HRW report faults the monitoring activities of Mott MacDonald for failing to report on the existence of strikebreaking and deportation, this seems to us not in fact to be a failure of mechanisms which were never designed to monitor issues of collective organization, as they are outside the scope of the SLV. It is unfortunate that the University is being criticized and suffering reputational costs for failing to prevent labor practices which are lawful under UAE law and consistent with the SLV. As a general matter, we think it important that as we move forward with the GNU the University and its partners continue to insist on protection for workers at NYU sites while remaining sensitive to the complexities surrounding attempts to expand individual rights under local law at the portal campuses.