MINUTES OF THE N/C-FACULTY SENATORS COUNCIL MEETING OF MARCH 24, 2015

The New York University Full-Time Non-Tenure Track/Contract Track Faculty Senators Council (N/C-FSC) met at noon on Thursday, March 24, 2015 in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Colloquium Room.

In attendance were Senators Becker (by phone), Burt (by phone), Carl, Cittadino, Elcott, Halpin, Killilea, Mauro, Mooney, Mowry, Rainey, Sacks, Stehlik, Stewart, Ying, and Youngerman; Alternate Senators Berg, Herman (for Slater), Lee (for Borowiec), Mirabito (for Morton), Renzi, Ritter, Sahin, and White.

APPROVAL OF THE AGENDA

Upon a motion duly made and seconded, the meeting agenda was approved unanimously.

APPROVAL OF THE MINUTES OF THE MEETING HELD FEBRUARY 12, 2015

Upon a motion duly made and seconded, the minutes of the February 12, 2015 meeting were approved unanimously.

REPORT FROM THE CHAIRPERSON: ANN MARIE MAURO

See attached Document A: N/C-FSC Chair Update

President Search

Chairperson Mauro stated it was an honor to represent the Council in the search process and is pleased to announce the appointment of Andrew Hamilton as the next NYU president. She commented it was a collaborative process, the Trustees were open to hearing the opinions of all, and faculty input was important in the decision. She mentioned during conversations regarding full-time non-tenure track/contract faculty (FTNTT/CF), Hamilton expressed the importance of showing respect for FTNTT/CF and noted their value and contribution to universities.

Tisch Teacher Policy

Mauro reported Provost McLaughlin forwarded the Tisch Teacher Policy for the Council’s review and comment. This document was also sent to the Tenured/Tenure Track Faculty Senators Council (T-FSC) for their review and comment. In the Provost’s memo he suggested the possibility of a coordinated response between the Councils, while noting the Councils may wish to submit separate responses. The T-FSC Chair expressed interest in a collaborative process.

The Steering Committee identified a 4 member committee to work on this policy as well as any other policies that may be sent between now and the end of the summer when the standing committees for the fall will be formed. The Committee will work collaboratively with the T-FSC Personnel Policies Committee.
Senator Carl from Tisch will serve as Chair and the members will include Senator Halpin from the Faculty of Arts and Science, Senator Caprio from the School of Medicine, and Senator Williams from the School of Law. She commented the committee members represent four different schools and bring different points of view and expertise.

A Senator asked about the process. It was clarified the Committee will present their proposed recommendations for discussion and approval of the full Council.

**Academic Freedom Resolution**

*See attached Document F: Academic Freedom Resolution*

Mauro reported she sent an email alerting the Council that NYU Professor Andrew Ross had been prevented from entering the United Arab Emirates. She noted that the Council, from both the university administration and from faculty representatives, is not aware of any issues at the portal campuses or global sites related to any restrictions on academic freedom, or that travel was restricted in terms of any official business with the University.

She stated the proposed resolution is separate from this situation.

Mauro asked Senator Becker of Shanghai and Senator Burt of Abu Dhabi for any comments.

Burt commented this is not the first instance in which visas are denied, including for people coming for conferences or employment. He noted the background on the decisions in these cases is not made public. He would suggest that the University work hard in every case to try to resolve these issues. He affirmed the statement that the faculty are not aware of any issues related to restrictions on academic freedom.

Senator Becker agreed with Burt and stated at this point there is no evidence of censorship of faculty or students on Shanghai’s campus. She stated there have been extensive conversations on campus this week about issues of academic freedom and one potential outcome is to hold a symposium about the intellectual and legal issues surrounding academic freedom. She commented this case has also raised questions on the potential limitations on circulation of faculty and students because of the blocking of visas. She stated her hope that the University and various portals will continue to work on these issues to enable as much circulation as possible within the Global Network University.

A Senator stated his support for the resolution but commented it does not address the issue that the governments of Shanghai and Abu Dhabi may make decisions on the basis of security reasons without offering any rationale on why the decision was made.

A Senator commented this applies around the world and offered the example of faculty members attempting entrance into New York who had similar issues with visas, and again, because of security reasons, there is no discussion of the rationale in any cases.

A Senator commented that while people are denied entry to many countries for many reasons, NYU has a specific relationship with Abu Dhabi and this is a special case. He expressed his belief that the government of Abu Dhabi owes NYU an explanation as to why one of NYU’s tenured faculty members who has research interests in Abu Dhabi was denied entry.

A Senator suggested considering a stronger statement regarding academic freedom.

A Senator commented that the guarantee of academic freedom is limited to the campus. When off-campus, university members are fully subject to the laws that exist in that country.

The following resolution was approved by general consensus of the Council:

**Resolution:**
Preamble: We are given to understand from both the university administration and from faculty representatives at NYU Abu Dhabi and NYU Shanghai that no member of NYU visiting NYUAD or NYUSH, or resident therein, has to date been subject to any restrictions on academic freedom. We also recognize the rights of sovereign states to independently conduct their immigration and entry policies.

Whereas, the practice of arbitrarily denying visas and/or imposing travel restrictions may be imposed by countries, including the United States;

Whereas, it is understood that the denial of visas or implementation of travel restrictions may not be morally equivalent in all cases, and genuine security concerns may make it difficult for governments to publicly explain their actions;

Be it resolved, that the NYU Full-Time Non-Tenure Track Contract Faculty Senators Council strongly condemns any restrictions on visas or travel by any foreign or domestic entity as a means to curtail academic freedom.

Personal Message

Chairperson Mauro announced she has accepted a new position of a professorship and assistant deanship for educational research and innovation at Rutgers School of Nursing in the Biomedical and Health Sciences division, beginning June 1.

She stated she recently informed the Steering Committee of this decision and the Committee will meet later this evening to discuss the position of Chair-Elect.

She mentioned celebrating the success of the Council at the end of the academic year.

The Council offered Chairperson Mauro a round of applause.

QUESTIONS ON COMMITTEE REPORTS DISTRIBUTED

See attached Document B: Committee Reports

Senator Stehlik noted the absence of the draft report on the divestment committee. The Finance Committee representatives recommended Council members fully read the report and mentioned the University Senate may be asked to vote on this.

She also reported only 55% of Senators responded to the recent Budget Survey.

A Senator asked for clarification on the following statement in the Global Network University (GNU) report: “The committee also took particular note of the labor monitoring mechanisms being implemented by faculty at Abu Dhabi and Shanghai, and will circulate details of these arrangements.” He asked when these mechanisms will be completed and circulated.

Senator Becker of Shanghai reported she is the process of recording the steps that NYU Shanghai has taken to address labor monitoring mechanisms and hopes to have ready by the next GNU Committee meeting.

Senator Burt of Abu Dhabi mentioned there are several committees that are working on this issue. Next week, the Nadello report will be released, which is the third party review of the labor practices that were put in place while the campus was being constructed.

The reports were accepted into the minutes.
OLD BUSINESS

Governance Committee recommendations

See attached Document C: Governance Committee recommendations.

Senator Elcott reported these recommendations address how the Council wants to be structured and governed in order to be effective as possible.

A Senator asked for a fixed calendar of Council meeting dates so members may set their teaching schedules for the next academic year accordingly.

Elcott commented this is a procedural recommendation that does necessarily not need to be written in these guidelines, unless the body decides it should be included.

It was noted the Senate Executive Committee recommended that University Senate meetings remain on Thursdays but be moved to 9:00-11:00 a.m. to accommodate the global Senators. It was suggested that at the last Council meeting of the year to set the meeting dates for the next academic year, working around the proposed University Senate dates.

A Senator stated the Oversight Committee on Social Media Policy and Personal Digital Content will dissolve at the end of year. It was clarified the T-FSC Administration and Technology Committee will remain a Standing Committee.

It was noted the first six proposed Standing Committees parallel the T-FSC Committees. The descriptions may be updated over time as issues emerge. A Senator commented the T-FSC has updated its committee structure and descriptions over time.

The last two Standing Committees: Grievance and Personnel Policies and Contract Issues, came as a response to the University Guidelines for Full-time Non-Tenure Track/Contract Faculty Appointments. The Guidelines call for the Dean of each school to compose a grievance committee when issues emerge. The Council's Standing Grievance Committee will not sit as the grievance panel for any particular issue, but could be a group from which the grievance committee members might be chosen from. Likewise, the Personnel Policies and Contract Issues also comes in response to the Guidelines, which states school will establish their own policies governing the appointment, review, and reappointment of FTNTT/C faculty. This Committee could be involved in the review of University and school policies and practices including contracts and/or contract modifications and guidelines that affect FTNTT/C faculty.

A Senator asked for clarification on the composition of the Grievance Committee. She stated in the Provost's response to the Council's recommendation, he stated the Committee shall consist of one senior administrator, one N/C-FSC standing committee member, and one T-FSC standing committee member. It was clarified this referred to the FTNTT/CF Grievance Advisory Committee and the Grievance Committee mentioned in the recommendation refers to the Council's Grievance Committee.

It was noted the T-FSC has a Grievance Committee of 8 members, who do not actually meet as a Grievance Committee. When a Grievance Committee needs to be convened for a particular Grievance, the Provost asks the Council for three representatives, and typically they are chosen from this Committee.

It was suggested that this Committee might also monitor grievance policies and procedures in schools.

A Senator asked why grievance is not considered a part of the Personnel Policies Committee, and is instead listed as a separate committee.
Senator Rainey stated the Committee believed that grievance issues and personnel/contract issues were both serious enough issues to merit separate committees. Also, with the new school policies regarding contracts, the Personnel Policies and Contract Issues will have a full agenda.

A Senator suggested deleting “FTNTT/CF” under the faculty benefits and housing committee description, since housing eligibility, with a few exceptions, does not include full-time non-tenure track/contract faculty.

A Senator asked if the current or upcoming Council will elect the new Steering Committee. It was clarified that the current academic year’s Council will elect the Steering Committee for the following academic year.

A typographical error in this sentence was noticed. The phrase “at f reorganization meeting” was corrected to “at a reorganization meeting.”

A Senator commented on the following sentence in Point 4: “Each committee shall elect its chair and shall have at least two elected senators as members.” He stated this could be limiting if the Chair is unable to find two Senators to serve, but, for instance, there are Alternates with specific expertise willing to serve on the Committee.

A Senator suggested changing to “one Senator.” Another suggested keeping it at two but adding, “it is recommended.”

A Senator commented Alternate Senators have as much expertise as Senators, all Council members are elected to these positions, and there are many committee positions to fulfill.

The amendment to remove the clause “and shall have at least two elected senators as members” was approved by vote of 8 Senators in favor and 7 Senators opposed.

A Senator asked about the term of one year for committee assignments, noting this limits the institutional knowledge of the committees. She suggested creating a staggering method on committees.

It was noted that this allows for flexibility and it does not preclude longer assignments. It was also noted the Steering Committee assignment is for one year. A Senator commented if there was a two year requirement this might limit those who could serve on the committee.

A Senator remarked that the idea is that these procedures can be revisited.

The recommendations of the Governance Committee, which will be referred to as “Operating Procedures” and with the typographical error fix, removal of “FTNTT/CF” under the faculty benefits and housing committee description, and the approved amendment removing “and shall have at least two elected senators as members”, were approved by unanimous vote of the Council.

**Summer Committee**

Chairperson Mauro reported Carol Morrow suggested considering how the Council will be responsible for making decisions over the summer, should policies for review or other issues arise during this time. The Steering Committee suggested either empowering the Steering Committee to act on behalf of the body or identifying a smaller group of Senators to act on behalf of the body.

She noted that if any significant or critical issues arise there would be the opportunity for a full Council vote online.

The recommendation for the Steering Committee to act on behalf of the Council during the summer months, while continuing to inform the Council of all matters was approved by general consensus.
Faculty Handbook & University Guidelines for NTT/CF Appointments

Senator Carl reported the Taskforce on Review of Faculty Handbook and Guidelines met with Carol Morrow to review some clarifications regarding both documents. The Provost Office is in the process of developing disciplinary procedures and rules specifically for FTNTT/C faculty, which will then come to the Council for review. The Committee made the point to the Provost Office that FTNTT/C faculty are more like tenured faculty than other employees and there are principles of academic freedom that are available to FTNTT/C faculty. Regarding the guidelines, the Committee asked for clarification on 6 items.

A question was raised concerning grievances for violations of academic freedom that did not involve reappointment, appointment, or promotion. This will be addressed in the next cycle of the Guidelines process.

Senator Carl remarked it was the feeling of the Committee that the Handbook and Guidelines are not frozen but instead issues will be addressed in subsequent rounds of a review process.

The Committee also questioned the rationale of the membership of the FTNTT/CF Grievance Advisory Committee, specifically the inclusion of one senior administrator.

Senator Halpin commented on the differences in language in the Handbook. The Steering Committee was informed that the Faculty Handbook is an iterative process and there is a need to make the language more clear.

An Alternate Senator expressed her disappointment that the disciplinary procedures have not been composed, the grievance committee has a senior administrator member, and also the denial of the request that the guidelines apply also to the contract faculty in the Medical School, Nursing school, Dental school, Abu Dhabi, and Shanghai.

A Senator offered a point of clarification from the Steering Committee’s conversation with the Provost Office concerning the health sciences faculty. The expectation is they will receive contracts. As for the guidelines, as of now they are not required to strictly follow them because of the uniqueness of the faculty composition, but that it would be sooner rather than later that they are expected to develop guidelines.

The Alternate Senator requested a Council Grievance Committee be created in case faculty members are currently in the process of appealing.

It was noted the Steering Committee can constitute an Ad Hoc Committee quickly. The Standing Committee assignments will be assigned over the summer.

Naming Committee recommendations

See attached Document D: Naming Committee recommendations

Senator Killilea reported the members of the naming Committee: Senator Borowiec, Senator Cittadino, Alternate Senator Renzi, and herself as Chair, developed the recommendation of changing the Council name to the “Continuing Faculty Senators Council”.

She reported the attached document outlines the process and reasoning of the Committee. She opened up the discussion for comments and concerns.

A Senator commented the name “Continuing Faculty” seems to be at odds with the provision in the Handbook that FTNTT/C faculty are specifically not continuing and must be reappointed.

Killilea stated the Committee looked for a name that does not highlight nor disregard the fact that FTNTT/C faculty are renewable. The term Continuing does not assume FTNTT/C faculty will be in place forever but it
does make the presumption that these faculty are long standing members of this community and should be treated as such.

A Senator addressed a point of procedure stating that faculty members may call themselves whatever they wish, but the term the Provost recommends to the Trustees to use in the Handbook may be different.

It was noted that two prestigious universities use this terminology. A Senator commented that the School of Continuing and Professional Studies removed “Continuing” from their name. In their thinking, “continuing” meant that one was picking up on something he/she did not finish and seemed unaccomplished.

A Senator commented the term “continuing” is better than “non-tenure track”, which defines one as what they are not and “contract”, which is legalistic. He commented it is challenging to find a term that captures this large group and “continuing” captures the group as well as it can.

Killilea commented that the name came out of the initial recommendations. She mentioned the amount of time spent on names which identify the group’s human resources status. She stated there is an opportunity to move away from this HR status, which is now addressed by the Guidelines and Handbook.

She commented whatever name chosen for the Council will develop meaning and identity over time. She stated the options are limited in terms of words that identify the entire group. For instance, “renewable”, was determined to be more negative than “continuing”. In addition, “contract” does not fit for those without contracts. And names such as “teaching”, “research”, or “professional”, fit for some but not all.

A Senator asked why the term “contract” was not used. It was clarified that some FTNTT/C faculty members do not have contracts and it can be confused with adjuncts.

A Senator commented if contracts come to medicine and dentistry, perhaps the question of using the term contract might be revisited.

Senators supported the abbreviation “C-FSC”.

The recommendation of the Naming Committee that the N/C-FSC change its name to the Continuing Faculty Senators Council (C-FSC) was approved by vote of 11 Senators in favor, 2 Senators opposed, and 1 abstention.

**Recommendations for new revenue sources and/or budget efficiencies for the University Senate Financial Affairs Committee**

The representatives from the Finance Committee will send a second survey regarding revenue sources and efficiency.

**NEW BUSINESS**

**Proposed Policy on University Access to Personal Digital Content and draft oversight committee charter**

See attached Document E: Proposed Policy on University Access to Personal Digital Content and draft oversight committee charter

The discussion was tabled to the April meeting.

**Senate Ad Hoc Committee on Sexual Misconduct**
Senator Stehlik announced Craig Jolley, Deputy Director of the Office of Equal Opportunity, will attend either the April or May meeting to explain the new policy and the responsibilities of faculty.

**N/C-FSC End of Year Event**

Council members were asked to save the date of Wednesday, May 13 for an End of Year celebration.

**Next meeting on April 30th, 2015**

It was decided to keep the planned Council meeting time of 12:00-1:30 pm and location instead of moving the time to 11:00 am-1:00 pm and location to the 5th Floor Colloquium Room.

**ADJOURNMENT**

The meeting adjourned at 2:00 PM.
Full-Time Non-Tenure Track/Contract Faculty Senators Council
Chair Ann Marie Mauro

Report as of March 20, 2015

1. Presidential Search Committee
I am thrilled about the appointment of Andrew Hamilton as the next NYU President. Andy is an excellent fit and has exceptional credentials for all aspects of the role. He is personable, a visionary leader, and outstanding scholar with extensive global experience and a commitment to excellence, diversity, and inclusion. It has been an honor to represent our council and constituency during the search process, which was marked by professionalism, collegiality, inclusivity, and shared decision-making.

2. Steering Committee
The committee will present a proposed resolution on academic freedom at the meeting.

3. Health realignment plan
The T-FSC and the Senate Academic Affairs Committee have approved the proposal, which will be presented at the next Senate meeting on 3/26/15.

4. Senate Executive Committee
The committee unanimously agreed to extend up to four-guest observer passes to students who had requested to attend the Senate meeting on behalf of the student divestment group. Per a request received by Diane Yu, there was also unanimous agreement to schedule the University Senate meetings for AY 2015-2016 from 9am-11am to facilitate the participation of our global senators. In addition to the health realignment proposal, there will be presentations from the Superblock Stewardship Advisory Committee and the Divestment Working Group at the next Senate meeting.

5. Coles redevelopment project
N/C-FSC Steering Committee members Ann Marie Mauro, Randy Mowry, Fred Carl, Mary Killilea, and Alternate Senator Vince Renzi, who served as an alumni representative on the Coles Redevelopment Advisory Group, met with the architects along with T-FSC Chair Raghu Sundaram and members of the T-FSC Executive Committee/Housing and Benefits Committee for an hour on 3/9/15. It was a productive meeting with a free exchange of ideas for the planned project, which has a team of about 100 people. The architects have been involved in numerous large-scale projects, including the 9/11 Memorial Museum. The window replacement projects are proceeding on schedule and the open space improvement projects as permitted. The architects emphasized the importance of
attention to detail and human scale. The new Coles facility will be unique, as it will include sports, recreation, student housing, faculty housing, academics, performance arts, dining, and study space. Faculty made suggestions regarding acoustics, security, traffic flow, a multi-use pool, commuter space, family use, a faculty common room, adjunct faculty space, sustainability, and neighborhood use (e.g., families, children, seniors). There will be an opportunity for input and feedback during the project.

6. N/C-FSC Recommendations to the Senate Financial Affairs Committee on the 2015-2016 University Budget
As agreed upon at the last N/C-FSC meeting, the financial survey data and the recommendations from the N/C-FSC members on the Senate Financial Affairs Committee were reviewed, revised, approved by the N/C-FSC Steering Committee and sent to the Senate Financial Affairs Committee on 3/2/15 (see attached). We will have further discussion at the 3/24/15 N/C-FSC meeting about any additional budget recommendations that we may wish to send forward.

7. Proposed Policy on University Access to Personal Digital Content and draft oversight committee charter
Ben Stewart and Patrice Derrington have represented the N/C-FSC as observers on the T-FSC Administration and Technology Committee. This new policy and oversight committee will be presented for approval.

8. Committee Updates
Ad Hoc Faculty Handbook Revisions & FTNTT/CF Appointment & Promotion Guidelines – Co-Chairs Fred Carl and John Halpin plan to review the Provost’s responses for clarification with Carol Morrow on 3/23/15.

Governance – The committee will be presenting its recommendations regarding the N/C-FSC operating procedures and committee structure.

Naming – The Committee will be presenting its recommendation for an inclusive name for our constituency.

Ad Hoc Committee on Sexual Misconduct – Senator Susan Stehlik will propose a guest speaker form the Office of Equal Opportunity for a future meeting.

9. End of Year Celebration
We are trying to make arrangements for an evening celebration for our N/C-FSC senators and alternate senators the week before Commencement.

10. Next Meeting on Thursday, April 30th, 2015
Due to room availability, we will discussion whether to: a) keep the timeframe from 12pm to 1:30pm as scheduled in Kimmel 905/907; or b) move to 11am to 1pm in GCASL Colloquium Room.
To: David Backus & Martin Dorph  
Co-Chairpersons, University Senate Financial Affairs Committee  
A/Y 2014 – 2015

From: Ann Marie Mauro  
Chairperson, N/C Faculty Senators Council  
A/Y 2014 – 2015

CC: N/C-FSC Steering Committee Members: Randolph Mowry (Vice-Chair), Fred Carl, David Elcott, Mary Killilea, Susan Stehlik, Patrick Ying;  
N/C-FSC University Financial Affairs Committee Members: Jamie Skye Bianco, Joseph Carter, Tommy Lee, Susan Stehlik, Ethan Youngerman;  
Karyn Ridder

Date: March 2, 2015

RE: Recommendations for the 2015-16 University Budget

As requested by the Committee, our Council submits the following comments on the 2015-16 budget.

Given the previous Finance Committee discussions and concerns relating to University revenue, expenses, endowment, Annual Merit Increase (AMI) and resources, we would like to preface our comments around the following guiding principle:

As full-time non-tenure track/contract faculty (FTNTT/CF) under various contract terms and status, we feel that any AMI and productivity issues and measurements should be directly correlated to sound and competitive guidelines that sustain and expand the excellence of the education, practice, and scholarly and/or artistic work of this global network University in all of its colleges and schools.

Recommendations:

1. Annual Merit Increase

   We recommend a formula for AMI directly related to Inflation and Cost of Living in addition to the quality of work performance. Additionally, our concern for compression issues is apparent in a number of schools, and we recommend the University budget accommodate and adjust base compensation levels to ensure equity within the colleges and schools in respect to FTNTT/CF assignments.

2. Professional Development and Support

   As FTNTT/CF, staying current in our disciplines related to teaching, practice, and scholarly and/or artistic work is a priority, particularly with a changing global student body. Along with base compensation, we recommend an appropriate budget within each college or school for supporting professional development. This should include a specific dollar budget for professional development, including, but not limited to, conferences, necessary resources such as space allocation and equipment, and release time for teaching, practice, and scholarly and/or artistic work.
3. **Additional Sources of Revenue and Efficiencies**

Our council endorses the further pursuit of a wider solicitation of ideas from faculty university-wide related to additional sources of revenue and efficiencies. We plan to request similar input from our N/C-FSC colleagues, which we will forward to your committee once it is received.

**Rationale**

As a newly formed council, one of our tasks has been to gather historical data as well as current data to assess and determine any positions on strategic issues presented before the Senate. With that in mind we polled our N/C-FSC Senators and Alternate Senators on the issues within their colleges and schools related to the budget. *These survey results are presented below:*

**Senators (n = 20); Alternate Senators (n = 14)**

Which of the following factors should be considered in a salary and merit budget? Please weight each item by distributing 10 points to indicate priority and importance on the following issues that affect your school [NOTE: Total number of points for all items should equal ten (10)]:

<table>
<thead>
<tr>
<th>Factor</th>
<th>Weighted average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of living</td>
<td>3.03</td>
</tr>
<tr>
<td>Resolving compression issues (new hires coming in at higher rates than experienced faculty doing the same work)</td>
<td>2.72</td>
</tr>
<tr>
<td>Inflation</td>
<td>2.28</td>
</tr>
<tr>
<td>Professional Development Funds, Conferences, Research, Travel or any cash supplements for professional development</td>
<td>2.19</td>
</tr>
<tr>
<td>Other (see below)</td>
<td>2.38</td>
</tr>
<tr>
<td>Publications or other scholarly works, exhibits; merit increases for publications</td>
<td></td>
</tr>
<tr>
<td>Professional Achievement during the year</td>
<td></td>
</tr>
<tr>
<td>University “taxation” of non-FAS schools that restricts what the school can do with its budget.</td>
<td></td>
</tr>
</tbody>
</table>

**Non Direct Compensation Issues related to performing your job professionally and effectively:**

Please weight each item by distributing 10 points to indicate priority and importance on the following issues that affect your school [NOTE: Total number of points for all items should equal ten (10)]:

<table>
<thead>
<tr>
<th>Factor</th>
<th>Weighted average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teaching Release Time</td>
<td>3.70</td>
</tr>
<tr>
<td>Office Space</td>
<td>2.64</td>
</tr>
<tr>
<td>Standards for measuring teaching productivity</td>
<td>2.54</td>
</tr>
<tr>
<td>Equipment</td>
<td>1.96</td>
</tr>
<tr>
<td>Safety and Diversity Training</td>
<td>1.00</td>
</tr>
<tr>
<td>Other (please specify below in Q3)</td>
<td>2.40</td>
</tr>
<tr>
<td>Increased professional development opportunities</td>
<td></td>
</tr>
<tr>
<td>Recognition and support of contract faculty governance</td>
<td></td>
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</tbody>
</table>
Report of Representatives to the T-FSC Global Network University Committee
March 3, 2015

Present: Awam Amkpa (co-chair, via video from Abu Dhabi), Arvind Rajagopal (co-chair, via phone from Berlin), Mark Alter, Sylvain Cappell, Martin Klimke (via video from Abu Dhabi), Vincent Renzi, Mary Killilea, Amy Becker (via phone from Shanghai).

The committee continued deliberations about the recommendations contained in the June, 2014 report of the Faculty Advisory Committee on the University’s Global Network.

As suggested by Linda Mills at the committee’s meeting in November, 2014, members of the committee had undertaken fact-finding meetings to inform its work. On December 19, 2014, Awam Amkpa and Vincent Renzi met with Terry Nolan and Julie Boden Adams of the Office of General Council for a discussion about hiring practices for faculty outside New York. On December 22, 2014, Awam Amkpa, Kwame Anthony Appiah, and Vincent Renzi met with Provost McLaughlin for a discussion about provostial oversight of academic activities at the other portal campuses and at the global academic centers. The committee heard reports on these meetings.

It was agreed that Awam Amkpa would circulate a draft resolution for the T-FSC endorsing aspects of the provostial committee’s recommendations as well as a draft report on additional concerns and issues.

The committee also took particular note of the labor monitoring mechanisms being implemented by faculty at Abu Dhabi and Shanghai, and will circulate details of these arrangements.

Respectfully submitted,

Vincent Renzi
SFAC (Finance) Committee Meeting Report
March 5, 2015
Began at 8:30 pm; Adjourned at 10:00 am

Physically present: Joseph Carter, Jamie Skye Bianco, Susan Stehlik (late)
Absent: Ethan Youngerman
On Phone: Tommy Lee
Note: No students were at this meeting

*Agenda
1. Draft Report on divestment committee
2. Reports from Committees on recommendations to 2015-16 budget

Recommendation Not to Divest: not unanimous agreement

Administrative Committee discussed Budget Report
Recommended merit increase as a result of reductions in staff with increased workload.

Tenure Faculty Report: presented draft report with poll results
- Will request a budget based on inflation, possibly 3.5%.

Non Tenure Track Faculty Report: distributed and attached to this report
- Discussion of format and issues noting that many items were not directly related to merit review or the purview of the Finance Committee, but all members agreed these items mentioned were relevant. The central question our Committee members presented was: what do we need to do our work to our maximum personal professional standards as well as our commitment to the University.

New Chair of the Committee
- David Backus of NYU Stern would be the sole Chair of the Committee in the next academic year. Martin Dorph would not be attending our meetings.
SUMMARY OF N/C FSC COMMITTEE ACTIVITIES

Iskender Sahin, Alternate Senator, Polytechnic School of Engineering

March 12, 2015

I am a member in the Graduate Program Committee representing N/C FSC.

The committee meets twice each semester and reviews new program proposals.

I attended October 22, 2014 meeting; December 10, 2014 meeting was cancelled.

In 2015 our meetings are on February 25 and May 6. I could not attend the February 25 meeting because of class conflict (although my department had a new program proposal) but voted in abstention.

Details of the meetings (agenda, minutes, etc.) are placed in NYU Classes. The composition of the committee can be found on the Provost’s web pages:

UAAC Report

Ron Rainey, Faculty Senator for FAS (Liberal Studies Program)
Member of the University Academic Affairs Committee (UAAC)

A Report on the Committee’s Activities 2014-2015
March 13, 2015

This committee has met three times so far this year and will meet once more before the end of the academic year. There is a ‘rolling agenda’ of items that are discussed at each meeting, but much attention has been given this year to an advisory on writing (which has now been approved by the committee and will be forwarded to the Provost’s office). In this advisory, recommendations are made to the Provost for greater writing support for international students (a particular interest of mine), for students at global sites, and for new teachers. The advisory indicates that there is no coherent university-wide ‘philosophy’ of writing at NYU and suggests that the different units of the university might address this issue. It is also pointed out that some of the resources devoted to the teaching of writing are duplicated around the university and suggests that some of the overlap be addressed and made more student-friendly and faculty-friendly than it is. Ultimately, the advisory suggests that the university commit more resources to the services associated with writing instruction at NYU. At the most recent meeting of the UAAC, a presentation was made by the Student Life Office about a proposed ‘student engagement dashboard’ which that Office is working on; there will be a consolidation of information about student engagement issues by bringing together data about academic progress, student participation in athletics and clubs, and participation in internships and Wasserman resources. The aim of this ‘dashboard’ will be to assist the schools in assessing the impact of student involvement in extracurricular activities on academic progress.
TO: Full-Time Non-Tenure Track/Contract Faculty Senators Council  
FROM: Susan Stehlik, Stern Senator  
DATE: March 16, 2015  
RE: Summary Report of the Ad Hoc Sexual Misconduct Committee

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The Committee was formed to review all policies and procedures related to Sexual Misconduct within the University at all campuses and to comment on the practicality of the policy as well as identify any potential gaps in the effectiveness of insuring a safe campus for learning. This policy review is a result of new federal guidelines for academic institutions. Attached to this report is a full copy of the policy as well as a short document highlighting the changes from the previous policy.

To date the committee has met 3 times. Within our meetings the discussions centered on effective response to any incidents and roles of faculty as “responsible persons” within the complaint process. This year every student on every NYU campus will be required to complete a one-hour training on line explaining the policy. Training for faculty and others has not been finalized; but, the Office of Equal Opportunity has staff available to schedule any number of venues with faculty at all the schools. Our Committee feels this faculty training is important and encourages scheduling a member of the OEO to conduct a session in each of the schools.

Craig Jolley welcomed and accepted an invitation to address the N/C –FSC directly at the April 30th meeting.

Note: Much of the information can be found at the following url: http://www.nyu.edu/life/safety-health-wellness/sexual-respect.html
APPENDIX A

REPORTING, INVESTIGATING, AND RESOLVING SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, AND STALKING - COMPLAINTS AGAINST STUDENTS

INTRODUCTION

In an effort to maintain a safe learning, living, and working environment, NYU prohibits Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (“Prohibited Conduct”), as set forth in the Sexual Misconduct, Relationship Violence, and Stalking Policy (the “Policy”). This Appendix A sets forth NYU’s procedures for reporting, investigating, and resolving violations of the Policy where an incident involving a Student as a Respondent has been or will be reported to NYU (“Procedures”). These Procedures should be read in the context of the Policy and capitalized terms used in these Procedures are defined in the Policy.

Covered Persons who wish to make a report of Prohibited Conduct against a Student are encouraged to contact the NYU Title IX Coordinator, the NYU Office of Equal Opportunity, the NYU Department of Public Safety, the NYU Office of Community Standards, or the other reporting options discussed in the Guides for Students and Employees cited below. At the same time, NYU seeks to be sensitive to those Complainants who seek access to Confidential Resources, but may not wish to report Prohibited Conduct. The following resources can assist Complainants in identifying Confidential Resources and University reporting options:

- Students may refer to the Sexual Misconduct, Relationship Violence, and Stalking Resource Guide for Students;
- Employees may refer to the Sexual Misconduct, Relationship Violence, and Stalking Resource Guide for Employees; and
- Third Parties may contact NYU’s Title IX Coordinator.

These Procedures apply when a report has been made to one of the NYU offices above or to a Responsible Employee at NYU.

I. INITIAL RESPONSE AND TITLE IX ASSESSMENT:

When a Complainant or Covered Person reports an incident of Prohibited Conduct, NYU will take immediate and appropriate steps to investigate or otherwise determine what happened and work to resolve the matter promptly and equitably.

A. Assessment: Upon receipt of a report, the Title IX Coordinator will conduct an initial assessment. As part of the initial assessment, the Title IX Coordinator will:

1. Assess the nature and circumstances of the report.
2. Address immediate physical safety and emotional well-being needs.
3. Discuss the Complainant’s expressed preference for the manner of resolution and any barriers to proceeding.
4. Notify the Complainant of the right to contact law enforcement in order to file criminal charges, decline to contact law enforcement, or seek an order of protection.
5. Notify the Complainant of the right to seek medical treatment, including the importance of preserving evidence.

6. Assess for pattern evidence or other similar conduct by Respondent.

7. Assess the reported conduct for any Clery Act obligations, including entry in the crime log or issuance of a timely warning.

8. Provide the Complainant with written information about on-campus and off-campus resources and the range of appropriate and available protective measures based on the status of the Complainant.

9. Explain NYU’s policy prohibiting Retaliation.

B. Requests to Maintain Privacy or Not Seek Disciplinary Action: If a Complainant who has reported an incident of Prohibited Conduct requests that his/her name or other identifying information not be shared with a Respondent, that no investigation into a particular incident be conducted, and/or that no disciplinary action be taken against the Respondent, NYU will balance this request against NYU’s commitment to a safe learning, living, and working environment for all community members, including for the Complainant. The request may occur at any point after the report is made.

The request will be evaluated by the Title IX Coordinator in consultation with senior NYU administrators. When considering whether to honor a Complainant’s request for privacy or that no Investigation or disciplinary action be pursued, NYU will consider a range of factors, including:

- the risk that the Respondent may commit additional acts of Prohibited Conduct or other violence, taking into consideration, among other matters, any known history of arrests, violence, or other complaints of Prohibited Conduct involving the Respondent, any threats of future violence made by the Respondent, and whether multiple Respondents were involved in the reported incident;
- whether the act of Prohibited Conduct was perpetrated with a weapon, was otherwise unusually violent, or whether other aggravating circumstances exist;
- whether the report reveals a pattern of Prohibited Conduct;
- whether the Complainant is or at the time was a minor; and
- whether NYU is able as a practical matter to pursue the investigation without the participation of the Complainant (e.g., whether there is other relevant evidence of the Prohibited Conduct such as security cameras, other witnesses, or physical evidence).

Where possible based on the facts and circumstances, NYU will seek action consistent with the Complainant’s request to maintain his/her privacy and/or not conduct further Investigation. However, NYU will be limited in its ability to respond to the matter in other than potentially general ways such as providing targeted training or prevention programs or offering reasonably available protective measures or accommodations to the Complainant. Where NYU agrees to the Complainant’s request to maintain his/her privacy and/or not conduct further investigation, the matter will be considered resolved with NYU taking, as appropriate, such general steps and such protective measures or accommodations. NYU recognizes that a Complainant may initially be hesitant to move forward, but later seek an Investigation. Where a report was closed because NYU agreed to the Complainant’s request to maintain his/her privacy and/or not conduct further
Investigation, the matter may later be reopened at the discretion of the Title IX Coordinator.

Where the balance of factors requires that further investigation be conducted, that disciplinary action be taken, or that the identity of the Complainant be disclosed, NYU will inform the Complainant of its intent to investigate prior to commencing the investigation and/or of its intent to disclose the identity of the Complainant. In such cases, NYU will make reasonable efforts to protect the privacy of the Complainant consistent with the needs of the Investigation and resolution of the matter; however, an investigation normally involves speaking with the Respondent and others who may have relevant information about the incident and disclosing the identity of the Complainant as necessary in those conversations.

A Complainant may receive support and safety services regardless of their level of participation or engagement with these Procedures.

C. Determination after Assessment: After the initial assessment, the Title IX Coordinator will determine whether the circumstances warrant proceeding to an investigation. The Title IX Coordinator may consult with senior NYU administrators during the assessment. The determination as to how to proceed will be communicated to the Complainant in writing. Depending on the circumstances and requested resolution, the Respondent may or may not be notified of the report or resolution. A Respondent will be notified when NYU takes action that would impact a Respondent, such as protective measures that restrict the Respondent’s movement on campus, the initiation of an Investigation, or the decision to seek to involve the Respondent in informal resolution.

Following this assessment, during an Investigation, or at any point in the Disciplinary Process, NYU may seek an Alternate Resolution that, as appropriate, endeavors to prevent future Prohibited Conduct and address its effects without conducting or concluding, as applicable, a formal Disciplinary Process against a Respondent. Alternatively, if appropriate, NYU may pursue an Investigation and Disciplinary Process.

II. ALTERNATE RESOLUTION:

NYU may seek a form of Alternate Resolution (which for purposes of these Procedures may include the possibility of Mediation) in place of an Investigation or Disciplinary Process. Alternate Resolution is not appropriate for all cases of Prohibited Conduct, and NYU retains the discretion to determine which cases may be appropriate for Alternate Resolution and the type of Alternate Resolution process that may be appropriate in a specific case. Mediation, even where voluntary, may not be used in cases involving Sexual Assault.

Participation in Alternate Resolution (including the specific form of Alternate Resolution, such as Mediation) is voluntary. NYU will not compel a Complainant or Respondent to engage in Alternate Resolution, will not compel a Complainant to directly confront the Respondent, and will allow a Complainant or Respondent to withdraw from Alternate Resolution at any time. NYU also reserves the right in its discretion to terminate an Alternate Resolution process at any time. In addition, the Complainant, Respondent, and NYU must each agree before a case will be resolved through Alternate Resolution.

Alternate Resolution may involve individual and/or community remedies that are designed to address a report of Prohibited Conduct. Interventions can include, among others: remedies designed to maximize the Complainant’s access to educational, extracurricular, and/or employment activities; providing increased monitoring, supervision, and/or security at locations or activities where the
misconduct occurred or is likely to reoccur; facilitating a voluntary meeting with the Complainant and the Respondent (in cases that do not involve Sexual Assault); conducting targeted or broad-based educational programming or training for relevant individuals or groups; requiring counseling; providing housing accommodations for Student Complainants; making academic accommodations for Student Complainants or providing workplace accommodations for Employee Complainants; imposing sanctions as set forth in the University Disciplinary Process and Procedures, which include Warning, Censure, Disciplinary Probation, Restitution, Monetary Fine, Suspension of Privilege, Suspension from NYU, No Contact Directive, Dismissal from NYU, and Transcript Notation; and/or any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy.

If an agreement acceptable to each of NYU, the Complainant, and the Respondent is reached through Alternate Resolution, the matter is considered to be resolved and the terms are implemented. If an agreement is not reached, the matter will be referred for an Investigation or Hearing if appropriate.

The Title IX Coordinator will maintain records of all reports and conduct referred for Alternate Resolution, which typically will be completed within thirty days of the initial report.

III. INVESTIGATION

Upon a determination by the Title IX Coordinator that a matter is to be investigated, the Investigation will proceed as follows:

A. As a first step, the Title IX Coordinator will designate an investigator(s) from the Office of Equal Opportunity or an external agency (“Investigator”) to conduct a prompt, thorough, and impartial Investigation of the report in the manner the Investigator deems appropriate.

B. During the Investigation, the Complainant and Respondent will have an equal opportunity to be heard, to submit information and corroborating evidence, and to identify witnesses who may have relevant information. The Investigator will notify and seek to meet with all involved parties separately (e.g., the Complainant, the Respondent, and identified witnesses) and also will gather other evidence and information relevant to the determination as to whether or not a Policy violation has occurred. Witnesses cannot participate solely to speak about an individual’s character; they must have information deemed relevant to the Investigation by the Investigator.

C. Where there is evidence of a pattern of similar conduct by the Respondent or of violent acts or other related conduct, either before or after the conduct in question, regardless of whether there has been a prior finding of a Policy violation, this information may be deemed relevant to the determination of a Policy violation and/or in assigning a sanction. The determination of relevance will be based on an assessment of whether the previous or subsequent incident was substantially similar to the conduct cited in the report, indicates a pattern of behavior and substantial conformity with that pattern, or is otherwise associated with the conduct cited in the report. Prior or subsequent conduct of the Respondent also may be admissible to prove intent, motive, or absence of mistake.

D. In general, a Complainant’s prior sexual history is not relevant and will not be considered as evidence during an Investigation. However, where there is a current or ongoing relationship between the Complainant and the Respondent, and the Respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in the Policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the Complainant with other individuals is typically not relevant and will be
permitted only under limited circumstances, such as to prove intent, motive, absence of mistake, or to explain an injury or physical finding; or where prior acts of Prohibited Conduct are relevant.

E. The Investigator has the discretion to determine the relevance of any proffered evidence and may determine that certain types of evidence should be included or excluded in the determination of responsibility.

F. Throughout the process, each of the Complainant and Respondent has the right to be accompanied by an advisor of his/her choice. The advisor may be present at any meeting related to resolution of a report under the Policy, and may be anyone of the individual’s choosing who is not otherwise a party or witness involved in the Investigation. While the advisor may be present, the advisor may not speak or otherwise participate in the meetings and must comport him/herself in a manner that is not disruptive to the meetings.

G. At the conclusion of the Investigation, the Investigator will prepare an Investigation report that summarizes the information gathered and outlines the contested and uncontested information. Both the Complainant and the Respondent will be given the opportunity to review the draft Investigation report, submit any additional comment or information to the Investigator, and identify any additional information or witnesses. The Investigator will designate a reasonable time for review and response. In the absence of good cause, information discoverable through the exercise of due diligence that is not provided to the Investigator at this juncture will not be considered by the Adjudicator.

H. Upon receipt of any additional comments or information, the Investigator will issue a preliminary determination as to whether there is sufficient information, by a preponderance of the evidence, to support a finding of responsibility for a violation of the Policy. In reaching this determination, the Investigator may consult with senior NYU administrators, including the designated member of the Provost’s Office.

1. If the Investigator determines that there is sufficient information, by a preponderance of the evidence, to support a finding of responsibility for a violation of Policy, the report will be submitted to the Office of Community Standards (“OCS”) for further action.

2. If the Investigator determines that there is insufficient information, by a preponderance of the evidence, to support a finding of responsibility for a violation of the Policy, a copy of the report will be provided to OCS, the Complainant, and the Respondent. The Complainant may request Administrative Review of the finding. Administrative Review will be conducted by the Senior Vice President for Student Life or his/her designee (“Reviewer”). The Reviewer may consult with the Investigator, the Complainant, the Respondent, or any other individual. The Complainant or Respondent also may submit additional information to the Reviewer in writing. The Reviewer may agree with the investigative finding, request additional investigative follow-up, or direct that the report be forwarded to OCS for further action. The Reviewer will render a decision in writing to both the Complainant and Respondent.

I. The Investigation typically will be completed within thirty days from the date of the initiation of the Investigation. This timeframe may be extended for Alternate Resolution and also may be extended for good cause as necessary to ensure the integrity and completeness of the Investigation, to comply with a request by external law enforcement, to accommodate the availability of witnesses, to account for NYU breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or
for other legitimate reasons. Any extension of the timeframes, other than for Alternate Resolution, and the reason for the extension, will be shared with the parties in writing.

J. At the request of law enforcement, NYU may agree to defer its Title IX Investigation until after the initial stages of a criminal investigation. NYU will nevertheless communicate with the Complainant regarding the availability of protective measures and accommodations and available courses of action under the Policy and these Procedures. NYU will promptly resume its Title IX Investigation as soon as it is notified by law enforcement that there is no longer a need to delay.

K. The Investigator may consult with senior NYU administrators during the Investigation.

IV. HEARING AND APPEAL

The Hearing and Appeal process consists of: (A) Pre-Hearing Steps; (B) a Hearing; (C) a Determination of Violation and Sanctions; and (D) the Right to Appeal.

A. Pre-Hearing Steps:

1. **OCS Review of Investigation report:** OCS will receive and review the Investigation report. The OCS Administrator may accept the report as rendered or may request that an Investigator conduct additional interviews or seek out other evidence as deemed to be appropriate. Any additional Investigation, and a supplemental report, should be completed promptly.

2. **Selection of Adjudicator:** At the option of the OCS Administrator, the hearing will be adjudicated either by a three-person panel selected by the OCS Administrator or by an external adjudicator with expertise in adjudicating cases of Prohibited Conduct (the three-person panel and external adjudicator are both referred to as the “Adjudicator”). All persons serving as an Adjudicator must have training or experience with respect to the adjudication of Prohibited Conduct and must also be impartial and free from bias or conflict of interest.

3. **Notice of Hearing:** The Complainant and Respondent will be notified in writing of the date, time, and location of the hearing as well as the specific charges to be reviewed by the Adjudicator. In general, the hearing will be scheduled within ten business days of the date of the Notice of Hearing. This time frame may be extended for good cause at the discretion of the OCS Administrator. Good cause may include the availability of the parties, the availability of witnesses, the timing of semester breaks, or any other extenuating circumstances.

4. **Pre-Hearing Review of Documents:** The Complainant and Respondent will each have the opportunity to review the final Investigation report, including any supplemental report, and any relevant documents that will be provided to the Adjudicator at least five business days in advance of the hearing. The Adjudicator also will be provided with the same set of materials at least five business days before the hearing.

5. **Witnesses:** The Complainant, Respondent, and Adjudicator each have the right to request the presence of witnesses at the hearing. Typically, only witnesses who were identified and interviewed as part of the Investigation may be called at the hearing. Under very limited circumstances, the Complainant, Respondent or Investigator may identify a witness with relevant information who has not previously been interviewed. In such case, the OCS Administrator will determine if the new witness’s participation at the hearing is relevant and appropriate under the circumstances, and if so, will refer the matter to the Investigator for
additional investigation, and a supplemental report, which may delay the timing of the hearing.

6. **Request to Postpone Hearing:** Permission to postpone a hearing may be granted provided that the request to do so is based on a compelling emergency and where possible is provided to the OCS Administrator at least 48 hours prior to the time of the hearing.

B. **Hearing.**

1. **Timing:** Typically a hearing will be held within sixty days from the date of the initiation of the Investigation. This timeframe may be extended for Alternate Resolution and also may be extended for good cause as necessary to ensure the integrity and completeness of the Investigation, to comply with a request by external law enforcement, to accommodate the availability of witnesses, to account for NYU breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or to address other legitimate reasons. Any extension of the timeframes other than for Alternate Resolution, and the reason for the extension, will be shared with the parties in writing.

2. **Hearing Guidelines:** At any hearing under these Procedures, the following guidelines below will apply:

   a. **Advisors:** Each of the Complainant and Respondent has the right to be accompanied at the hearing and any meetings by an advisor of his/her choice who is not otherwise a party or witness involved in the Investigation. While the advisor may be present, the advisor may not speak or otherwise participate in the hearing or meetings, may not address the Adjudicator or question witnesses, and must comport him/herself in a manner that is not disruptive to the hearing or meetings.

   b. **Presence at Hearing:**

      i. A Complainant is not required to participate in person at the hearing in order for the hearing to proceed.

      ii. A Complainant or Respondent may request alternative testimony options that would not require physical proximity to the other party, including testifying via a remote electronic method. This request should be made no less than five business days prior to the hearing.

      iii. If despite being notified of the date, time, and location of the hearing, the Respondent or Complainant is not in attendance, the hearing may proceed and sanctions may be imposed. In doing so, the Adjudicator will consider the available testimony and evidence. In the absence of clear evidence that emergency circumstances beyond the control of the Complainant or Respondent prevented such person from being present, the decision of the Adjudicator will stand.

   c. **Questioning:** The Complainant and Respondent will not be permitted to directly question one another, but will be allowed to propose questions to the Adjudicator who will screen the questions for appropriateness and relevance.

   d. **Hearing Format:** The Adjudicator has the discretion to designate the hearing format. The following hearing format is presented as a general example:
i. The Adjudicator (or designated Chair of the panel) will explain the hearing process, provide an opportunity to all parties to ask questions about procedures, and read the charges.

ii. The Investigator will provide a brief statement summarizing the Investigation and focusing on the areas of agreement and disagreement.

iii. The Complainant may supplement the information provided to the Adjudicator with a brief statement. The Adjudicator may pose questions to the Complainant, including, in the discretion of the Adjudicator, questions suggested by the Respondent.

iv. After the Complainant is finished, the Respondent will be given an opportunity to make a brief statement. The Adjudicator may pose questions to the Respondent, including, in the discretion of the Adjudicator, questions suggested by the Complainant.

v. The Adjudicator, Complainant, and Respondent may then question the Investigator.

vi. The Adjudicator will then hear from witnesses determined by the Adjudicator to have information that is relevant to the matter, first on behalf of the Complainant and then on behalf of the Respondent. Each witness will be questioned by the Adjudicator and, as appropriate, the Complainant and Respondent (if one party is provided an opportunity to question a witness, the other party will be provided the same opportunity).

vii. At the conclusion of the presentation of all witnesses, the Complainant, and the Respondent will each be given a brief final opportunity to address any outstanding issues of fact.

These hearing guidelines may be supplemented as determined appropriate by the OCS Administrator or the Adjudicator.

C. Determination of Violation and Sanctions; Notice of Outcome. At the conclusion of the hearing, the Adjudicator will determine whether there is sufficient information, by a preponderance of the evidence, to support a finding of responsibility for a violation of the Policy. In evaluating the available information, the Adjudicator is not bound by the preliminary determination by the Investigator. After consulting with the OCS Administrator, the Adjudicator will (1) determine if there is a violation and (2) if so, the Adjudicator will determine the appropriate sanction(s).

In determining the appropriate sanction(s), the Adjudicator will consider a number of factors, including:

- the nature of the conduct at issue, including whether it involved violence;
- the impact of the conduct on the Complainant;
- the impact or implications of the conduct on the NYU community;
- any previous conduct violations by the Respondent, both at NYU or elsewhere, as well as any criminal convictions;
- whether the Respondent has accepted responsibility for the conduct;
- maintenance of a safe and respectful environment conducive to learning; and
- any other mitigating, aggravating, or compelling circumstances to reach a just and appropriate resolution in each case.

The Adjudicator may also consider restorative outcomes that, taking into account the safety of the NYU community as a whole, allow a Respondent to develop insight about their responsibility for the behavior, learn about the impact of the behavior on the Complainant and the community, and
identify how to prevent or change the behavior. Sanctions may be issued individually, or a combination of sanctions may be imposed.

The potential sanctions for a violation of the Policy, as set forth in the University Disciplinary Process and Procedures, include: Warning, Censure, Disciplinary Probation, Restitution, Monetary Fine, Suspension of Privilege, Suspension from NYU, No Contact Directive, Dismissal from NYU, and Transcript Notation.

Notification of Outcome: The Complainant and Respondent will be notified simultaneously in writing (which may include email) of the outcome of a hearing, the rationale for the outcome, and the options for appeal within five business days of date of the completion of the hearing, unless circumstances warrant extending that timeframe.

D. Right to Appeal. The Complainant or Respondent may appeal the determination to the designated representative in the Office of the Provost within ten business days. Grounds for an appeal are limited to (1) a material procedural error, (2) previously unavailable relevant evidence that could affect the outcome; and/or (3) the sanction being substantially disproportionate to the violation. Each party will be notified if the other party files an appeal, and will be provided the opportunity to respond in writing. The appeal will be decided by an impartial adjudicator within fifteen business days.

V. FALSE REPORTS

Submitting a false report or providing false or misleading information in bad faith or with a view to personal gain in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanction. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not substantiated.
New Policy, Procedures, & Programs at NYU

- New website: www.nyu.edu/sexual-respect
- New definitions: relationship violence, stalking, sexual exploitation
- Revised definitions: consent, sexual assault, sexual harassment
- New training requirements related to (1) prevention and (2) reporting
- New institutional disciplinary procedures
- Clearly defined mechanisms for protecting confidentiality
- Protective measures and accommodations for students and employees
- Enhanced counseling, health and assistance services

As per final regulations under VAWA Act of 2013 (Violence Against Women’s Act) and Reauthorization Act issued October 2014

New Confidential Resource for Complainants: Center for Sexual Misconduct Support Services

- Single, confidential, supportive point-of-contact to connect complainants to an array of services
- One-stop liaison for students to coordinate Title IX, Public Safety, Community Standards, Schools, Residential Life, etc.
- Provide support to student-complainants throughout reporting, investigation and disciplinary process
- Collaborate with student groups and faculty
- Call 212.443.9999 (24 hours a day / 7 days a week / 365 days a year)
New Confidential Resource for Complainants: Center for Sexual Misconduct Support Services

- Comprehensive Clinical Intervention
- All counselors specifically trained on sexual assault response
- 24/7 Emergency Response (psychological assessments, medical services, etc.)
- Counseling support/clinical groups/psychopharm services
- Call 212.443.9999 (24 hours a day / 7 days a week / 365 days a year)

Respondent Services (for NYU students)

- Specialty team created within Counseling and Wellness Services, to provide dedicated confidential support to student respondents with goal of honoring the rights of all students affected by a report
- Small set of counselors with expertise in this area to provide confidential emergency response and counseling support
- Can act as supportive liaison with relevant offices (Medical Services, Title IX, Public Safety, Community Standards, School, Residential Life, etc) and educate respondents on rights, responsibilities and navigating family and community impact
- Support respondent as they connect with on- and off-campus resources
- Attending meetings/hearings as a support person at student’s request
- Provide support at respondent's request throughout the investigation and disciplinary process, including assistance with reviewing investigation documents
- Call 212.443.9999 (24 hours a day, 7 days a week, 365 days a year)
Special Committee on Implementation of the MSCHC Report

Larry Z. Slater, PhD, RN-BC, CCRN
College of Nursing
Senator, College of Dentistry and College of Nursing
FT NT Track/Contract Faculty Senators Council

The Committee has met three times since the last report to review the remaining list of Self-Study Recommendations in the areas of Cities and the Urban Environment (2/9/15), Data Science (2/16/15), and Humanities and the Arts (3/5/15).

1. Cities and the Urban Environment: Calendar sharing and improved coordination for collaboration and research across centers/institutes (i.e., Furman, CUSP, Marron); NYU structural issues (budget, personnel, overhead "sharing") that hinder collaboration and lead to duplication of programming; dissemination to students about offerings in Cities and the Urban Environment; balance of trade for tuition; review of graduate programs for duplication, merging; examine the possibility of a major, minor, or concentration for undergraduate students; develop a master's program as well as a postdoctoral program; further leverage the GNU.

2. Data Science: Clear delineation of resources to CDS (faculty and administrative positions, space, equipment, PhD support); need for additional classroom space for Introduction to Data Science; development of corporate sponsorships; develop undergraduate training, perhaps a minor, in data science; discussion about creation of career paths for scientists/engineers with non-traditional backgrounds with impact measured by usage of software, tools, and data sets rather than traditional academic publications.

3. Humanities and the Arts: Support the institutes (Hemi, HI, Remarque, NYU Abu Dhabi Institute) in grant-writing and fundraising and provide for more postdoctoral and research fellow opportunities; explore grant-in-aid or other opportunities to allow global scholars to come to the Washington Square campus; engage the institutes more fully with the NYU undergraduate community; improve visibility of the institutes, including development of a website.

The committee will be in recess until April while the Chair, Norman Dorsen (School of Law), along with the Associate Provost, Barnett Hamberger, prepare the draft report. The committee will meet to review and finalize the report for submission to the President.
1. Each school shall set its own rules for electing senators and alternates with the proviso that the elections are carried out by April 15th to allow the Council to elect its Steering Committee for the following academic year at a reorganization meeting prior to University commencement to allow the council to elect its Steering Committee for the following academic year.

2. The Steering Committee will issue a call for committee nominations following the reorganization meeting, then formulate and approve the committee assignments prior to September 1st. Self-nominations and nominations of colleagues with permission are permissible.

3. The Steering Committee will represent the Council to other constituencies in the university.

4. Committee assignments shall be for a term of one year. Each committee shall elect its chair and shall have at least two elected senators as members. Alternate senators may also serve as committee members. It is recommended that each committee shall have up to four members.

5. The Council shall have the following standing committees:
   a) Administration and Technology
   b) Educational Policies and Faculty/Student Relations
   c) Faculty Benefits and Housing
   d) Finance and Policy Planning
   e) Global Network University
   f) Governance
   g) Grievance
   h) Personnel Policies and Contract Issues

   Council standing committees may meet both jointly with the T-FSC as well as hold separate meetings as needed.

6. If an elected senator cannot complete his or her term, the alternate will assume the Senate seat until the next scheduled election.

7. We recommend that the Council shall hold a minimum of three scheduled meetings per semester with a calendar of dates distributed to senators and alternate senators prior to the first council meeting of the academic year.
8. Special meetings may be called by the Steering Committee with adequate notice and the presence of a quorum, i.e., a simple majority.

9. The Chairperson will prepare the agenda for the Council meetings in collaboration with the Steering Committee and will welcome feedback from the membership.

10. The Chairperson will conduct the business at Council meetings in accordance with Robert’s Rules of Order. In the absence of the Chairperson, the Vice Chairperson will preside.

11. In order to conduct business at Council meetings, a quorum must be present. A simple majority of the voting members constitute a quorum.

12. Minutes of all Council and committee meetings shall list those members in attendance and those not present.
N/C-FSC Committees

**Governance Committee**
Monitor implementation and impact of University joint shared governance and governance policies and practices in the several schools, programs and divisions, GNU campus sites and portals, particularly as they pertain to full-time non-tenure track/contract faculty (FTNTT/CF); Monitor and make recommendations for procedures governing the Council; conduct periodic reviews of the NYU Faculty Handbook; develop and suggest recommendations to the Faculty Handbook and Guidelines mentioned above for presentation to the N/C-FSC.

**Global Network University Committee**
Monitor and analyze academic, faculty, and other issues pertaining to the GNU campuses and portals.

**Administration & Technology Committee**
Analyze and monitor policies and issues affecting faculty involving technology-related issues, such as technology-enhanced education, University social media policies and Personal Digital Content Policies.

**Finance and Policy Planning Committee**
Examine and analyze faculty salaries, working conditions, long-range issues and other relevant finance matters, as determined by the Committee and the Council.

**Educational Policies and Faculty/Student Relations Committee**
Interact with the NYU Center for Teaching Excellence to enhance the effectiveness of teaching at NYU; develop recommendations to support and enhance faculty-student relations, both in and out of the classroom.

**Faculty Benefits and Housing**
Advocate, review and make recommendations with regard to faculty benefits (health and retirement plans; tuition remission; etc.); monitor and make recommendations to issues particularly relating to FTNTT/CF Faculty residing in faculty housing; analyze University policies related to housing for FTNTT/CF Faculty.

**Faculty Grievance Committee**
Hears faculty appeals from a dean’s decision on issues related to reappointment and promotion; monitors compliance with school grievance procedures; makes recommendation to the Provost.

**Personnel Policies and Contract Issues**
Reviews University and school policies and practices including contracts and/or contract modifications and guidelines that affect FTNTT/CF faculty, such as the University Guidelines for Full-Time Non-Tenure Track/Contract Faculty Appointments.
MEMO TO: N/C-FSC Steering Committee

FROM: N/C-FSC Naming Committee

DATE: 2/13/15

SUBJECT: Recommendation of the N/C-FSC Naming Committee for a new name

The N/C-FSC Naming Committee recommends that the N/C-FSC change its name to the **Continuing Faculty Senators Council (C-FSC)**. This recommendation comes after several months of research and discussions within our committee. The goal of the committee has been to find a name that positively represented our diverse constituency. In order to achieve this goal we took three steps:

1. We surveyed our full constituency for suggestions of alternative names. The survey received 24 responses with 2 new suggestions. One of these suggestions was Continuing Faculty which is used at Bowling Green State University ([http://www.bgsu.edu/content/dam/BGSU/provost/documents/policies-guidelines/faculty-employment-contract.pdf](http://www.bgsu.edu/content/dam/BGSU/provost/documents/policies-guidelines/faculty-employment-contract.pdf)).

2. We researched the nomenclature used at other institutions. We found that many institutions used Non-Tenure Track Faculty. University of Arizona also uses Continuing Faculty.

3. After several in person and email discussions of possible names (e.g., review of the survey and research, suggestions and acronyms from within the committee), we met with Aline Wolff. Aline is a Clinical Associate Professor of Management Communication at New York University's Leonard N. Stern School of Business, and specializes in innovative thinking. During our meeting with Aline we had a discussion about the importance of a name that is both descriptive of all members of our faculty but also does not diminish our important and often long-term contribution to NYU. We also tried to move away from simply restating our human resource status.

Our feeling is that Continuing Faculty is the name that accurately and positively describes our constituency and our integral role in the University. It also has the benefit of being easy to communicate and can be abbreviated as C-FSC which will parallel the T-FSC. We respectfully submit this choice to our Council for consideration and approval.
Administration and Technology Committee
N/C-FSC members present: Patrice Derrington, Ben Stewart
Report Submitted by Ben Stewart: March 13, 2015

In our February 13th meeting, we continued to revise the policy on “University Access to Personal Digital Content” (PDC). This was the final stage of the process, and the revisions we made were mainly for consistency and ease of reading.

Subsequent to the revision work, the discussion turned to this policy’s value to ITS: whereas ITS has strong internal conduct policies that protect student, staff, and faculty privacy, the committee’s ITS representatives (Kitty Bridges and Marilyn McMillan) felt strongly that this policy would give them a stronger ground from which to uphold those policies. They also expressed that these policies would be especially helpful to ITS as it negotiates the legal and extra-legal complexities posed by the Global Network.

At the end of the meeting, we agreed to send the policy on to the Senate Councils for approval.

I’ve attached the PDC policy in its current form. This policy, if passed, calls for the creation of an oversight committee: I’ve also attached the current draft of that committee’s charter.
Title: University Access to Personal Digital Content  
Effective Date: [date], 2014  
Supersedes: New Policy  
Issuing Authority: Executive Vice President, Finance and Information Technology  
Responsible Officer: Vice President, Information Technology and Chief Information Technology Officer  

Policy  

It is the policy of New York University, including its Schools and other units, Global Network University sites, and all University Affiliates (together “NYU”), that NYU limits the circumstances under which NYU will access, disseminate, and use Personal Digital Content, or “PDC” (as defined in this policy) of NYU faculty, students, and staff, and that NYU be transparent about those circumstances and its related procedures.

NYU recognizes that as faculty, students, and staff increasingly create, receive, use, transmit, and store information in digital form — as opposed to traditional media (e.g., print materials, file cabinets, etc.) — there is growing concern that such information may be more vulnerable to unintended or inappropriate use. At the same time, NYU appreciates and affirms that NYU faculty, students, and staff have an expectation of privacy. Such privacy is a necessary part of fulfilling NYU’s commitment to academic freedom (as set forth in the Faculty Handbook), and its commitment to respect in its relationships with faculty, students, and staff (as set forth in the New York University Code of Ethical Conduct).

Purpose of this Policy  

The purpose of this policy is to establish internal standards and procedures governing NYU’s access to, and dissemination and use of, PDC to achieve the above-stated policy objectives. This policy is grounded on six important principles:

- Access to, and dissemination and use of, PDC of NYU faculty, students, and staff will be authorized only by an appropriate and accountable person, pursuant to NYU’s Policy on Requests to Information Technology (NYU IT) to Support Investigations, and through a specific and formal process.
- Access to, and dissemination and use of, PDC of NYU faculty, students, and staff will occur only for a legitimate NYU purpose, as set forth in this policy.
Except as provided in this policy, there is a presumption that notice pursuant to the Notice section of this policy will be given to affected NYU faculty, students, and/or staff when their PDC will be, or has been, accessed.

Access to, and dissemination and use of, PDC of NYU faculty, students, and staff will be limited in scope to the information needed to accomplish the purpose.

NYU will maintain sufficient records to enable appropriate review of compliance with this policy.

Access to, and dissemination and use of, PDC will be subject to ongoing, independent oversight by an NYU Committee that will issue regular reports to the University Senate.

This policy does not create rights in any individual or entity to seek legal redress for action inconsistent with the policy.

Scope of this Policy

This policy affords protections to faculty, students, and staff of NYU with respect to their Personal Digital Content and sets forth NYU’s commitment and processes to effectuate those protections.

Procedures for Implementation

Background

NYU faculty, students, and staff rely on technology in multiple aspects of their work, teaching, research, study, and other activities. In doing so, they often use electronic systems, networks, and devices that NYU owns, provides, or administers. These NYU Systems assist NYU in carrying out certain activities. As used in this policy, “NYU Systems” means all information technology services, networks, and devices owned, provided, or administered by any unit of NYU, such as email services, internet access, file servers, voice message servers, hardware and cloud-based storage devices and/or services, laptop, tablet, desktop, and other computers, phones or other mobile devices, and other outsourced information technology services (e.g., Google NYU Mail or Google Apps for Education).

This policy provides protections to NYU faculty, students, and staff with respect to their “Personal Digital Content” or “PDC,” which means the following content and its associated metadata to the extent stored in files and/or accounts on, or transmitted through, NYU Systems and that are associated with a specific NYU faculty member, student, or staff member:

(a) digital documents and communications of NYU faculty, students, and staff, such as emails, voice mails, text messages, audio and video files;
(b) internet search records and internet sites visited for specific NYU faculty, students, or staff;
(c) manuscripts and other similar works of authorship by NYU faculty, students, or staff that are not publicly available; and
(d) other scholarly content of NYU faculty, students, and staff that comprises “Traditional Works of Scholarship” under NYU’s Statement of Policy on Intellectual Property, except to the extent such works also qualify as “Instructional Media” under that policy.
Examples of content that are not included within the definition of PDC include: (a) logs or records of access, including video files, to NYU facilities or equipment; (b) “Research Data” as defined in NYU’s Policy on Retention of and Access to Research Data; (c) personal information needed for management of NYU records, such as financial, human resource, and student information system records; and (d) routine uses of NYU instructional management systems (e.g., the statistics section of NYU Classes). If members of the university community have a question about whether specific data is included within the definition of PDC, they should consult with their Dean or Director who, together with the Responsible Officer for this policy, will provide guidance.

Reasons for Access

NYU does not routinely monitor the PDC of a specific NYU faculty member, student, or staff member. NYU may obtain access to such PDC in some circumstances, but only for a legitimate institutional purpose, as set forth in this policy. The paragraphs below describe certain purposes for which NYU may access such information. While this list is expected to cover most instances of access, the list is not intended to be exhaustive. NYU may access the PDC of NYU faculty, students, and staff for other comparable reasons that advance a legitimate institutional purpose, as determined by a person designated to authorize access pursuant to this policy, and subject to review by the oversight committee as described below. In evaluating the institutional purpose, the person designated to authorize access should in each case weigh not only the stated reasons for access but also the possible effect of access on NYU values such as academic freedom and internal trust and confidence.

A. System Protection, Maintenance, and Management

NYU Systems require ongoing management, maintenance and inspection to ensure that they are operating properly; to implement new systems; to protect against threats such as attacks, malware, and viruses; and to protect the integrity and security of information. For example, system logs, also known as log files, are created during system operation and contain information about system events that are needed for specific business reasons or to satisfy legal requirements. Business reasons include, but are not limited to, deploying new software, troubleshooting, system testing, collecting metrics on system performance and usage, billing, documentation, electronic discovery, and forensic investigation. No routine network scans of faculty, students, or staff are done that examine content.

B. Business Continuity

NYU may access PDC of NYU faculty, students, and staff for the purpose of ensuring continuity in its business operations where the information in question is material to conducting business operations, and where it is reasonably determined that there is no better practicable alternative under the circumstances. This need can arise, for example, if an employee who typically has access to the files or business information in question is unavailable for the time period when the files or information is needed.

C. Safety Matters

NYU may access PDC of NYU faculty, students, and staff to deal with exigent situations presenting a threat to campus safety or the life, health, or safety of any person.
D. Legal and Regulatory Process and Litigation

NYU may access PDC of NYU faculty, students, and staff in connection with pending litigation or a bona fide threat of litigation (as determined by the Office of General Counsel), and to respond to subpoenas and similar lawful requests for information in relevant law enforcement investigations, other government investigations and regulatory processes, and legal and regulatory processes, and as otherwise required by law.

E. Internal Investigations and Audits

NYU may access PDC of NYU faculty, students, and staff: a) in connection with investigations under any applicable NYU policies (such as, for example, claims of discrimination, harassment, sexual misconduct, research misconduct, financial misconduct); b) for purposes of internal audits and audits by NYU’s public accounting firm; and c) in connection with claims relating to public safety, including allegations of criminal conduct, and other circumstances as outlined in policies such as Electronic Communications and Social Media, Missing Student Notification, Use of Email, and Terms of Use. Access may be authorized only when the authorizing person has determined that the investigation advances a legitimate institutional purpose and that there is a sufficient basis for it.

Authorization of Access

Access to PDC of NYU faculty, students, and staff must be authorized by an appropriate person, pursuant to NYU’s Policy on Requests to Information Technology Services (NYU IT) to Support Investigations.

Any authorization of access will apply only to the particular situation and specific NYU faculty, students, and/or staff. Any other situation must be separately authorized.

No independent authorization is required for information technology personnel to conduct routine system protection, maintenance, or management in accord with internal protocols and processes. Likewise, requests for access in connection with litigation, legal and regulatory processes, or requirements, or law enforcement investigations, or to preserve PDC for possible subsequent access in accordance with this policy, need no independent authorization if made by the Office of General Counsel.

In exigent situations involving a threat to campus safety or the life, health, or safety of any person where there is no other governing policy, access may be authorized by the Office of General Counsel. If emergency conditions do not allow for prior authorization, the matter will be reported to the Office of General Counsel as promptly as possible.

Presumption Notice Will be Provided

When NYU intends to access PDC of current NYU faculty, staff, and students, and except as otherwise provided in this policy, there is a presumption that notice will be given to the affected party or parties. All reasonable efforts should be made to give notice at the time of access or as soon thereafter as reasonably possible. The following are examples of situations where notice is not required:
A. System protection, maintenance, and management — Individual notice is not required for ordinary system protection, maintenance, or management as described in this policy. Notice should be given if the access relates specifically to the activity of an individual faculty member, student, or staff member, unless troubleshooting the individual user’s problem with a system based on a report from the user.

B. Business continuity — Individual notice normally is not required for access to PDC for purposes of business continuity, in accordance with this policy and established NYU practice, and the common understanding is that individual notice in such cases typically is not practicable.

C. Legal restrictions — Individual notice is not required where NYU is subject to legal constraints, or with requests by law enforcement or regulators, or similar constraints on NYU’s ability to give notice.

D. Emergencies and other extraordinary cases — Contemporaneous individual notice is not required in cases where there is insufficient time, where giving notice could otherwise interfere with an effective response to an emergency or other compelling need (e.g., at a stage of an internal investigation where giving notice could compromise the investigation, or in exigent situations presenting a threat to campus safety, or the life, health, or safety of any person), or where it is impracticable. The decision not to give contemporaneous notice to an NYU faculty member, student or staff member must be made by the person designated by this policy to authorize the access. In such cases, notice will ordinarily be given as soon as practical.

The person designated by this policy and under NYU’s Policy on Requests to Information Technology Services (NYU IT) to Support Investigations to authorize access may decide not to give notice. Any such decision, and the grounds for overcoming the presumption set forth in this policy, will be documented, and available for review by the oversight committee, as set forth in this policy.

Scope of Access

NYU will adopt reasonable steps, whenever practicable, to limit access, dissemination, and use of PDC of NYU faculty, students, and staff obtained under this policy to the content that is related to NYU’s documented purpose in obtaining access. These steps will vary depending on the circumstances of the search. Participation in the search, and access to, and dissemination and use of, the PDC in question should be limited to those personnel with a reasonable need to be involved.

Records of Process

Any person who authorizes access to PDC of NYU faculty, students or staff will provide that reasonable records of the process are preserved, including who requested the access, the purpose for which the access was requested, who undertook any investigation, the process undertaken, and any decision reached.

In all instances of access under this policy, records should be maintained that are adequate to permit effective review as described in the Oversight section of this policy. Records will be maintained for a period of time that is consistent with all legal obligations and with custom and practice.
Compliance with Laws

There are numerous international, federal and state laws related to data privacy, data security, and data transfer. This policy should be understood in light of those laws, including the Family Educational Rights and Privacy Act of 1974, the Electronic Communications Decency Act of 1986, the Healthcare Insurance Portability and Accountability Act of 1996.

Oversight Committee

This policy, its implementation, and instances of access under this policy will be subject to review by an oversight committee to be constituted by the Provost annually, which will include representatives (or their designees) from each council of the University Senate and appropriate senior administrators. The oversight committee will be provided at least annually with a report by NYU IT that categorizes the number of incidents where PDC of NYU faculty, students, and staff was accessed, and for each incident, the date, position of the individual(s) whose data was accessed (i.e., faculty, student, staff), the academic or administrative unit that requested access purpose for the access, whether there was notice provided, and whether such access, dissemination and use was in compliance with this policy and with NYU’s Policy on Requests to Information Technology Services (NYU IT) to Support Investigations. The report will not contain any actual PDC, and will not directly or indirectly identify individuals whose PDC was accessed. The oversight committee will meet at least annually to discuss the report and may make recommendations to the Provost as to the processes set forth in this policy and possible amendments to the policy. The oversight committee will also make periodic reports to the University Senate on the implementation of this policy.

Policy Definitions

“Personal Digital Content” or “PDC” means the following content, and its associated metadata, to the extent stored in files and/or accounts on, or transmitted through, NYU Systems and that are associated with a specific NYU faculty member, student, or staff member:

(a) digital documents and communications of NYU faculty, students, and staff, such as emails, voice mails, text messages, audio and video files;
(b) internet search records and internet sites visited for specific NYU faculty, students, or staff;
(c) manuscripts and other similar works of authorship by NYU faculty, students, or staff that are not publicly available; and
(d) other scholarly content of NYU faculty, students, and staff that comprises “Traditional Works of Scholarship” under NYU’s Statement of Policy on Intellectual Property, except to the extent such works also qualify as “Instructional Media” under that policy.

“NYU” means Schools and other units of NYU, NYU’s Global Network University sites, and all University Affiliates.

“NYU Systems” means all information technology services, networks, and devices owned, provided, or administered by any unit of NYU, such as email services, internet access, file servers, voice message servers, hardware and cloud-based storage devices and/or services, laptop, tablet, desktop,
and other computers, phones or other mobile devices, and other outsourced information technology services (e.g., Google NYU Mail or Google Apps for Education).

“School” means each NYU school, college, and institute that functions similarly to a school or college (e.g., IFA, ISAW, Courant, and CUSP), each NYU portal campus (e.g., New York and Abu Dhabi), and may include for purposes of this policy other global sites as designated by the Provost.

“University Affiliates” consist of those entities controlled, directly or indirectly, by the University through (a) ownership of more than 50% of the ownership interests in the entity or (b) the power to appoint or elect a majority of the organization’s governing body (e.g., directors or trustees)

Related Policies

- Family Educational Rights and Privacy Act (FERPA)
- HIPAA Policies
- Policy on Personal Identification Numbers
- Data Classification at NYU
- Statement of Policy and Guidelines on Educational and Research Uses of Copyrighted Materials
- Policy on Responsible Use of NYU Computers and Data
- World Wide Web Policies and Procedures
- Electronic Communications and Social Media Policy
- Missing Student Policy
I. Draft Committee Charter

I. PURPOSE

The purpose of this Committee is to make recommendations to the Provost on the policies and procedures for, and under what circumstances a member of the University community may, access the electronic communications (including email) of another member of the University community. The Subcommittee will examine: a) the adequacy of, and transparency of, current University policies and procedures governing such access; b) the safeguards in place regarding the privacy interests of the University community; c) the University’s obligation to document and report on instances of access; and d) the extent to which there should be an ongoing oversight process for such access.

II. STRUCTURE AND OPERATION

The Provost will have the authority for the appointment and removal of Committee members and leadership, and for the procedures governing Committee meetings. The Committee will meet at least two times each academic year, and as otherwise determined by the Committee leadership. The Committee will coordinate its recommendations with any other University standing committees designated by the Provost as having responsibility for electronic communications.

III. RESPONSIBILITIES

In furtherance of its purpose, the Committee has the authority and responsibilities to make recommendations to the Provost (and any other committees designated by the Provost) regarding a policy that addresses the following:

1. When it is appropriate for the University to access Electronic Communications, including:
   a. Are there different standards for different types of information
      i. Business records
      ii. Faculty-owned scholarly works
      iii. Personnel records
   b. Are there different standards for different members of university community
      i. Administrators
      ii. Faculty
      iii. Students
2. Who must approve the access;
3. When, and under what circumstances, is lack of prior notice of access justified
   a. whether there should be a presumption that notice is required
4. Who is entitled to access the information
5. What additional dissemination or sharing of the accessed information is warranted
6. What documentation is required regarding the access
7. Issues arising with the departure of members of University community, including:
   a. Issues of continuing access, storage, and who else can access, for:
      i. Administrative staff
ii. Faculty
iii. Non-amicable terminations
iv. Deceased employee
v. Students
Preamble: We are given to understand from both the university administration and from faculty representatives at NYU Abu Dhabi and NYU Shanghai that no member of NYU visiting NYUAD or NYUSH, or resident therein, has to date been subject to any restrictions on academic freedom. We also recognize the rights of sovereign states to independently conduct their immigration and entry policies.

Whereas, the practice of arbitrarily denying visas and/or imposing travel restrictions may be imposed by countries, including the United States;

Whereas, it is understood that the denial of visas or implementation of travel restrictions may not be morally equivalent in all cases, and genuine security concerns may make it difficult for governments to publicly explain their actions;

Be it resolved, that the NYU Full-Time Non-Tenure Track Contract Faculty Senators Council strongly condemns any restrictions on visas or travel by any foreign or domestic entity as a means to curtail academic freedom.