MINUTES OF THE FACULTY SENATORS COUNCIL MEETING OF MARCH 8, 2012

The New York University Faculty Senators Council (FSC) met at noon on Thursday, March 8, 2012 in Room 802 in the Kimmel Center for University Life.

In attendance were Senators Amkpa, Cappell, Carpenter, Economides, Goldman, Hammack, Harrington, Hutchins, Jelinek, Jones, Lebowitz, Ling, Magder, Monaco, Nolan, Phillips, Raiken, Rodwin, Schacht, Simon, Sternhell, Sundaram, Tranchina, Uleman, Van Devanter, and Zwanziger and Alternate Senators Kleiner, Reiss, and Tannenbaum. FSC Advisors Al-Askari and Moskowitz attended as guests. President Sexton attended as a Special Guest.

APPROVAL OF THE MINUTES OF THE MEETING HELD FEBRUARY 16, 2012

Upon a motion duly made and seconded, the minutes of the February 16, 2012 meeting were approved unanimously.

ELECTION OF FSC CHAIRPERSON, 2012-2013

Senator Hutchins reported the Nominating Committee finalized the slate of candidates for the Chairperson, 2012-2013: 1) Ted Magder (Steinhardt) and 2) Jim Uleman (FAS). The final slate was not announced one-month prior to the election, as is directed in the rules to allow time for consideration. Due to this delay, it was decided to postpone the election until the April meeting. The final slate of candidates for Vice Chair and Secretary will be announced following the Chair election and the Vice Chair and Secretary election will take place at the May meeting.

REPORT FROM THE CHAIRPERSON: TED MAGDER

Chairperson Magder provided an update on NYU Traveler. The Executive Committee worked with the administration to ensure the notice to the faculty and the online FAQs make it clear it is voluntary, and not mandatory, unless faculty or other University employees are accompanying undergraduates on NYU-affiliated student trips.

FSC COMMITTEE REPORTS

Executive Committee/2031: Chairperson Ted Magder

The 2031 and Housing Committees discussed drafting a survey to send to all NYU faculty regarding their opinions of NYU 2031. A handout was provided explaining a rationale for doing this survey. See [attached Document A]. Chairperson Magder initiated a discussion asking the Council to consider the following questions: 1) should the FSC do a survey concerning 2031? 2) if yes, should the survey include the questions titled “Attitudes and Opinions about NYU’s Central Administration”, and 3) if the FSC does a survey who will create the final instrument?
Senators discussed the importance of allowing faculty the opportunity to freely speak their opinions in an anonymous survey and the value of the FSC gathering information on faculty concerns. Senators also discussed the difference between anonymity and confidentiality, and the benefit of not collecting faculty contact information versus the benefit of collecting names, but removing from any documents.

Senators agreed that the development of the survey should focus on quality, careful consideration of the questions, and ensuring a maximum rate of participation. Senators debated the benefits of the longer survey format versus a shorter format. A Senator suggested just offering the first two questions. Several Senators suggested creating a general survey, which includes questions on 2031. It was noted the FSC did a general survey in 2010. A Senator stated it is important to develop questions that will generate useful responses and lead to productive conversations with the administration.

A Senator described the issue as urgent and timely. In addition, with questions raised by colleagues on how the FSC is addressing this issue, the survey should be done soon. Another Senator stated it is premature to do a survey because the approval process has not been completed and therefore the final plans have not been communicated and any element of the current plan may be eliminated.

Upon a motion duly made and seconded it was approved to do a public vote on the question of creating a survey. Upon a motion duly made and seconded it was approved that the FSC create a survey on 2031 and send to all NYU faculty members.

The questions about the attitudes and opinions on central administration were clarified. They were drawn from a psychology department faculty member who has written on procedural justice and are stock questions that have been used in many surveys. They indicate how the process has been perceived even if the respondents disagree with the outcome of the 2031 project. It provides an additional variable from a governance point of view. These attitude questions were included because the concerns recently voiced reflect a lack of trust. A Senator argued that this is a separate issue from 2031, and while the demographic question should be included, the attitudes on the central administration should not be included. Another Senator stated these questions could generate a bias and will not be helpful in discussing the results with the administration. In addition, the questions could be used to discredit the survey; if respondents state they do not trust the administration than it is obvious they will not agree with the plan. Another Senator stated the FSC needs to represent the faculty and effectively communicate with the administration, but these questions do not build communication. A Senator stated these questions and their answers will be difficult to interpret. Upon a motion duly made and seconded the FSC opposed including the questions titled “Attitudes and Opinions about NYU’s Central Administration” in the 2031 survey. See attached Document A for the list of questions.

A Committee will be formed to create the survey, which will include members of the EC, Housing, and 2031 Committees, Senators who drafted the sample survey, and a few additional volunteers. The Committee will begin working on the survey immediately.

**Governance: Senator Harrington**

Senator Harrington presented the Committee’s proposed resolution regarding a Confidentiality Policy for Comments Submitted to the FSC’s Website. See attached Document B.

Upon a motion duly made and seconded the following resolution was approved unanimously:

WHEREAS: FSC invites members of the University to communicate with the elected representatives of the faculty without concern that their emails will be forwarded outside of FSC,

IT IS RESOLVED: That Faculty Senators pledge to keep confidential all communications submitted to the FSC website portal unless express permission is obtained from the author to do otherwise.
PRESENTATION BY SPECIAL GUEST PRESIDENT JOHN SEXTON

Chairperson Magder asked President Sexton to comment on financial matters, particularly the potential costs of 2031 and the finances related to the project, including borrowing money to build and projected tuition increases.

Sexton commented on the nationwide focus on cost but stressed the importance of including quality in the equation. NYU needs to continue to offer a quality education and recruit top faculty. This is accomplished through NYU’s programs, locational endowment, faculty, Global Network University, and the 2031 plan.

In terms of growth, the plan is for only a .5% growth in the student body each year. The growth of the student body cannot be completely restrained because of the addition of new programs, unless other programs are closed.

NYU cannot expect to continue the rate of tuition increases. Therefore there is a need for other mechanisms to generate income or capture savings. The latter was done through the re-engineering process.

Sexton stated the 2031 project’s projected growth is similar to NYU’s growth over the last ten years, which averages 300,000 square feet per year. The 2031 plan has a projected increase of 6 million square feet over 20 years, which equates to an average of 300,000 square feet per year. He noted in 2001 NYU had an enormous deferred maintenance issue, which is no longer an additional issue. The financing of the project will be a combination of fund raising, moving from leased properties to owned buildings, and income from student housing. It is not an increase from NYU’s past development projects and the project is being pursued at a time when borrowing and construction costs are much less expensive than five years ago. In addition the Board of Trustees offer their expertise in real estate.

A Senator asked about the lack of response from the administration on the shared governance resolution passed by the FSC in May 2011. Sexton stated the Provost has been working on this issue along with the Board of Trustees (BOT). Concerns were raised by the BOT on the FSC’s recommendation to postpone decisions during the summer, when the FSC is not in session, which is not consistent with how the BOT and administration operate. The EC is meeting with Bonnie Brier and Diane Yu in early April to discuss these shared governance resolutions.

ADJOURNMENT

The meeting adjourned at 2:00 PM.
The FSC survey of faculty regarding NYU 2031

(This is a brief response to concerns I’ve recently heard about the proposal to survey the faculty. A draft of the cover letter and survey follows.)

Why should we survey the faculty on their hopes and fears regarding NYU 2031? We should because we are their elected representatives, and we cannot represent them unless we know what they think. But don’t we already know, from public forums and emailed comments to www.nyu.edu/fsc, or from simply talking with friends? No, we don’t. The squeaky wheels are over-represented at public forums. Our website has gotten little traffic, perhaps because constituents expect little of us. And each of us is surrounded by like-minded friends, creating self-reinforcing echo chambers. We owe it to our constituents to offer them a way to express their views to us, anonymously, clearly, and (we hope) in large numbers – and not incidentally, to tell them again that we want to hear from them.

Second, the credibility and relevance of FSC depend on actively and effectively representing the faculty. Many see faculty governance at NYU as somewhere between ineffective and a farce. FAS has trouble finding faculty to run for open positions on its many committees, and just ratified a slate with more openings than names. The FSC nominating committee is not overwhelmed with self nominations. Yes, many faculty members feel that they have better things to do. But that’s the point. It’s not that the faculty is generally apathetic. The dust-up over NYU Traveler showed they are not, as does NYUFASP. But too little is expected of FSC. We should try to change that.

What about the survey’s content? First, it should be brief; otherwise we’ll get too few responses. Second, it should ask about the specific hopes and fears that we’ve heard expressed by faculty. Asking about both hopes and fears is critical because the questions must be balanced (if not “fair and balanced”) to have any credibility. No push-poll here. Being specific shows we’ve been listening. Third, we should not ask respondents for alternative plans to NYU 2031. Individual faculty members have neither the information nor the expertise to answer such questions, and any suggestions are open to criticism. We are not an alternative NYU 2031 planning committee.

Fourth, we should ask about perceptions of procedural justice and trust in the administration. When we’ve asked for the “business plan” or other details of NYU 2031, we haven’t gotten them. Instead, we (and others) are asked to “trust us because we” have the expertise and information (probably true), things are complex (certainly true), and it would be “inappropriate” to disclose details at this (or perhaps any other) point (what?). Yet I think many people do not trust the administration around the NYU 2031 plan. I think this is a central problem, in this and many other issues confronting NYU. But we need a reality check (see above).

Might the administration react badly to the results of the survey? Of course; they’re human. But the survey is for us elected representatives, not for them. First, we would not be creating perceptions of the administration, merely reporting them. Blaming the messenger for the message will not work if the survey is balanced. Second, the administration should be interested in moving to change whatever negative perceptions are uncovered (i.e., to run things in a more transparent, participatory way) and to take credit for the positive perceptions. These are
perceptions that they have created. They should be made explicit, because they may affect future behavior. Third, results that reflect badly on the administration might open the FSC up to retribution. This is possible, but that is bullying, which has lately gotten a bad name in the schools. Being intimidated, especially in advance, can only perpetuate whatever potential there is for this. It’s a terrible way for both them and us to run an institution. So I hope it’s not true. Let us do the survey, with courage and good cheer.

Jim Uleman

Cover letter for the survey:

Dear NYU faculty member,

The **NYU 2031** expansion plan has been much discussed within your Faculty Senators Council (FSC), and with the administration. The FSC is grateful to those who shared their questions and concerns with us, at our website (www.nyu.edu/fsc). Believing that for every person who speaks, there may be 10 more with the same questions and concerns – and wanting to be as representative of faculty sentiment as possible – we earnestly invite your participation in a brief survey. It should take less than 10 minutes.

This survey is not “research,” so it has not been reviewed by the IRB (UCAIHS). We will not publish the results and will not produce “generalizable knowledge.” Nevertheless, to protect your identity it is completely anonymous and does not ask for any identifying information. You may skip questions. The only people who will have access to the responses are the executive committee of the FSC (Ted Magder, Mary Ann Jones, Bob Schacht and Marie Monaco) and Jim Uleman (who will analyze responses).

We hope to get enough responses soon so that we can say something about trends at the “Town Hall Session on NYU 2031 Space Planning” to be held in Kimmel Center on Friday afternoon, April 20, 2-4 pm: [http://www.nyu.edu/about/leadership-university-administration/university-senate/faculty-senators-council/news-events.html](http://www.nyu.edu/about/leadership-university-administration/university-senate/faculty-senators-council/news-events.html). The more responses we get, the better we’ll be able to represent you. There is no need to further research NYU 2031. We want responses based on what you know today. So do it now (or at least the next time you stop to get coffee).

To complete the survey, go to [http://www...[whatever on Survey Monkey]](http://www...[whatever on Survey Monkey]) Thank you.

The Executive Committee of the Faculty Senate Committee
Ted Magder, Mary Ann Jones, Bob Schacht and Marie Monaco
The survey:

Information on the NYU 2031 Plan

1. How much information have you gotten about NYU 2031 from each of the following sources? (1 = not at all/ 6 = very much)
   a) conversations with colleagues and others
   b) newspaper articles
   c) NYU press releases, publicity and/or meetings
   d) Community Board 2 publications and/or meetings
   e) tenants associations in Washington Square Village or Silver Towers
   f) other (specify)
   g) I have little or no information. (yes/ no)

2. How much do you think implementation of NYU 2031 will benefit, or damage each of the following, on balance over the next 20 years? (1 = damage very much/ 4 = neither or do not know/ 7 = benefit very much)
   a) NYU’s financial stability and ratings in the bond markets
   b) faculty salaries and benefits
   c) keeping tuition increases low
   d) faculty recruitment, in general
   e) the attractiveness of NYU housing for new faculty
   f) faculty retention, in general
   g) the attractiveness of NYU housing for current faculty
   h) NYU as a whole

3. Relative to the expansion planned or recently experienced by the average institution we seek to emulate (e.g., Caltech, Chicago, Columbia, Harvard, MIT, Michigan, Penn, Princeton, Stanford, Yale), how much of an expansion does NYU 2031 represent? (1 = very much less/ 4 = about the same/ 7 = very much more, 8 = do not know)

Attitudes and Opinions about NYU’s Central Administration

Think for a minute about the formal rules and policies that NYU has for making decisions on major issues such as long term development plans, keeping in mind particularly the NYU 2031 Plan.

1. How often are these rules and procedures applied consistently across people and situations? (1 = always/ 6 = rarely)
2. How fair are the rules and procedures for such decision making at NYU? (1 = a lot; 6 = not at all)
3. Does NYU follow through on the decisions and promised it makes? (1 = always/ 6 = rarely)
4. Decisions are made based upon facts, not personal biases and opinions. (1 = strongly agree/ 6 = strongly disagree)
5. The rules and procedures are equally fair to everyone. (1 = strongly agree/ 6 = strongly disagree)
6. I am usually given an honest explanation for decisions made. (1 = strongly agree/ 6 = strongly disagree)
7. My views are considered when decisions are being made. (1 = strongly agree/ 6 = strongly disagree)
8. My needs are taken into account when decisions are being made. (1 = strongly agree/ 6 = strongly disagree)
9. My rights are respected when decisions are made. (1 = strongly agree/ 6 = strongly disagree)
10. I am treated with dignity by NYU. (1 = strongly agree/ 6 = strongly disagree)

Now please think about the decisions that have been made about outcomes (salary and other material support) that influence you and your work.

11. In general, how fair are the outcomes that you receive from NYU? (1 = very/ 6 = not at all)
12. Do you think that the pay and benefits you receive from NYU are more than you deserve, less than you deserve, or about fair? (1 = much more/ 4 = fair/ 7 = much less.)

Demographics

1. Do you live in NYU faculty housing? (yes/no)

2. Where do you live?
   a) Washington Square Village
   b) Silver Towers
   c) in the neighborhood of Washington Square Village and Silver Towers
   d) not in this neighborhood, but in Greenwich Village
   e) elsewhere

3. Do children (minors) live with you? (yes/no)

4. Roughly what percent of your take-home pay do you spend on housing?
   a) less than 20%
   b) 20 to 30%
   c) 30 to 40%
   d) 40 to 50%
   e) over 55%

5. How long have you been a faculty member at NYU?
   a) less than 5 years
   b) 5 to 10 years
   c) 10 to 20 years
   d) 20 to 30 years
   e) 30 to 40 years
   f) over 40 years

6. Do you have tenure? (yes/no)
March 8, 2012

TO: Faculty Senate Council

FROM: FSC- Governance Committee (FSC-GC)

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RE: Report and Recommended Resolution

1. Chair’s Report:

- NYU Indemnification Policy for Faculty on the Square and at GNU sites.

  **NYU’s Charter** provides for . . . “shall be indemnified by said University against the reasonable expenses, including attorneys’ fees, actual and necessarily incurred by him or her in connection with the defense of such action, suit, or proceeding, or in connection with any appeal therein . . except . . . such person is liable for negligence or misconduct in the performance of his duties . .”

  **On Hold:** Set up meeting with FSC-GNU to identify and work on governance issues faculty related to GNU for faculty on the Square and at NYU-AD faculty.

- FSC-GC Accountability Ledger:

  NYU Traveler Program (aka TravelGate)
  NYU-2031 (aka Sexton 2031 Plan)
  FSC-Shared Governance Resolution

- Reorganization and Closure of Academic Departments and Programs

  Investigate practices of schools where academic departments and program have been “reorganized and/or closed”

- Procedures and Practice for Selecting: the next NYU President (FSC-GC believes we should begin moving to ensure that faculty will have an appropriate voice. Locate and circulate statement(s) by current president on this subject; and the
selection of dept. chairs and deans (It has been noted my committee members that there is wide disparity with and across schools. Some information of diverse dept./school practices might generate some sentiment for more uniformity, with a clearer role for faculty).

- Who Represents Faculty on University “Advisory Groups?”

2. Background and Recommended Resolution to establish

Confidentiality Policy for Comments Submitted to FSC’s Website

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