MINUTES OF THE T-FACULTY SENATORS COUNCIL MEETING OF APRIL 16, 2015

The New York University Tenured/Tenure Track Faculty Senators Council (T-FSC) met at noon on Thursday, April 16, 2015 in in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Grand Hall.

In attendance were Senators Adelman, Allgood, Alter, Amkpa, Appiah, Backus, Chan, Disotell, Economides, Goodwin, Jelinek, Kamer, Kane, Klimke (by phone), Ling, Ludomirsky, Mincer, Porfiri, Smith, Stokes, Sundaram, Thurston, Uleman, Van Devanter; Active Alternates Archer, Hawkins, Hurbis-Cherrier, and Martin; Alternate Senators Billman (for Jacobs), Cappell (for Zwanziger), Chiteji (for Antoon), Reiss, and Tannenbaum. FSC Former Chair Lebowitz and Former Member Moskowitz attended as guests.

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

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

ANNOUNCEMENT OF THE LIST OF CANDIDATES FOR T-FSC VICE CHAIRPERSON AND T-FSC SECRETARY 2015-2016

Chairperson Sundaram, on behalf of the Nominating Committee, announced the list of candidates for the positions of T-FSC Vice Chairperson and T-FSC Secretary 2015-2016. For the position of Vice Chairperson, the candidates include Awam Amkpa of the Tisch School of the Arts and Maurizio Porfiri of the Polytechnic School of Engineering. For the position of Secretary, the candidates include Arvind Rajagopal of the Steinhardt School and Jim Uleman of the Faculty of Arts and Science. Additional nominations may be made from the floor the day of the election.

A Senator asked if a candidate does not win the election for Vice Chairperson, if he/she may be considered for the position of Secretary. Sundaram clarified that the elections take place simultaneously, but there is no rule in place that states they cannot be done sequentially. No change to the slate or election procedures was moved.

REPORT FROM THE CHAIRPERSON: RAGHU SUNDARAM

Report from Nardello & Co.

Sundaram announced the Report from Nardello & Co. was released today and the Council will have a discussion of the report at the next Council meeting. He noted the Executive Committee’s discussions with the President on this topic and the request that the Report from Nardello & Co. be presented to the University Senate.
Meeting with Provost

The Executive Committee (EC) met with the Provost Office, at their request, to discuss the status of the Office regarding the change in administration. They assured the EC though the Office is in transition, they are very active and functional, noting the current focus on issues such as how technology can be better incorporated into the education process.

Executive Committee Breakfast with Andrew Hamilton

The EC will have breakfast with the President-Designate Andrew Hamilton and plans to invite Hamilton to an upcoming Council meeting.

Meeting with Deans Council

Sundaram reported Allen Mincer, David Backus, and he met with the Deans Council. The purpose of the meeting was to discuss access to information on school admissions, housing, and financial data.

Admissions

The Educational Policies and Faculty/Student Relations Committee is seeking information on student admissions data including application, admission, and acceptance through graduation. He noted some Deans are willing to share this data; others are not over concerns that data could be misinterpreted.

Housing

Sundaram noted the work of the Faculty Benefits & Housing Committee, co-chaired by Senators Chan and Stokes, on analyzing the housing shortage and incentivizing faculty who are living in larger apartments but no longer have children living with them to move out. He stated they have designed a survey to be sent to all faculty. It will be made clear the survey is from the Council and not the administration. The Deans have agreed to send the survey to their email list of school faculty members. Sundaram asked all Senators to discuss the survey with their School’s faculty councils and faculty members and encourage participation.

Finances

Sundaram stated Stern is beginning to have detailed discussions with faculty on improving the state of school finances through an understanding of expenses and revenues. He offered the example of the number of small classes has tripled in the last nine years, from 28 to 82 classes. This sparked a discussion on ways to generate revenue and cut down on costs.

The EC proposed to the Deans that all schools discuss finances with their faculty members. The Finance Committee discussed the best way to frame the discussion. They determined a template would be difficult to follow because the revenue models for schools are very different. Sundaram stated Stern, for example, is dependent on teaching revenue while other schools have research grants or other revenue. He stated the general approach is gaining a clear understanding of revenues and costs and involving faculty in a discussion of the problems and solutions. Sundaram reported the EC received a positive response from the Deans on sharing financial information. He encouraged Senators to begin the conversation with their School’s Dean. He noted some Deans stated they did not want data shared with other Schools.
Proposed Resolutions

Sundaram reported the Executive Committee has been working on drafting resolutions on the faculty handbook and the economic security issue. The EC decided to discuss these matters directly with the new administration, rather than in the form of a resolution.

Academic Freedom Proposed Resolution

*See attached Document E: Proposed Resolution regarding Academic Freedom.*

Sundaram stated the resolution discusses the issue of denying visas, which is a practice followed by many countries. He noted the same week of the Andrew Ross episode, a NYU Abu Dhabi researcher was blocked from entering the US.

He noted the term academic freedom, as Secretary Kane pointed out, is a contract between the institution and the employee. Situations outside the institution and employee cannot be considered cases of academic freedom.

He stated the resolution addresses three main points. First it issues a condemnation of the use by any government of visa denials and travel restrictions to curb academic freedom or freedom of research. Second, it urges the NYU administration to do everything in its power to assist those faculty whose research has been hampered by visa issues or travel restrictions and to ensure that travel between the University’s New York campus, international campuses, and study abroad sites remains smooth and unhindered. Third, it urges the administration to start gathering and providing the faculty information about the extent to which this has been a problem, and to develop recommendations on how faculty can avail themselves of NYU resources and help in traveling.

A Senator commented on how the issue of denial of visas affects NYU beyond current members of the faculty. He stated in the case of Abu Dhabi, it affects the hiring process if candidates being interviewed or hired are denied visas. Senators offered multiple examples of the denial of visas in various countries.

Sundaram stated the resolution addresses this by providing an overall condemnation of visa policies insofar as research is concerned.

A Senator commented, in order to be serious about academic freedom and the freedom to pursue one’s research, the Council should propose the NYU administration ask Abu Dhabi to clarify the terms under which NYU and other scholars can exercise this freedom and speak to the authorities in Abu Dhabi, China, or any other location NYU has a campus on ways to guarantee this freedom.

Sundaram stated sovereigns have their own immigration policies and NYU cannot ask for a change in these immigration policies.

He noted there have been no complaints of academic freedom issues at NYU Abu Dhabi or Shanghai.

A Senator suggested adding the word “especially” to change the sentence to:

“The T-FSC urges the NYU Administration to do everything in its power to assist those NYU faculty whose research has been hampered by visa issues or travel restrictions, and to *especially* ensure that travel between the university’s New York campus, international campuses and study-abroad sites by the university’s faculty remain smooth and unhindered.”

A Senator suggested revising the language to address the separate issues of academic freedom on an NYU campus either here or abroad and the issue of travel from one site to the next.

Another Senator suggested removing the term “academic freedom” and changing the sentence to:
“However, the freedom to pursue one’s teaching and pursue and publish one’s research, is at the very heart of the university enterprise and the T-FSC condemns the use by any government of visa denials and travel restrictions to curb freedom of academic pursuits.”

At the conclusion of the discussion, the following resolution regarding Academic Freedom, with suggested amendments, was approved by vote of the Council with one Senator opposed:

Resolution:

Denials of visas, often arbitrary or without reason or subjection to humiliating documentation requirements are a feature of immigration policy practiced by many countries. These denials may not all be morally equivalent; genuine security concerns may sometimes make it difficult for governments to publicly explain their actions. However, the freedom to pursue one’s teaching and pursue and publish one’s research, is at the very heart of the university enterprise and the T-FSC condemns the use by any government of visa denials and travel restrictions to curb freedom of academic pursuits.

The T-FSC urges the NYU Administration to do everything in its power to assist those NYU faculty whose research has been hampered by visa issues or travel restrictions, and to especially ensure that travel between the university's New York campus, international campuses and study-abroad sites by the university's faculty remain smooth and unhindered. The T-FSC also urges the administration to gather and provide faculty with information about the extent to which this has been a problem, and to develop recommendations on how faculty can avail themselves of NYU resources before travel to minimize potential difficulties.

T-FSC COMMITTEE REPORTS

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

NYU Shanghai Promotion and Tenure Guidelines

See attached Document A: Recommendations in regards to the NYU Shanghai Promotion and Tenure Guidelines.

Senator Jelinek presented the Personnel Policies & Tenure Modifications Committee (PPTM) review of the NYU Shanghai Promotion and Tenure Guidelines and the recommendations the Committee asks the administration to consider.

Recommendation 1

Jelinek stated the first issue is that this is an interim set of guidelines because Shanghai does not have a sufficient number of faculty at the moment to constitute the promotion and tenure committees. The administration stated when NYU Shanghai gains sufficient permanent faculty strength across many or most of its programs, the guidelines will be revised. The Committee asks to consider defining “sufficient permanent faculty strength”. The Committee felt it important to have some declaration of when the guidelines will be revisited and made permanent.

A Senator suggested adding a provision that the guidelines be reviewed within a certain number of years. A Senator noted policies around the University are typically reviewed every five years. Senator Jelinek stated he will add language to the recommendation, asking the administration to review the guidelines in five years or when the number of sufficient permanent faculty is achieved.
**Recommendation 2**

Jelinek stated the second recommendation regards the Faculty Review Committee (FRC), which is appointed by the NYU Shanghai Dean in consultation with the candidate's relevant academic unit in New York and is composed of 3-5 distinguished senior tenured faculty members.

The Committee recommends, in order to eliminate the possibility of one reviewer having excessive influence at successive levels of evaluation, amending to:

“The FRC is appointed by the NYU Shanghai Dean in consultation with the candidate's relevant academic unit at NYU NY and is composed of 3-5 distinguished senior tenured faculty members who are not members of the NYU Shanghai P&TC and who will not participate in the subsequent assessment of the candidate by the candidate's academic unit at NYU NY.”

The Committee also asks the administration to consider stipulating that the FRC be comprised of an odd number of members to avoid tie votes.

A Senator asked if the phrase “distinguished senior” is needed before “tenured faculty members.” It was agreed to ask for this phrase to be removed in the recommendation.

**Recommendation 3**

This recommendation addresses the possibility that faculty from other universities can be on the FRC. The Committee felt NYU should be able to appoint a sufficient number of NYU faculty to review their own faculty and did not support the idea of having influence by external universities. The recommendation asks to eliminate the phrase “and faculty from other universities.”

**Recommendation 6**

This recommendation asks the administration to consider amending the sentence regarding sharing the deliberation with eligible NYU Shanghai faculty and other eligible NYU colleagues. The deliberation should be strictly confidential. The Committee suggests the following revised sentence:

“Responsibility includes the obligation to give careful attention to the materials in the Docket and to share the results, but not the details, of that deliberation with eligible NYU Shanghai faculty and other eligible NYU colleagues.”

Senators asked for clarification on what exactly is shared with the department's faculty and other colleagues.

Jelinek clarified the recommendation states it is a responsibility of the committee to give careful attention to the materials of the docket and to share the results, but not the details of that deliberation.

Senators commented the word “details” is not clear. Senators also noted the decision should be shared. It was clarified the committee will share the results of the vote but will not share the details of the discussion.

Jelinek stated he will change the language to “but not the details of its discussions.”

**Recommendation 7**

This recommendation addresses the following sentence:

“Votes of absent members must be recorded and reported separately to distinguish them from votes made with the benefit of the open discussion of the case.”
The Committee suggests, as votes of absent members are to be earmarked as such, specifying how such votes are to be considered in subsequent stages of the review.

A Senator asked about the number of absences. It was clarified only one member can be absent.

Recommendation 4

Jelinek explained this recommendation suggests requesting letters of evaluation from at least five outside evaluators, as five such letters seems to be a relatively small number of letters from outside evaluators by comparison with the number required by some other Schools of the University.

He mentioned the School of Medicine requests around 10 letters.

Recommendation 5

Jelinek stated this recommendation recommends amending the following sentence to request confidentiality of unpublished or creative work in progress:

“If unpublished work or creative work in progress is to be part of the Docket, the FRC must ask all evaluators to comment on its quality and request that it be kept confidential.”

Recommendation 9

This recommendation addresses the following sentence:

“The NYU Shanghai Dean’s recommendation must include a description for non-specialists of the candidate’s work’s relevance to his or her discipline or field, and explain why it is important to NYU Shanghai that this field be represented in its faculty.”

Jelinek stated the question of the Committee is does this mean that a candidate who was hired, at least in part, because of the relevance of his or her work to his or her discipline or field could receive a negative Dean’s recommendation because of changing programmatic priorities that could diminish the importance for his or her field to be represented in the NYU Shanghai faculty?

If so, the Committee recommends stating so explicitly so it is clear that promotion rests, at least in part, on the continued perception that it is important for the candidate’s field or discipline to be represented in the NYU Shanghai faculty.

A Senator asked for a clarification on the Faculty Review Committee (FRC) process.

Jelinek stated the FRC makes its report, which is then given to the Dean. The Dean then includes his/her opinion and adds it to the compendium of material. This will then go to the Promotion and Tenure Committee. The Promotion and Tenure Committee is a standing committee appointed by the Provost of NYU Shanghai, consisting of at least 5 full professors, a majority of whom will be drawn from the faculties of NYU Shanghai and NYU, and may include full professors from other universities during the initial period of NYU Shanghai’s operation.

Jelinek clarified, as mentioned earlier in the discussion, the PPTM Committee has concerns about drawing members from other universities and recommends eliminating the faculty from other universities on the FRC. In addition the Committee recommends an odd number of members so that voting will always result in a majority/minority vote and never in a tied vote.

Recommendation 11

This recommendation pertains to the following sentence:
“The Provost of NYU Shanghai may appoint two additional members to the P&TC at his or her own discretion.”

The Committee recommends it should be stated whether or not the two additional members of the P&TC who may be appointed by the Provost of NYU Shanghai are required to be full professors, which, as stated in the first sentence of this paragraph, is a requirement for the other members of the P&TC.

**Recommendation 12**

This recommendation addresses the following sentence:

“**The P&TC may solicit additional information including external letters from experts in the candidate’s field.**”

The Committee recommends stipulating that additional external letters will not be solicited from the one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation.

**Recommendation 13**

This recommendation pertains to the following sentence:

“**Votes of absent members must be recorded and reported separately to distinguish them from votes made with the benefit of the open discussion of the case.**”

The Committee recommends, as votes of absent members are to be earmarked as such, to consider specifying how such votes are to be considered in subsequent stages of the review.

**Recommendation 14**

This recommendation addresses the following sentence:

“**The Provost of NYU Shanghai may solicit additional information and/or external reviews, and/or seek a consultation with the FRC.**”

The Committee recommends stipulating that additional external letters will not be solicited from the one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation.

**Recommendation 15**

This recommendation pertains to the following sentence:

“**For appointments with tenure, the vote and authority reside with eligible professors on the FRC. Only faculty of equivalent or higher rank will be eligible to vote.**”

The Committee recommends specifying that only faculty of equivalent or higher rank will be members of the FRC so that all members of the FRC will be eligible to vote, thereby eliminating the necessity for the third sentence and ensuring maximum experience for members of the FRC.

**Recommendation 16**

This recommendation addresses the following sentence:

“**The Docket may include a description of the candidate’s teaching and an indication of how the candidate will meet the teaching needs of the department. If evaluations are not available, alternative**
assessment of teaching ability may be provided by the Chair of the FRC."

The Committee recommends amending to indicate that there must be an evaluation of teaching effectiveness, as an indication of how the candidate will meet the teaching needs of the department is an issue of substantial importance.

**Recommendation 17**

This recommendation pertains to the following sentence:

"However, during the initial period of operations of NYU Shanghai, tenure-track assistant professors starting on a new tenure-track line with NYU Shanghai, either in Shanghai or New York, will be appointed as assistant professor faculty fellows for their first year, which will not count towards their tenure clock."

Jelinek stated the question of the Committee is what is the reason for the first year of a tenure-track assistant professor’s appointment not counting towards his or her tenure clock during the initial period of operations of NYU Shanghai? The Committee recommends indicating the rationale in the text and also, to consider defining the "initial period of operations" to provide an estimate as to when the first year of a tenure-track assistant professor’s appointment will begin to count towards his or her tenure clock.

Jelinek will include the discussed amendments in the recommendations and will circulate a revised document. The vote on the recommendations will take place at the May 7 Council meeting.

**Committee Reports Tabled to the Next Council Meeting**

The following Committee reports will be tabled to the next Council meeting on May 7:

- The Faculty Benefits & Housing Committee’s discussion on dependent tuition remission
- The Report of the Global Network University Committee
- The Report of the Governance Committee
- The Subcommittee on Fossil Fuels’ discussion of the coal divestment resolution and two additional resolutions on fossil-fuel divestment

**ADJOURNMENT**

The meeting adjourned at 2:10 PM.
Recommendations of the Tenure Faculty Senators Council in regard to:
NYU SHANGHAI PROMOTION AND TENURE GUIDELINES

Background

Dr. Joanna Waley-Cohen, Provost, NYU Shanghai, having consulted with NYU Shanghai governing faculty and after an iterative review with the Offices of the Provost and General Counsel, has developed the NYU Shanghai Promotion and Tenure Guidelines (the Guidelines).

The Guidelines are designed to support high academic standards in awarding promotion and tenure and aim to provide a comprehensive and fair review of the candidates.

The successful implementation of the Guidelines depends on the leadership of the Vice Chancellor and Provost of NYU Shanghai and the Provost of NYU.

During the initial period of operation, NYU Shanghai will not have a sufficient number of tenured faculty to complete the review process without the participation of qualified tenured faculty at other NYU degree-granting campuses. The Guidelines recognize that in the initial years, NYU Shanghai will therefore require procedures for promotion and tenure that are transitional to permanent procedures. When NYU Shanghai gains sufficient permanent faculty strength across many or most of its programs, the Guidelines will be revised.

The Guidelines outline the promotion and tenure process and describe the roles of the Faculty Review Committee (FRC), the relevant Dean at NYU Shanghai (the NYU Shanghai Dean), the relevant academic department or unit at NYU NY, the NYU Shanghai Promotion and Tenure Committee (P&TC), and the Provost of NYU Shanghai; and the Vice Chancellor of NYU Shanghai and the Provost of NYU, who together make the final decision of promotion and tenure.

For reference, the sequential procedures for promotion and tenure as elucidated in the Promotion and Tenure Guidelines are listed in Appendix A.

Tenure Faculty Senators Council approval of the NYU SHANGHAI PROMOTION AND TENURE GUIDELINES

The Tenure Faculty Senators Council approves of the NYU SHANGHAI PROMOTION AND TENURE GUIDELINES with the stipulation that the recommendations indicated below are addressed.
Recommendations

Substantive issues:

1. Section 1. Introduction (page 2)
   Second Paragraph
   Second and Third Sentences:
   These Guidelines recognize that in these initial years, NYU Shanghai will therefore require procedures for promotion and tenure that are transitional to permanent procedures. When NYU Shanghai gains sufficient permanent faculty strength across many or most of its programs, the Guidelines will be revisited.

   Consider defining sufficient permanent faculty strength, as an indication of the criteria deemed necessary to mark the completion of the initial period of NYU Shanghai’s operations referred to in Section 3.8, first paragraph and Section 5.1 Appointment.

2. Section 3.2. Faculty Review Committee (FRC) (page 3)
   First Paragraph
   First Sentence:
   The FRC is appointed by the NYU Shanghai Dean in consultation with the candidate’s relevant academic unit at NYU NY and is composed of 3-5 distinguished senior tenured faculty members.

   To eliminate the possibility of one reviewer having excessive influence at successive levels of evaluation, consider amending to:
   The FRC is appointed by the NYU Shanghai Dean in consultation with the candidate’s relevant academic unit at NYU NY and is composed of 3-5 distinguished senior tenured faculty members who are not members of the NYU Shanghai P&TC and who will not participate in the subsequent assessment of the candidate by the candidate’s academic unit at NYU NY.

   Consider stipulating that the FRC be comprised of an odd number of members to avoid tie votes.

3. Section 3.2. Faculty Review Committee (FRC) (page 3)
   First Paragraph
   Second Sentence:
   These members will be drawn from the NYU Shanghai permanent faculty in the candidate’s field (if any), the NYU Shanghai permanent faculty in related fields (if any), and, as needed, faculty in the candidate’s field at other NYU degree-granting campuses, and faculty from other universities.

   Consider removing and faculty from other universities, as “at least five letters, and typically no more than eight from outside evaluators”, will be solicited for each candidate undergoing review for promotion, as indicated in Section 3.4. Having faculty from other universities as members of the FRC in addition to having evaluations by at least five letters from outside evaluators seems to constitute excessive external influence.
4. Section 3.3. Preparation of the Docket
   Materials Collected by NYU Shanghai Dean
   Item 4 (page 4):
   Letters of evaluation from at least five evaluators

   Consider rewording for consistency and specificity as:
   Letters of evaluation from at least five outside evaluators

   Consider increasing the required number of letters from outside evaluators to seven, as five such letters seems to be a relatively small number of letters from outside evaluators by comparison with the number required by some other Schools of the University.

5. Section 3.4 Evaluator Guidelines
   Letter of Solicitation (page 6)
   Second Paragraph
   Second Sentence:
   If unpublished work or creative work in progress is to be part of the Docket, the FRC must ask all evaluators to comment on its quality.

   Consider amending to request confidentiality of unpublished or creative work in progress:

   If unpublished work or creative work in progress is to be part of the Docket, the FRC must ask all evaluators to comment on its quality and request that it be kept confidential.

6. Section 3.5 Faculty Review Committee Report
   Second paragraph (page 6-7)
   Responsibility includes the obligation to give careful attention to the materials in the Docket and to share the results of that deliberation with eligible NYU Shanghai faculty and other eligible NYU colleagues.

   Consider amending, as the FRC should NOT share the deliberation with eligible NYU Shanghai faculty and other eligible NYU colleagues. The deliberation should be strictly confidential:

   Responsibility includes the obligation to give careful attention to the materials in the Docket and to share the results, but not the details, of that deliberation with eligible NYU Shanghai faculty and other eligible NYU colleagues

7. Section 3.5 Faculty Review Committee Report
   Third full paragraph (page 7)
   Second Sentence:
   Votes of absent members must be recorded and reported separately to distinguish them from votes made with the benefit of the open discussion of the case.

   As votes of absent members are to be earmarked as such, consider specifying how such votes are to be considered in subsequent stages of the review.
8. Section 3.5 Faculty Review Committee Report
   Reasonable Doubt (page 7)
   As indicated in 2 above, consider stipulating that the FRC be comprised of an odd number of members so that voting will always result in a majority and a minority vote, never in a tie vote.

9. Section 3.7 NYU Shanghai Dean (page 9)
   Third Paragraph
   Fourth Sentence:
   The NYU Shanghai Dean’s recommendation must include a description for non-specialists of the candidate’s work’s relevance to his or her discipline or field, and explain why it is important to NYU Shanghai that this field be represented in its faculty.

   Does this mean that a candidate who was hired, at least in part, because of the relevance of his or her work to his or her discipline or field could receive a negative Dean’s recommendation because of changing programmatic priorities that could diminish the importance for his is her field to be represented in the NYU Shanghai faculty? If so, consider stating so explicitly so it is clear that promotion rests, at least in part, on the continued perception that it is important for the candidate’s field or discipline to be represented in the NYU Shanghai faculty.

10. Section 3.8 Promotion & Tenure Committee (P&TC) (page10)
    First Paragraph
    First Sentence:
    The Provost of NYU Shanghai will appoint a P&TC, which will be a standing committee consisting of at least five full professors, a majority of whom will be drawn from the faculties of NYU Shanghai and NYU, and may include full professors from other universities during the initial period of NYU Shanghai’s operations.

    There is concern regarding excessive external influence in the promotion process, in this instance from potential external members of the P&TC. The P&TC should be comprised exclusively of NYU faculty.

    Consider stipulating that the P&TC be comprised of an odd number of members so that voting will always result in a majority and a minority vote, never in a tie vote.

11. Section 3.8 Promotion & Tenure Committee (P&TC) (page10)
    First Paragraph
    Second Sentence:
    The Provost of NYU Shanghai may appoint two additional members to the P&TC at his or her own discretion.

    It should be stated whether or not the two additional members of the P&TC who may be appointed by the Provost of NYU Shanghai are required to be full professors, which, as stated in the first sentence of this paragraph, is a requirement for the other members of the P&TC.
12. Section 3.8 Promotion & Tenure Committee (P&TC) (page 10)
Second Paragraph
Third Sentence:
The P&TC may solicit additional information including external letters from experts in the candidate's field.

Consider stipulating that additional external letters will not be solicited from the one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation, as provided in Section 3.4:

The P&TC may solicit additional information including external letters from experts in the candidate's field, but not from the one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation.

13. Section 3.8 Promotion & Tenure Committee (P&TC) (page 10)
Third Paragraph
Fourth Sentence:
Votes of absent members must be recorded and reported separately to distinguish them from votes made with the benefit of the open discussion of the case.

As votes of absent members are to be earmarked as such, consider specifying how such votes are to be considered in subsequent stages of the review.

14. Section 3.9 Provost of NYU Shanghai (page 10)
First Paragraph
Second Sentence:
The Provost of NYU Shanghai may solicit additional information and/or external reviews, and/or seek a consultation with the FRC.

Consider stipulating that additional external letters will not be solicited from the one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation, as provided in Section 3.4:

The Provost of NYU Shanghai may solicit additional information and/or external reviews, but not from the one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation, and/or seek a consultation with the FRC.

Consider stipulating that the Provost of NYU Shanghai may seek a consultation with P&TC as well as the FRC.

15. Section 4.2 Tenured External Appointments (Lateral Hires) (page 12)
First Paragraph
Second and Third Sentences:
For appointments with tenure, the vote and authority reside with eligible professors on the FRC. Only faculty of equivalent or higher rank will be eligible to vote.

Consider specifying that only faculty of equivalent or higher rank will be members of
the FRC so that all members of the FRC will be eligible to vote, thereby eliminating the necessity for the third sentence and ensuring maximum experience for members of the FRC.

16. Section 4.2 Tenured External Appointments (Lateral Hires) (page12)

Third Paragraph

*The Docket may include a description of the candidate’s teaching and an indication of how the candidate will meet the teaching needs of the department. If evaluations are not available, alternative assessment of teaching ability may be provided by the Chair of the FRC.*

Consider amending to indicate that there must be an evaluation of teaching effectiveness, as an indication of how the candidate *will meet the teaching needs of the department* is an issue of substantial importance.

17. Section 5.1 Tenure Clock

Appointment (page13)

Second Sentence: *However, during the initial period of operations of NYU Shanghai, tenure-track assistant professors starting on a new tenure-track line with NYU Shanghai, either in Shanghai or New York, will be appointed as assistant professor faculty fellows for their first year, which will not count towards their tenure clock.*

What is the reason for the first year of a tenure-track assistant professor’s appointment not counting towards his or her tenure clock during the initial period of operations of NYU Shanghai? Consider indicating the rationale in the text. Also, consider defining the “initial period of operations” to provide an estimate as to when the first year of a tenure-track assistant professor’s appointment will begin to count towards his or her tenure clock.

Minor editorial issues:

1. Section 3.2 Additional Materials (page 5)

Second Sentence: *Materials submitted by the FRC, the NYU Shanghai Dean, and/or Provost of NYU Shanghai should appear in a section of the Docket titled “Supplementary Materials.” Examples might be the documents listed in item 11 of Section 3.3.1 above if not submitted by the candidate or such other materials as the NYU Shanghai Dean or FRC deem appropriate to add to the Docket.*

There is neither Section 3.3.1 nor item 11 above

2. Section 3.3. Preparation of the Docket

Materials Provided by Candidate

Teaching

Item 6 (page 4):

*Student evaluations and instructor responses if applicable*
Consider rewording as:
*Teaching evaluation from students and/or colleagues*

3. Section 3.7 NYU Shanghai Dean (page 9)
   Second Paragraph
   Second Sentence:
   *This assessment by the NYU department is advisory, not dispositive. It is up to the chair of the relevant department or unit to determine how the assessment should be conducted, and that chair should communicate the assessment to the NYU Shanghai Dean in writing.*

   Insert “NY”. If NYU AD is included, state so.

   *This assessment by the NYU NY department is advisory, not dispositive. It is up to the chair of the relevant department or unit to determine how the assessment should be conducted, and that chair should communicate the assessment to the NYU Shanghai Dean in writing.*

4. Section 3.8 Promotion & Tenure Committee (P&TC) (page10)
   First Paragraph
   First Sentence:
   *The Provost of NYU Shanghai will appoint a P&TC, which will be a standing committee consisting of at least five full professors, a majority of whom will be drawn from the faculties of NYU Shanghai and NYU, and may include full professors from other universities during the initial period of NYU Shanghai’s operations.*

   Insert “NY”. If NYU AD is included, state so.

   *The Provost of NYU Shanghai will appoint a P&TC, which will be a standing committee consisting of at least five full professors, a majority of whom will be drawn from the faculties of NYU Shanghai and NYU NY, and may include full professors from other universities during the initial period of NYU Shanghai’s operations.*

5. Section 3.11 Joint Appointments (page11)
   Fourth Sentence:
   *The Chair of the FRC and the Chair of the unit at New York or Abu Dhabi must forward his or her unit’s recommendation to the responsible deans of NYU Shanghai and NYU NY or AD following mutual consultation.*

   Insert “NYU”
   Change “AD” to “NYU Abu Dhabi”

   *The Chair of the FRC and the Chair of the unit at New York or NYU Abu Dhabi must forward his or her unit’s recommendation to the responsible deans of NYU Shanghai and NYU NY or NYU Abu Dhabi following mutual consultation.*
Fifth Sentence:

*If the FRC and the relevant NYU NY or AD unit arrive at significantly different judgments on whether to grant tenure, the two deans ordinarily will invite the Chair of the FRC and the Chair of the unit at NYU NY or AD to discuss the case together.*

Change “AD” to “NYU Abu Dhabi”

*If the FRC and the relevant NYU NY or NYU Abu Dhabi unit arrive at significantly different judgments on whether to grant tenure, the two deans ordinarily will invite the Chair of the FRC and the Chair of the unit at NYU NY or NYU Abu Dhabi to discuss the case together.*

7. Section 3.11 Joint Appointments (page11)

Sixth Sentence:

>The relevant deans of NYU Shanghai and NYU or AD will forward a joint decision to the Provost of NYU Shanghai, who will add her or his recommendation and forward the complete Docket to the Vice Chancellor of NYU Shanghai and the Provost of NYU.

Insert “NY”
Change “AD” to “NYU Abu Dhabi”

>The relevant deans of NYU Shanghai and NYU NY or NYU Abu Dhabi will forward a joint decision to the Provost of NYU Shanghai, who will add her or his recommendation and forward the complete Docket to the Vice Chancellor of NYU Shanghai and the Provost of NYU.

8. Appendix B (pages116-17)

Letter A belongs under heading B and vice versa.

9. Section 5.1 Tenure Clock

Stopping the Tenure Clock

Fourth Paragraph (page 14)

First Sentence:

*In other cases, a request for tenure clock stoppage normally require advance approval by the NYU Shanghai Dean, the Provost of NYU, the Vice Chancellor of NYU Shanghai, and the Board of Trustees of NYU.*

Consider moving the *Vice Chancellor of NYU Shanghai* before the *Provost of NYU.*

Change *require* to *requires.*
Appendix A
(Excerpted with minor editing from the NYU Shanghai Promotion and Tenure Guidelines)

The tenure clock for faculty is set forth in rules adopted by the NYU Board of Trustees, which can be found in the Statement on Academic Freedom and Tenure and Appointment and Notification of Appointment, Titles I and II, respectively, of the NYU Faculty Handbook. However, during the initial period of operations of NYU Shanghai, tenure-track assistant professors starting on a new tenure-track line with NYU Shanghai, either in Shanghai or New York, will be appointed as assistant professor faculty fellows for their first year, which will not count towards their tenure clock. The tenure clock will commence in the second year. NYU Shanghai will announce when the initial period of operations has concluded and the first year counts.

Procedure:

A. The NYU Shanghai Dean, in consultation with the candidate’s relevant academic unit at NYU NY appoints a Faculty Review Committee (FRC), which is composed of 3-5 distinguished senior tenured faculty members who are drawn from the NYU Shanghai permanent faculty in the candidate’s field (if any), the NYU Shanghai permanent faculty in related fields (if any), and, as needed, faculty in the candidate’s field at other NYU degree-granting campuses, and faculty from other universities. The Chair of the FRC is appointed by the NYU Shanghai Dean from among the members of the FRC and is responsible for overseeing the work of the FRC.

B. The FRC prepares and reviews the candidate’s Docket (see below) and a Report to the NYU Shanghai Dean that includes a summary of its examination of the Docket and a recommendation on promotion and tenure.

The candidate’s Docket includes (a) materials submitted by the candidate to the FRC, (b) materials collected and appended to the Docket file by the NYU Shanghai Dean, (c) additional materials collected by or submitted to the FRC or the NYU Shanghai Dean, and (d) evaluation letters.

The candidate submits the following documents:

General
1. Current complete curriculum vitae; (CV)
2. Teaching
3. Candidate’s personal statement on teaching philosophy and practice
4. List of courses taught
5. Course syllabi
6. List of NYU Shanghai and other advisees (if applicable)
7. List of Honors projects, Master’s theses, and PhD dissertation candidates supervised or dissertation committees served on
8. Student evaluations and instructor responses if applicable
Research
1. Candidate’s personal statement on research accomplishments and objectives
2. Copies of the candidate’s scholarly work and/or records of his or her creative work
3. Candidate also may submit such supplementary materials as readers’ reports for unpublished manuscripts or creative works in progress, reports of grant review panels, published reviews of scholarship or curatorial works, etc.

Service
1. Candidate’s personal statement on service (including work on committees and contributions toward the work and intellectual community of NYU Shanghai)
2. Candidate’s contributions to broader profession or society
3. The candidate may provide a single personal statement that combines in clearly separated sections information on teaching philosophy and practice, research accomplishments and objectives, and service record or three separate personal statements.

The NYU Shanghai Dean collects, and appends to the candidate’s Docket:
1. Student evaluations (if any)
2. Peer reports, including formal assessments of teaching effectiveness arrived at by direct observation by members of the FRC or other tenured faculty (if any)
3. List of highly qualified external evaluators contacted, and for those who provide an evaluation, their scholarly or creative credentials and an explanation of why they were chosen
4. Letters of evaluation from at least five evaluators
5. Reasons given by the evaluators who decline to write letters
6. Text of the letters requesting evaluation sent to each of the outside evaluators
7. Form 106 (Tenure With or Without Promotion)
8. Form 101 (Promotion Only)
9. Course Listings Form

The candidate may submit, and the NYU Shanghai Dean and FRC may request, any additional evidence to facilitate an assessment of the teaching, research, and service impact of the candidate.

C. After the FRC has reviewed the Docket, the Chair presents the candidate’s case for promotion and tenure to the FRC in a special meeting, where not more than one member of the FRC may be absent. Attendance by “videoconferencing” is permitted.

D. After the presentation and discussion, the Chair calls for a vote. Each member of the FRC has one secret vote. Votes of absent members must be recorded and reported separately to distinguish them from votes made with the benefit of the open discussion of the case.

E. The FRC prepares a Report that summarizes its analysis of the Docket, reflects the requirements of the Promotion and Tenure Guidelines, and sets forth its recommendation and the numerical vote of the FRC with respect to promotion and tenure for the candidate. Each member of the FRC signs the Docket and attests that
he/she has read the Report and the Docket and that the Report accurately reflects the opinions of the members of the FRC. The Report along with a complete version of the Docket is submitted to the NYU Shanghai Dean.

F. Upon receipt of the Report and Docket, the NYU Shanghai Dean consults with the relevant NYU NY unit (typically the relevant NYU NY department) and solicits an assessment of the file. This assessment by the NYU NY department is advisory, not dispositive. The chair of the relevant department or unit determines how the assessment is conducted, and communicates the assessment to the NYU Shanghai Dean in writing.

G. The NYU Shanghai Dean forwards the Report, including the vote of the FRC and the Docket, and the assessment of the NYU NY unit to the Provost of NYU Shanghai along with his or her own recommendation on the candidate.

H. The Provost of NYU Shanghai appoints a Promotions Tenure Committee (P&TC), which will be a standing committee consisting of at least five full professors, a majority of whom will be drawn from the faculties of NYU Shanghai and NYU NY, and may include full professors from other universities during the initial period of NYU Shanghai’s operations. The Provost of NYU Shanghai may appoint two additional members to the P&TC at his or her own discretion.

I. The Provost of NYU Shanghai provides to the P&TC for examination of a candidate the Report, including the vote of the FRC and the Docket, the assessment of the NYU NY unit, and the recommendation of the NYU Shanghai Dean. If there are questions in any particular case, the NYU Shanghai Dean and/or the Chair of the FRC may be asked to attend a meeting of the P&TC to clarify the Docket or to provide additional information. The P&TC may solicit additional information including external letters from experts in the candidate’s field.

J. After the P&TC reviews the Docket and recommendations, the members vote on the candidate in a special meeting, where not more than one member of the P&TC may be absent. Participation in the special meeting by videoconference or telephone is permitted. Each member of the P&TC has one secret vote. Votes of absent members must be recorded and reported separately to distinguish them from votes made with the benefit of the open discussion of the case.

K. The P&TC submits to the Provost of NYU Shanghai its recommendation, including the numerical vote of the P&TC with respect to promotion and tenure for the candidate. Each member of the P&TC signs the recommendation and attests that the member has read the recommendation and it accurately reflects the opinions of the members of the P&TC.

L. The Provost of NYU Shanghai reviews the Report, including the vote of the FRC and the Docket, the assessment of the NYU NY unit, and the recommendations of the NYU Shanghai Dean and the P&TC. The Provost of NYU Shanghai may solicit additional information and/or external reviews, and/or seek a consultation with the FRC.
ensure that the Provost of NYU Shanghai does not solicit evaluators already contacted by the FRC, the Provost of NYU Shanghai should consult the Docket, which includes the list of all evaluators who were solicited by the FRC.

M. The Provost of NYU Shanghai makes his or her recommendation on promotion and tenure for a candidate to the Vice-Chancellor of NYU Shanghai and the Provost of NYU. If the recommendation of the Provost of NYU Shanghai is contrary to the recommendations of the FRC, the NYU Shanghai Dean, and/or the P&TC, the Provost of NYU Shanghai provides the NYU Shanghai Dean and Chair of the FRC with the reasons. The NYU Shanghai Dean and the Chair of the FRC then have ten days in which to provide further information or counter-argument before the Provost of NYU Shanghai’s recommendation is made to the Vice Chancellor of NYU Shanghai and the Provost of NYU.

N. In accordance with the “core and essence” principles, the Provost of NYU Shanghai provides the Vice Chancellor of NYU Shanghai and the Provost of NYU with the Report, including the vote of the FRC, the Docket, the assessment of the NYU NY unit, and the recommendations of the NYU Shanghai Dean, the P&TC, and the Provost of NYU Shanghai.

O. All recommendations for promotion and tenure require the approval of both the Vice Chancellor of NYU Shanghai and the Provost of NYU. If either the Vice Chancellor of NYU Shanghai or the Provost of NYU does not approve, tenure will be denied. The Vice Chancellor of NYU Shanghai and the Provost of NYU normally communicate their decision on tenure to the Provost of NYU Shanghai within three months of receiving the candidate’s materials but in any event not later than the deadline for a mandatory decision. The Provost of NYU Shanghai will inform the NYU Shanghai Dean and the candidate of the decision on tenure within three weeks of receipt of the decision of the Vice Chancellor of NYU Shanghai and the Provost of NYU.

If the Vice Chancellor of NYU Shanghai and/or the Provost of NYU disagree with the recommendation of the Provost of NYU Shanghai, they will discuss the case with the Provost of NYU Shanghai. If this process leads the Vice Chancellor of NYU Shanghai and/or the Provost of NYU to believe there are grounds for a review of the recommendation, they may decide to consult internal and/or external experts to advise them on the promotion and tenure decision.

In the case of a faculty member jointly appointed between a unit of NYU Shanghai and another unit of NYU, the relevant department and/or program chairs and deans in both units, the Provost of NYU Shanghai, the Vice Chancellor of NYU Shanghai, and the Provost of NYU all must be involved in the review process. The process must comply with these Guidelines for the NYU Shanghai appointment and the New York or Abu Dhabi guidelines for the NYU appointment. The Chair of the FRC and the Chair of the unit at New York or Abu Dhabi must forward his or her unit’s recommendation to the responsible deans of NYU Shanghai and NYU NY or AD following mutual consultation. If the FRC and the relevant NYU NY or AD unit arrive at significantly different judgments on whether to grant tenure, the two deans ordinarily will invite the Chair of the FRC and the Chair of the unit at NYU NY or
AD to discuss the case together. The relevant deans of NYU Shanghai and NYU NY or AD will forward a joint decision to the Provost of NYU Shanghai, who will add her or his recommendation and forward the complete Docket to the Vice Chancellor of NYU Shanghai and the Provost of NYU. If the two deans in Shanghai and New York find themselves in disagreement, they will discuss the case jointly and individually with the Provost and Vice Chancellor of NYU Shanghai, and the Provost of NYU. All recommendations for promotion and tenure require the approval of both the Vice Chancellor of NYU Shanghai and the Provost of NYU.

For promotions to full professor, the inquiry and process is essentially analogous to that for a tenure-track candidate but also includes an assessment of whether the candidate is among the strongest in her/his field, in comparison with individuals at similar points in their careers at comparable prominent institutions or in other relevant settings. It is a presumption that the candidate will have achieved a significant milestone or marker beyond the work considered at the point of awarding tenure. The normal expectation will be work that marks significant new scholarly research or artistic achievement since the conferring of tenure. The Docket must clearly indicate which work distinguishes the candidate’s achievements since the last review for promotion.

Tenured external appointments (lateral hires) will follow procedure analogous to those indicated above with the additional stipulation that the Docket “may include a description of the candidate’s teaching and an indication of how the candidate will meet the teaching needs of the department.” For appointments with tenure, the vote and authority reside with eligible professors on the FRC. Only faculty of equivalent or higher rank will be eligible to vote.

The tenure clock for faculty is set forth in rules adopted by the NYU Board of Trustees, which can be found in the Statement on Academic Freedom and Tenure and Appointment and Notification of Appointment, Titles I and II, respectively, of the NYU Faculty Handbook. However, during the initial period of operations of NYU Shanghai, tenure-track assistant professors starting on a new tenure-track line with NYU Shanghai, either in Shanghai or New York, will be appointed as assistant professor faculty fellows for their first year, which will not count towards their tenure clock. The tenure clock will commence in the second year. NYU Shanghai will announce when the initial period of operations has concluded and the first year counts.
The FSC Governance Committee (Senators Uleman and Kane, co-chairs; Senators Becker, Drysdale, Garabedian, Jelinek, and Martin; and C-FSC observers Carl and Sacks) met twice this semester, on February 6 and April 6, 2015. Pursuant to our responsibility to monitor faculty governance, we report on three areas.

1. Faculty acceptance of the Faculty Handbook revisions

The Governance Committee has devoted considerable attention to the 2012 Faculty Handbook, particularly to an important revision that appears to contradict our recently celebrated spirit of shared governance. At the conclusion of the 2008 Faculty Handbook, there is a simple declaration that indicates the participation of elected faculty in its development and promulgation: "All of the material included in this Faculty Handbook has been reviewed by and accepted by the Faculty Senators Council of New York University."

When this statement was omitted from the 2012 edition of the Handbook, representatives of the Governance Committee immediately expressed concern. To date, this omission has not been restored. It would seem that an expression of “acceptance” by the faculty’s elected representatives would have some value to our community as a signal of support of the Faculty Handbook. It would reassure the larger faculty that they, through their representatives, have been partners in its creation.

As we anticipate a new President, and in the spirit of shared governance at NYU, we think that the role of the faculty as partners in a truly collaborative enterprise should be reflected in the Faculty Handbook. We hope that the Board of Trustees would agree, and would value an expression of acceptance from representatives of the faculty charged with executing the central mission of New York University. We understand that the T-FSC Executive Committee is exploring restoration of this sentiment to the Faculty Handbook.

2. Tenure modifications at the School of Medicine

The T-FSC has passed many resolutions opposing modifications of tenure at the SoM, including those posted on our website on 11/18/10, 9/17/09, 5/1/08, 2/16/06, 5/3/01, and 1/22/98. In addition, in a memo dated 4/27/14, former chair of the FSC Professor Salah Al-Askari, M.D. has described “the rights of the tenured faculty at NYU to full salary as stated in the printed handbooks and documented in the resolutions of the FSC and in the medical school’s Faulty Council documents.” Nevertheless, modifications have been implemented retroactively for long-term tenured faculty, and the matter is in the courts. We decided another resolution would serve no purpose, but we will continue to call this developing situation to your attention.

3. Implementation and reporting of “best practices” in the election of T-FSC Senators

We continue to monitor the implementation of our recently adopted “best practices” for the election of T-FSC Senators in the schools of NYU. Particularly at this time of year when most schools conduct elections, we ask that Senators inform themselves of these recommended practices (on our website) and notify the Governance Committee of any significant departures from them. We also ask Karyn Ridder to continue collecting information on actual practices in the schools.
MEMO

FROM: T-FSC Subcommittee on Fossil Fuels (Jeff Goodwin, chair; Allen Mincer; Maurizio Porfiri; Arvind Rajogopal (on leave); George Thurston; and Jim Uleman)

TO: T-Faculty Senators Council

DATE: April 13, 2015

This memo has two parts:

Part 1. Coal divestment resolution
Part 2. Two additional resolutions on fossil-fuel divestment

Part 1. The subcommittee was charged with making a recommendation to the FSC on possible university divestment from fossil-fuels corporations (“the Carbon Underground 200” or the “CU200”), as urged by the student organization NYU Divest in a presentation before the T-FSC last spring (2014).

The University has indicated that the exposure of NYU’s $3.4 billion endowment to the CU200 is approximately 4.0 percent (3.3 percent in oil & gas and 0.7 percent in coal). This translates into $115 million in oil & gas and $24 million in coal--$139 million in total (as of September 30, 2014).

The subcommittee would like to propose for discussion a resolution calling on the University to divest its directly held investments in coal companies. This resolution was on the agenda for the March 12, 2015, T-FSC meeting, but there was not time to discuss it. We hope there will be time to do so at the April 16, 2015, meeting. Here is the text of that resolution, which spells out the rationale for coal divestment:

Coal Divestment Resolution:

Whereas, sixty-five percent of all of the globe’s carbon holdings are in coal reserves, and, because of its high carbon intensity, burning coal results in a far greater climate change risk than any other energy source, on a per BTU basis;

Whereas, a recent survey of American Thoracic Society of U.S. physicians found that a majority of those physicians are already seeing the effects of climate change in their medical practices and indicated that policy action is needed to mitigate these effects;

Whereas, setting a precedent of environmental health responsibility and integrity is consistent with New York University’s increasing role as a world leader in global education;
Whereas, in many developed world markets, thermal coal is likely to be heavily taxed via carbon-based taxes, or significantly replaced by alternative fuel sources, resulting in an expected deterioration in the value of companies that derive a significant portion of their revenues from coal;

Whereas, many funds that have divested from fossil fuels have outperformed the market in general, in the past 5 years (e.g., https://www.businessspectator.com.au/article/2015/2/16/energy-markets/divestment-outperforms-conventional-portfolios-past-5-years);

Whereas, only 0.7% of NYU’s $3.4b Endowment is in the Carbon Underground 200 (CU200), making the screening of coal investments from NYU’s investments both practical and of minimal financial risk to the university’s endowment;

Whereas, New York University should not participate in the global mass human morbidity and mortality presently being caused by the especially health damaging air pollution resulting from coal burning in the US and around the world;

Whereas, fossil fuel divestment is at the same time a powerful tool for communication of leadership and, increasingly, a sound long-term financial decision;

*It is resolved that New York University should divest all directly held investments in any publicly listed company whose principal business is the mining of coal for use in energy generation.*

Again, we would like the T-FSC to discuss and possibly vote on this resolution at its April 16 meeting.

Part 2. In light of the recent report of the University Senate’s Fossil Fuel Divestment Working Group, we would also like to propose the following two resolutions for the T-FSC’s consideration at the April 16 meeting:

Resolutions:

1. The University should divest its direct investments of approximately $700,000, held in NYU’s own name, in fossil fuel corporations (the CU200) as quickly as can be done in a financially prudent way. [Note: $700,000 represents 0.02 percent of NYU’s $3.4 billion endowment.]

2. The University should begin a gradual and financially prudent divestment, extending over a period of no more than 10 years, of its investments in fossil fuel corporations in commingled accounts controlled by fund managers.

*To be clear, by proposing these two additional resolutions, we are proposing that the T-FSC choose among three options at its April 16 meeting: We can call on the University to (1) divest its direct investments in coal corporations (as per this subcommittee’s initial resolution)
AND/OR (2) divest its direct investments in all fossil fuel corporations AND/OR (3) begin a gradual divestment of its investments in fossil fuel corporations in comingled accounts controlled by fund managers.

Rationale:

The University Senate’s Fossil Fuel Divestment Working Group did not recommend divesting from fossil fuel corporations. As we understand their report, this decision was not based on a rejection of the scientific studies which have shown that fossil fuels cause environmental and social harm. Instead, the decision rests primarily on considerations of financial prudence—although the Working Group was split on the question of divesting NYU’s direct investments in fossil fuel corporations. Accordingly, the resolutions we are proposing call upon the University to divest in a financially prudent way. Nothing in the Working Group’s report, as we read it, suggests that divestment cannot be done thoughtfully and prudently.* To be sure, the report does suggest that divesting from comingled accounts controlled by fund managers may be a complex process that will require considerable effort to complete. This is why we are proposing a 10-year period to complete the divestment process. Many proponents of divestment are likely to regard this period as unnecessarily long and irresponsible. We propose it in a spirit of compromise.

*A number of universities have announced that they are divesting from fossil fuel corporations, including the New School, Syracuse University, the University of Glasgow, Hampshire College, and Pitzer College. Stanford University and the University of Maine have announced that they are divesting from coal companies.
Proposed T-FSC Resolution

Presented by the Executive Committee for consideration
at the T-Faculty Senators Council Meeting, 4/16/15

Resolution:

Denials of visas, often arbitrary or without reason, or subjection to humiliating documentation requirements are a feature of immigration policy practiced by many countries. These denials may not all be morally equivalent; genuine security concerns may sometimes make it difficult for governments to publicly explain their actions. However, academic freedom, the freedom to pursue one's research, is at the very heart of the university enterprise and the T-FSC condemns the use by any government of visa denials and travel restrictions to curb this freedom.

The T-FSC urges the NYU Administration to do everything in its power to assist those NYU faculty whose research has been hampered by visa issues or travel restrictions, and to ensure that travel between the university's New York campus, international campuses and study-abroad sites by the university's faculty remain smooth and unhindered. The T-FSC also urges the administration to gather and provide faculty with information about the extent to which this has been a problem, and to develop recommendations on how faculty can avail themselves of NYU resources before travel to minimize potential difficulties.