MINUTES OF THE FACULTY SENATORS COUNCIL MEETING OF MAY 3, 2012

The New York University Faculty Senators Council (FSC) met at noon on Thursday, May 3, 2012 in Room 905/907 in the Kimmel Center for University Life.

In attendance were Senators Amkpa, Cappell, Economides, Goldman, Hammack, Hutchins, Jelinek, Jones, Lebowitz, Ling, Magder, Monaco, Nolan, Phillips, Raiken, Rodwin, Simon, Sternhell, Sundaram, Tranchina, Van Devanter, and Zwanziger and Alternate Senators Reiss and Tannenbaum. FSC Advisor Al-Askari attended as a guest.

APPROVAL OF THE MINUTES OF THE MEETING HELD APRIL 5, 2012

Upon a motion duly made and seconded, the minutes of the April 5, 2012 meeting were approved unanimously.

Election by secret ballot of FSC Vice Chairperson and Secretary 2012-13

Candidates for Vice Chairperson: Marie Monaco (School of Medicine) and Jim Uleman (Faculty of Arts and Science) and Candidate for Secretary Mary Ann Jones (Silver School of Social Work) presented short statements. After collecting the votes of the voting-eligible senators present, it was announced Marie Monaco from the School of Medicine will serve as FSC Vice Chair and Mary Ann Jones from the School of Social Work will serve as FSC Secretary next year.

REPORT FROM THE CHAIRPERSON: TED MAGDER

Chairperson Magder thanked outgoing senators for their service on the FSC.

2031 Update

Magder reported members of the FSC are working on finalizing the quantitative and qualitative results of the 2031 faculty survey and will soon send to all NYU faculty members. He discussed the reactions from President Sexton and members of the administration regarding the 2031 forums hosted by the FSC and the survey. In terms of the survey, the administration highlighted the respondents’ focus on construction taking place elsewhere, concerns about tuition increases, and the lack of trust in the administration. Magder stated the Executive Committee (EC) urged the administration, going forward, to be clear about the fundamentals of financial planning for construction and to work closely with faculty to discuss how buildings can be constructed to best support the academic mission. Other members of the EC stated the faculty forum, survey, and resolutions passed by separate departments have all been crucial factors in getting the attention of the administration and communicating the faculty’s opposition. Another concern voiced by faculty is President Sexton’s absence at the Town Halls. It was stated he has met with students in a forum setting and also noted Student Senators Council endorsed the plan to the city planning commission. Another senator countered that the SSC did not poll their constituencies, as the FSC did in their survey. It was discussed whether links to the department resolutions or FASP website
should be posted on the FSC website. Some senators agreed, others questioned if this would be an endorsement of these positions (the FSC has not voted on a formal resolution regarding 2031) or if these resolutions were included on the website if departments would request the posting of other departmental resolutions. In the past, no department resolutions have been posted on the FSC site.

Representation at the School of Continuing and Professional Studies (SCPS)

Magder reported SCPS Senator Carl Lebowitz is retiring and is one of four full time tenured faculty members at SCPS, of which only one is eligible to serve as senator. The Executive Committee contacted this faculty member concerning his interest in serving on the FSC and is waiting for a response. The rules state only tenured or tenure-track faculty may vote for senators, and senators must come from the professoriate. Magder proposed the idea of voting to extend this to faculty members with emeritus status. Another senator suggested that since SCPS does not have any tenured or tenure-track full time faculty, maybe they should no longer be represented by the FSC. It was noted that the FSC had been included in the discussion of the internal review of SCPS, specifically on online education. This issue will be discussed again in the fall semester.

IP Policy

Magder reminded the Council of the document circulated: Statement of Policy on Intellectual Property to be reviewed by the FSC and again asked for volunteers. He stated the most notable new feature is the distinction between works of scholarship and instructional media. Works of scholarship are regarded as the property of the author and in the statement the University will not claim copyright, but has a non-exclusive right to instructional media. Princeton University has a similar policy in effect. Faculty, who are experts in the fields of patent law, internet rights, etc., have been involved in the drafting of the document. The FSC has been asked to review and make recommendations in an advisory role. It was discussed whether the FSC should wait until the fall to review and make a decision as a whole, but it was decided to move forward with the review over the summer.

FSC COMMITTEE REPORTS

Faculty/Student Relations: Senator Carol Sternhell

Senator Sternhell presented the Committee’s proposed resolution regarding course evaluations:

The Faculty Council recommends:

1. That all schools be encouraged to conduct end-of-semester evaluations of all undergraduate and graduate classes and instructors, either on paper or online.

2. That this information be available to students (with net IDs and passwords) on a familiar NYU site like Albert.

Senators voiced their support of the resolution and the importance of transparency and providing students information on courses. It was suggested to remove the statement regarding net IDS to offer more flexibility in how course evaluations are communicated. Upon a motion duly made and seconded the resolution with revised language was approved by vote of the Council. See attached Document A.

Governance: Senator Warren Jelinek

Senator Jelinek reported members of the Governance Committee met with members of the administration including Bonnie Brier, Carol Morrow, Peter Gonzalez, and Julie Abrams to discuss the shared governance principles passed in the May of 2011 and their incorporation into the faculty handbook.
Following these conversations, the Governance Committee proposed revised language to the third principle on consultation:

Original Version of Shared Governance Principle, May 10, 2011

3. Consultation

WHEREAS: Shared governance means seeking and evaluating faculty input before decisions that affect faculty are made and adequately responding to faculty input,

IT IS RESOLVED: That when a decision is not pressing, a reasonable length of time for consultation must be provided (i.e., during semesters this means a few weeks in order to have at least one FSC meeting). During the summer when FSC is not in session, decisions should be postponed. If a decision is absolutely necessary during the period when the FSC is not in session, then all efforts must be made to communicate with the FSC Executive Committee, who will take appropriate actions to inform all Senators.

Revised Version of Shared Governance Principle, May 3, 2012

3. Consultation

WHEREAS: Consultation is a means to obviate potential crises of confidence that can occur when a decision-making group within an organization unilaterally imposes its decisions on the organization, and

WHEREAS: The quality and effectiveness of academic policy making depends on consultation between informed faculty representatives and the other principals in the University’s decision-making process, and

WHEREAS: Shared governance means seeking and evaluating faculty input before decisions that affect faculty are made and adequately responding to faculty input,

IT IS RESOLVED: That when a decision is not pressing, a reasonable length of time for consultation must be provided. During semesters, this means at least a few weeks in order for at least one FSC meeting to occur. For decisions that must occur during the summer, when FSC is not in session, the FSC will establish, before its last meeting of the spring semester, an internal structure for timely consultation and input to administration decisions that affect the faculty.

Upon a motion duly made and seconded the resolution with revised language was approved by vote of the Council. See attached Document B.

ADJOURNMENT

The meeting adjourned at 2:00 PM.
Resolution Regarding Course Evaluations  
Approved 5/3/12

At the May 3, 2012 meeting of the Faculty Senators Council, the Council approved the following resolution:

In response to a request from the Student Senators Council, the FSC Faculty-Student Relations Committee looked into the possibility of developing a uniform system across NYU's many schools of collecting and publicizing course evaluations. Right now the schools' policies vary widely, from the College of Arts and Science, which posts evaluations online and makes them available to anyone with a net ID, to Tisch School of the Arts and Gallatin School of Individualized Study, which do not make evaluations available to students in any form. The Student Senators Council would like evaluations of courses in all schools posted online in a central location.

The Faculty Council recommends:

1. That all schools be encouraged to conduct end-of-semester evaluations of all undergraduate and graduate classes and instructors, either on paper or online.

2. That this information be available to students on a familiar NYU site like Albert.
Resolution regarding Revised Shared Governance Principles
Approved 5/3/12

The FSC approved the following revision to the Shared Governance Principle on Consultation to take into account concerns raised by the Administration (via Diana Yu, Bonnie Brier and Carol Morrow) at their April 4, 2012 meeting with FSC Senators Ted Magder, Christine Harrington and Warren Jelinek.

Original Version of Shared Governance Principle, May 10, 2011

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WHEREAS: Shared governance means seeking and evaluating faculty input before decisions that affect faculty are made and adequately responding to faculty input,

IT IS RESOLVED: That when a decision is not pressing, a reasonable length of time for consultation must be provided (i.e., during semesters this means a few weeks in order to have at least one FSC meeting). During the summer when FSC is not in session, decisions should be postponed. If a decision is absolutely necessary during the period when the FSC is not in session, then all efforts must be made to communicate with the FSC Executive Committee, who will take appropriate actions to inform all Senators.

Revised Version of Shared Governance Principle, May 3, 2012

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WHEREAS: The quality and effectiveness of academic policy making depends on consultation between informed faculty representatives and the other principals in the University’s decision-making process, and

WHEREAS: Shared governance means seeking and evaluating faculty input before decisions that affect faculty are made and adequately responding to faculty input,

IT IS RESOLVED: That when a decision is not pressing, a reasonable length of time for consultation must be provided. During semesters, this means at least a few weeks in order for at least one FSC meeting to occur. For decisions that must occur during the summer, when FSC is not in session, the FSC will establish, before its last meeting of the spring semester, an internal structure for timely consultation and input to administration decisions that affect the faculty.
Revised Shared Governance Principles:

A. There are 5 basic features of shared governance:

1. Representation

WHEREAS: Shared governance means that input from the faculties’ duly elected representatives (FSC) is central to the process of “consulting with faculty”;

IT IS RESOLVED: That the Faculty’s Senate Council will have representatives, selected by the FSC, on University Committees, Taskforces, or other like bodies dealing with all matters that affect faculty and university policy.

2. Information

BACKGROUND: The Faculty Senators’ Council functions as the personnel committee for the faculty. As such, it is obligated to represent the faculty’s interest in dealing with the administration, and to insure that the faculty is informed on issues that pertain to them and impact their well-being. It has been common practice by the administration to impose a rule requiring confidentiality with respect to deliberations on certain topics, such as, but not limited to, benefits. This practice is referred to as “deliberative privilege”.

WHEREAS: This practice prevents the faculty from obtaining timely knowledge concerning issues that affect them, and

WHEREAS: This practice prevents the administration from obtaining valuable feedback from the FSC, and when appropriate, from the entire faculty,

IT IS RESOLVED: That the Faculty Senators’ Council does not support the practice of a code of confidentiality, also known as “deliberative privilege”, except in cases concerning information specific to individuals, whose privacy rights transcend the need for transparency, and cases involving university negotiating positions with external financial entities.

3. Consultation

WHEREAS: Consultation is a means to obviate potential crises of confidence that can occur when a decision-making group within an organization unilaterally imposes its decisions on the organization, and

WHEREAS: The quality and effectiveness of academic policy making depends on consultation between informed faculty representatives and the other principals in the University’s decision-making process, and

WHEREAS: Shared governance means seeking and evaluating faculty input before decisions that affect faculty are made and adequately responding to faculty input,

IT IS RESOLVED: That when a decision is not pressing, a reasonable length of time for consultation must be provided. During semesters, this means at least a few weeks in order for at least one FSC meeting to occur. For decisions that must occur during the summer, when FSC is not in session, the FSC will establish, before its last meeting of the spring semester, an internal structure for timely consultation and input to administration decisions that affect the faculty.

4. Reasoned Justifications

WHEREAS: Accountability is an important element of the consultation process,

IT IS RESOLVED: That when FSC advice is not taken, the Administration will provide, in writing, its reasons for not accepting the FSC’s advice developed through the process of consultation.
5. Communications

WHEREAS: Access to information is fundamental to policymaking,

IT IS RESOLVED: That FSC Senators will circulate, through their Schools and departments, the agreement FSC worked out with the Administration (see Memo from Provost McLaughlin, 3/3/2011), which allows Senators access to email addresses of all faculty for the purpose of communicating with the faculty (their constituents).

IT IS RESOLVED: That FSC Senators are obligated to keep their respective faculty informed on an ongoing basis.