MINUTES OF THE T-FACULTY SENATORS COUNCIL MEETING OF MARCH 5, 2020

The New York University Tenured/Tenure Track Faculty Senators Council (T-FSC) met at noon on Thursday, March 5, 2020 in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Colloquium Room.

In attendance were Senators Barker, Battista, Cappell, Das, De Leon, Duncombe, Economides, Fenton, Frankl, Hoffman, Irving, Kamer, Klein, Lapiner, Ling, Makarov, Merritt, Mincer, Nonken, Ompad, Quinn, Schlick, Smoke, Sternhell, and Zamir; Active Alternate Alter; Alternate Senator Scheen (for Geppert); and Observer Miao.

APPROVAL OF THE MINUTES

Upon a motion duly made and seconded, the minutes of the February 6, 2020 meeting were approved unanimously.

REPORT FROM THE CHAIRPERSON: NICK ECONOMIDES

Coronavirus Update

Chairperson Economides reported NYU Shanghai and NYU Florence have moved to remote classes. The same arrangements are being made in NYU Abu Dhabi. The administration will continue to wait for updates from New York State and City on any decisions to be made regarding the Washington Square campus and other campuses.

He noted that faculty should familiarize themselves with Zoom technology in case classes become remote.

ANNOUNCEMENT OF THE LIST OF CANDIDATES

Nominating Committee Chair Mincer announced the list of candidates for the positions of T-FSC Vice Chairperson and T-FSC Secretary 2020-2021. For the position of Vice Chairperson, the candidates include David Irving of the Tisch School of the Arts and Marilyn Nonken of the Steinhardt School. For the position of Secretary, the candidates include Sonia Das of the Faculty of Arts and Science and Danielle Ompad of the School of Global Public Health. He asked for additional nominations from the floor. No additional nominations were made. Candidate statements will be collected and sent in the agenda email prior to the April meeting.

SPECIAL PRESENTATION

NYU Retirement Program Investment Fund Menu Change

See attached Document A.

The Council welcomed Mark Petti, Associate Director of Retirement Plans and Global Benefits and Jan Rezler of the Cammack Retirement Group.
Following the May 1, 2018 transition to TIAA as the sole record keeper of the NYU retirement program, the NYU/NYU Langone Retirement Plan Investment Committee and Cammack Retirement Group, NYU’s co-fiduciary investment advisor, began a review of the current investment fund lineup with the goal of: minimizing redundancy of investment options within each asset class (i.e., highly correlated funds), maintaining a fund menu with reasonable management expense ratios, and continuing variable annuity and mutual funds options at the lowest cost share class available. From the streamlined investment menu, participants will have a full complement of investment options from which they can construct a diversified portfolio and have a choice of passively managed index funds and actively managed funds in several of the asset categories. He noted T-FSC Senator April Klein serves as observer on the Retirement Plan Investment Committee.

In June 2020, changes will be made to the NYU retirement program investment menu. The new menu is comprised of 28 carefully selected fund options inclusive of all major asset classes commonly offered through an employer-sponsored retirement program. 23 of the 28 funds in the new menu are currently offered, including the TIAA Traditional Annuity. While the core investment menu will be made up of mostly TIAA and Vanguard funds, funds from other fund families will also be introduced. In addition, a Self-Directed Brokerage Account (SDBA) service will be made available. Vanguard’s target date series will continue to serve as the program’s Qualified Default Investment Alternative (QDIA). Plan assets in mutual funds that will no longer be offered will be automatically transferred to funds in the new menu. Participants will have the opportunity to make investment changes before and after the automatic transfer. Plan assets in annuities that will no longer be offered will remain invested in those annuities and only future contributions will be mapped to funds in the new menu. The new streamlined menu will be monitored and reviewed on a quarterly basis by the Retirement Plan Investment Committee. Petti noted many of NYU’s Ivy Plus peer institutions have already reduced the number of investment options in their retirement programs, including Princeton, Dartmouth, Yale, Stanford, and Brown.

For plan participants who wish to invest in an even broader array of mutual funds not offered in the core investment menu, a Self-Directed Brokerage Account (SDBA) service will be made available. There is no annual account fee assessed by TIAA for those participants who choose to use the SDBA, but there may be transactional fees or sales charges within the SDBA. Ongoing payroll contributions can be used for SDBA investments. Only mutual funds are available through the SDBA. Participants will be responsible for selecting and monitoring all investments in an SDBA. The Retirement Plan Investment Committee does not select and will not monitor the investments in an SDBA, and TIAA does not provide investment advice for assets held in SDBA’s.

A transition guide with details on the new investment lineup, fund mapping, and a transition schedule will be provided to all plan participants at least 30 days prior to the change.

A Senator inquired on the decision to make the change in June versus the beginning of the academic year. Petti responded June is a reasonable period of time to implement after communicating these changes during the spring semester, versus communicating in September and implementing in November.

Chairperson Economides presented a list of questions from the Council. See attached Document F.

Q1. There is a fundamental weakness of the NYU TIAA setup: it does not contain sector-specific funds. For example, it has no technology fund. Technology funds have outperformed the rest of the stock market by far for over five years. However, NYU faculty members do not have an option to invest their money in such a fund (for example, VGT) that has performed over 80% better than the available
“Vanguard Growth Institutional Fund” (VIGIX) and much more than 80% better than all the other stock funds offered. The present revision is an opportunity to add such a fund.

Petti responded they can bring this recommendation back to the Committee. He noted changes to funds can be made as evaluations are made.

Q2. There is really no reason to restrict the number of funds to so few. No rationale has been offered here. As pointed out above, not offering VGT has cost very significant amounts of lost profits to NYU faculty.

Petti noted the argument that too many fund offerings causes inaction, including not enrolling in plans. He also noted Self-Directed Brokerage Account (SDBA) service allows plan participants the option to invest in a broader array of mutual funds not offered in the core investment menu.

Q3. The plan to create a self-directed brokerage account is unclear. Crucial issues would be (i) transaction and management fees in that account, and (ii) variety of funds and ETFs available. Without such information (currently unavailable) it is unclear whether this option will be used by many faculty members.

Petti noted there are various share classes which determine the fees, so the fee structure cannot be determined at this time. He noted this will be communicated in the information being sent out this spring.

Regarding ETFs, Petti noted the constraints of RBI regulations. To a large extent, ETFs would not be available.

Petti also noted that after the implementation communications are sent in May, TIAA will be available to meet on a one-on-one basis to discuss these new fund arrays and find the best asset allocation.

A Senator asked on the criteria used to select these funds and the number of funds. Petti responded they look at performance, fees, risk, and other investment analyst metrics. He noted there is a variety of choice in the array of options, including aggressive, passive, low-risk, and high-risk funds.

He noted the Investment Committee addressed the redundancy of funds in the current array, which resulted in the decrease from 80 to 23 funds in the new array.

A Senator inquired if the fees would be lowered with the smaller number of investment options. Petti noted TIAA does not charge more or less for the number of funds.

A Senator asked how the University, given its fiduciary responsibility in its selection of the funds, is liable if a fund performs badly.

Petti stated it is the responsibility of the Committee and Kamack, as the co-fiduciary investment advisor, to monitor the funds quarterly and take action if funds meet underperformance or other criteria.

[Update 3/23/20: The Retirement Plan Investment Committee and Retirement Plan Administration Committee made the decision to put the investment fund menu change of the NYU retirement program on hold.]
PRESENTATION, DISCUSSION, AND VOTE

Draft Letter to Provost on the Policy on C-FSC Faculty as Principal Investigators

See attached Document B.

Personnel Policies and Tenure Modifications (PPTM) Committee Co-Chair Lapiner presented the Committee’s draft letter.

The letter addresses the main concerns identified by the Committee:

The somewhat ambiguous authorization for C-faculty to serve as PI's in "basic, applied, and experimental research." This is the scholarly and intellectual space where most tenured and tenure-track faculty reside, and which has been central to our calling as research faculty.

Assigning the responsibility for authorization to department chairs and deans, and identifying that certain conditions must be met—but overlooking others. In particular, we note that among the several enumerated "conditions," there is no statement whatsoever about how the research project may/must align with or be distinct from the research projects of the tenured or tenure-track colleagues in their departments or schools.

The ambiguity inherent in this omission is potentially subversive. It could pit contract faculty against tenured faculty. If there is malign intent, it could transform the basis of support to productive long-serving tenured research faculty, by eroding the opportunities and established relationships with funding agencies and the global community of research scholars for those of our faculty who have been heretofore responsible for conducting and overseeing basic, experimental, and applied research—as well as mentoring doctoral students.

In a like vein, given the exiguity of our research infrastructure in the sciences, the consideration for the need to provide departmental resources, space, and personnel for the conduct of such research (even if underwritten by grant funding for the duration of the C-faculty member’s grant and term of appointment) must take into account the expectation of availability of such constrained resources for the T-faculty.

We also perceive ambiguities in the policy that could prove deleterious for our C-faculty colleagues including: 1) the failure to stipulate that the efforts of C-faculty as approved PI’s must be memorialized in their letters of appointment, and include how much weight their serving as PI’s will represent in their reviews, consideration of promotion and/or renewal; and 2) we also think it would be prudent to affirm in the policy that creating a framework in which SOME C-faculty may serve as PI’s, does not mean that “evidence of original research, or securing external research-funding” will become a new threshold in the processes for the appointment, reappointment, or promotion for ALL C-faculty.

The Committee asked the Council for feedback.

A Senator recommended sending the letter to the Provost and also discussing at the monthly meeting of the Provost and the Executive Committee (EC).

A Senator expressed concern regarding the tone of the letter and its respect towards clinical faculty who are engaging in research.

Lapiner noted the letter expresses support for contract faculty engaging in research. The concern is the new provostial policy easing the authorization of C-Faculty to be principal investigators lack sufficient clarity and nuance to preserve important distinctions within and among our schools, institutes, and departments, principally because it contains problematic ambiguities and omissions that risk setting unintended and divisive precedents.
Senators discussed the variability between schools. Lapiner asked for Senators from schools that have clinical faculty that are primarily engaged in research to send any additional information.

The Committee asked the Council to send additional feedback within the week and they will then prepare the final letter to be sent to the Provost Office.

**Summary of questions/suggestions regarding draft of proposed Faculty Tenure and Promotion Guidelines**

*See attached Document C.*

PPTM Committee Co-Chair Frankl presented the Committee’s summary of questions regarding the Guidelines. See attached Document C for complete list.

A Senator inquired on the Provost’s discretion in creating another, non-elected committee. Frankl noted they will add language to clarify.

A Senator inquired on faculty coming from another, less known University with tenure. He suggested adding language to allow schools to appoint that faculty member without tenure, but with the possibility of receiving tenure later. A Senator also noted for faculty members who do not receive tenure, allowing for the opportunity for their appointment to be converted to the clinical track.

Frankl noted adding a sentence to clarify that would be helpful.

The Committee asked the Council to send additional feedback within the week and they will then prepare the final letter to be sent to the Provost Office.

**Draft Proposal for Future Senate Representation**

*See attached Document E.*

The Governance Committee presented the proposal sent by representatives from the Senate Committee on Organization and Governance (SCOG). It was noted the T-FSC members on SCOG did not participate in a vote or agree to this proposal. Under this proposal, the size of the voting membership of the University Senate would be decreased to between 111 and 115 voting members, and specifically the T-FSC from 38 to 26 Senators.

Senators discussed the decrease in Senate representation for tenured/tenure track faculty over the years to accommodate increasing student and administrative management representation, and later the formation of the Continuing Contract Faculty Senators Council (C-FSC).

SCOG was tasked with addressing the issue of the size of the University Senate and how to best include new schools, such as the Long Island School of Medicine and other new schools as they emerge.

Senators discussed the different interests of T-Faculty and C-Faculty, and disputed the statement in the proposal that the T-FSC and C-FSC should be equal in size.

Senators also expressed disagreement with four senate committee chairs being given seats, specifically when there are more than four Senate Committees.
The Governance Committee will develop a resolution in response to the “Draft Proposal for Future Senate Representation” and will distribute to the Council for vote by electronic ballot.

**T-FSC COMMITTEE REPORTS**

**Global Network University**

Committee Co-Chair Cappell reported on the Committee’s meeting with Provost Fleming, and Vice Chancellor and Senior Vice Provost for Global Programs Mills.

He noted the University is preparing for the possibility of having to move all classes remote. The administration understands this would affect departments differently, and they encourage schools and departments to adapt in its own best way.

The University is examining issues such as students with internships abroad. At this time, if classes move remotely, the current plan is to keep residence halls open. They will, however, continue to monitor the situation and wait for directives from New York State and City. Plans for graduation are undecided. They are reviewing the challenge if students return to campus after spring break, only to have classes move remote soon after. It was noted research labs should make contingency plans if a larger shutdown occurs.

Giving the changing nature of the situation, faculty members and students should plan for all possibilities.

In response to a question, the travel restrictions were clarified:

Given the latest guidance from the CDC regarding foreign exchange and study abroad programs, and the rapidly changing guidelines on travel and crossing borders due to the spread of the coronavirus, the University decided that all upcoming non-essential international University-related travel should be cancelled until further notice. This includes planned group trips and individual travel. No upcoming non-essential international travel will be reimbursed during this period.

Requests for exceptions, for instance, a scholar traveling at the request of a government to provide expertise to help stem the COVID-19 outbreak in Italy, will be reviewed.

**UNIVERSITY SENATE COMMITTEE REPORTS**

See attached Document D.

**Academic Affairs**

The proposed academic calendar, 2021-24, will be discussed at the next meeting.

**ADJOURNMENT**

The meeting adjourned at 2:00 PM.
Helping you plan and invest for retirement
In June 2020, changes will be made to the NYU retirement program investment fund menu

- The new menu is comprised of 28 carefully selected fund options inclusive of all major asset classes commonly offered through an employer-sponsored retirement program.
- 23 of the 28 funds in the new menu are currently offered, including the TIAA Traditional Annuity.
- While the core investment menu will be made up of mostly TIAA and Vanguard funds, funds from other fund families will also be introduced.
- A Self-Directed Brokerage Account (SDBA) service will be made available.
Following the May 1, 2018 transition to TIAA as the sole record keeper of the NYU retirement program, the NYU/NYU Langone Retirement Plan Investment Committee and Cammack Retirement Group, NYU’s co-fiduciary investment advisor, began a review of the current investment fund lineup with the goal of:

- minimizing redundancy of investment options within each asset class (i.e., highly correlated funds)
- maintaining a fund menu with reasonable management expense ratios
- continuing variable annuity and mutual funds options at the lowest cost share class available

From the streamlined investment menu, participants will:

- have a full complement of investment options from which they can construct a diversified portfolio
- have a choice of passively managed index funds and actively managed funds in several of the asset categories
• Vanguard’s target date series, will continue to serve as the program’s Qualified Default Investment Alternative (QDIA).

• Plan assets in mutual funds that will no longer be offered will be automatically transferred to funds in the new menu.

• Participants will have the opportunity to make investment changes before and after the automatic transfer.

• Plan assets in annuities that will no longer be offered will remain invested in those annuities and only future contributions will be mapped to funds in the new menu.

• The new streamlined menu will be monitored and reviewed on a quarterly basis by the Retirement Plan Investment Committee.

• Many of NYU’s Ivy Plus peer institutions have already reduced the number of investment options in their retirement programs: Princeton-24, Dartmouth-32, Yale-11, Stanford-20, Brown-33.
### Approved Investment Menu

#### TIER 1 - TARGET DATE, RISK ALLOCATION, MANAGED ACCOUNTS
- Vanguard Institutional Target Retirement (A)

#### TIER 2 - CORE INVESTMENTS

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<thead>
<tr>
<th>CAPITAL PRESERVATION</th>
<th>MONEY MARKET</th>
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<tbody>
<tr>
<td>TIAA Traditional Annuity (A)</td>
<td>Vanguard Federal Money Market (A)</td>
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<td>CREF Money Market (A)</td>
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<th>WORLD BOND/EM DEBT</th>
<th>HIGH YIELD</th>
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<td>Vanguard High Yield Corporate (A)</td>
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<th>HYBRID</th>
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<td>Vanguard PRIMECAP (A)</td>
<td>CREF Social Choice (A)</td>
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<th>SMALL GROWTH</th>
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<td>Vanguard Mid Cap Growth Index (P)</td>
<td>Vanguard Explorer (A)</td>
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<td>Vanguard Small Cap Growth Index (P)</td>
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<th>EMERGING MARKETS STOCK</th>
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**Note:**
- (P) = Passively Managed
- (A) = Actively Managed
For plan participants who wish to invest in an even broader array of mutual funds not offered in the core investment menu, a **Self-Directed Brokerage Account (SDBA)** service will be made available.

- There is no annual account fee assessed by TIAA for those participants who choose to use the SDBA, but there may be transactional fees or sales charges within the SDBA.
- Ongoing payroll contributions can be used for SDBA investments.
- Only mutual funds are available through the SDBA. Participants will be responsible for selecting and monitoring all investments in an SDBA.
- The Retirement Plan Investment Committee does not select and will not monitor the investments in an SDBA, and TIAA does not provide investment advice for assets held in SDBA’s.
A transition guide with details on the new investment lineup, fund mapping, and a transition schedule will be provided to all plan participants at least 30 days prior to the change.
Questions?
FOR DISCUSSION: DRAFT LETTER TO PROVOST on THE POLICY RE C-FACULTY AS PRINCIPAL INVESTIGATORS. WELCOMING ADDITIONAL RELEVANT CONCERNS TO BE INCLUDED, AS THEY ARE ENUMERATED.

The PPTM committee enthusiastically supports contract faculty engaging in research, and we warmly welcome their contributions to knowledge and scholarship. However, we are concerned that the new provostial policy easing the authorization of C-Faculty to be principal investigators lacks sufficient clarity and nuance to preserve important distinctions within and among our schools, institutes, and departments--principally because it contains problematic ambiguities and omissions that risk setting unintended and divisive precedents.

We seek to engage the Provost’s office in developing a revised document that clarifies the intent and expectations of the policy for the T-faculty that are principally charged with the conduct of research across our university, as well as the impact on the C-faculty charged largely with teaching in reviews, promotion and contract renewal.

We believe that, as written, the new policy may compromise both of our faculty communities and engender unproductive tensions among us.

In the spirit of shared governance, we will strive with the Provost’s office to develop a better articulated and more carefully delineated policy.

These are our concerns:

1) The somewhat ambiguous authorization for C-faculty to serve as PI's in "basic, applied, and experimental research." This is the scholarly and intellectual space where most tenured and tenure-track faculty reside, and which has been central to our calling as research faculty.

2) Assigning the responsibility for authorization to department chairs and deans, and identifying that certain conditions must be met—but overlooking others. In particular, we note that among the several enumerated “conditions,” there is no statement whatsoever about how the research project may/must align with or be distinct from the research projects of the tenured or tenure-track colleagues in their departments or schools.

   a. The ambiguity inherent in this omission is potentially subversive. It could pit contract faculty against tenured faculty. If there is malign intent, it could transform the basis of support to productive long-serving tenured research faculty, by eroding the opportunities and established relationships with funding agencies and the global community of research scholars for those of our faculty who have been heretofore responsible for conducting and overseeing basic, experimental, and applied research--as well as mentoring of doctoral students.
b. In a like vein, given the exiguity of our research infrastructure in the sciences, the consideration for the need to provide departmental resources, space, and personnel for the conduct of such research (even if underwritten by grant funding for the duration of the C-faculty member’s grant and term of appointment) must take into account the expectation of availability of such constrained resources for the T-faculty.

3) We also perceive ambiguities in the policy that could prove deleterious for our C-faculty colleagues including:
   a. The failure to stipulate that the efforts of C-faculty as approved PI’s must be memorialized in their letters of appointment, and include how much weight their serving as PI’s will represent in their reviews, consideration of promotion and/or renewal.
   b. We also think it would be prudent to affirm in the policy that creating a framework in which SOME C-faculty may serve as PI’s, does not mean that “evidence of original research, or securing external research-funding” will become a new threshold in the processes for the appointment, reappointment, or promotion for ALL C-faculty.

4+) OTHER CONCERNS TO BE IDENTIFIED BY THE EXEC COMMITTEE AND ARISING FROM DISCUSSION AT THE T-FSC

Given these concerns, we would welcome a conversation with the Provost to lay out the substantive bases of our reservations in greater detail and be in a position to offer some suggestions for a revised statement of policy. We do not seek to rescind the limited rights the policy wishes to extend, but to make sure that a revised policy clarifies intent and expectations without undermining the place of the T-faculty as constituting the academic body principally charged with the generation and conduct of basic, experimental, and applied research across our university.
P&T policy:

1. Section 3, paragraph 1: the PPTM committee prefers the original wording that was replaced. If revised wording is kept, suggest:
   a. Replace vague phrase “outstanding achievement”
   b. Replace “wide reputations” with “strong reputations”(?) or “national recognition” or some such
   c. Mention service here, as well, since it is expected
   d. Clarify that impact on policy is only expected in certain fields; overall clarify that there are different measures of scholarly success in different fields and that the candidate will be evaluated according to appropriate measures.

2. Section 4, Departmental Review Stage 1:
   a. Need clarification for schools that don't have a department structure or other cases where pre-tenure faculty report directly to Dean. Similarly other situations where hierarchy is compressed (dean who is acting as dept head, etc)
   b. “The committee must not include scholars with whom the candidate has been closely associated, including but not limited to a thesis advisor, co-author or other close associate; such individuals are, however, eligible to participate in the full departmental discussion and vote on the committee report. “ -- this may be problematic for candidates who collaborate widely with colleagues in their department. In addition, here and elsewhere, perhaps there should be a "sunset" on old collaborations, similar to the rules NSF has for conflicts, e.g. no collaborations in the last 4 years. More generally, there are other kinds of conflicts of interest as well. It might be better to have a separate section defining conflicts of interest and refer to it here and elsewhere.
   c. “Depending on the P&T rules of the department or the school, the formal written report and recommendation of the Department P&T Committee may be …” Need to clarify what is in the formal written report. What artifacts should (or cannot) be evaluated in order to make a recommendation (e.g. scholarly works, letters of recommendation, etc.).
   d. Depending on the P&T rules of the department or the school, the formal written report and recommendation of the Department P&T Committee may be presented to the tenured department faculty of appropriate rank for a vote,” Suggest changing “may be presented” to “shall be presented”

3. Committee report
   a. Assessment of service: May want to minimize this component for Assistant professors up for tenure

4. External evaluators
   a. “The Department will solicit at least five (5) letters from outside evaluators who are recognized leaders in the candidate’s discipline.” Department should submit at least five letters, not just solicit them. [Suggest consideration of this formulation to clarify expectations: “The Department shall solicit letters from a
sufficient number of outside evaluators who are recognized leaders in the candidate’s discipline, to secure at least five letters constituting external testimony for the docket....."]

b. Co-authors: see comment above re co-authors from sufficiently distant past and other forms of conflict of interest

c. “In exceptional cases, the Department may also choose to include additional letters from outside evaluators that have been suggested by the candidate or who are co-authors or the thesis advisor of the candidate, provided that this information is clearly noted in the docket. These letters may be included in addition to, but not instead of, the five letters from external evaluators not identified by the candidate. “What kind of exceptional cases and how is it determined whether this will be permitted?

5. Dean’s Review: Stage II

a. “Such a committee may be either appointed by the Dean or elected by the school faculty or may be a combination of the two”. Suggest mandating that some portion of the committee (a majority of members?) be elected by the faculty.

b. It is unclear whether this section refers to the school-wide committee or some additional advisory committee that the Dean may form.

c. “The Dean will inform the Department Chair of the advice provided by the Advisory Committee on Promotion and Tenure, as well as of his/her own proposed recommendation to the Provost. In the case of a Dean's recommendation contrary to that of the Department, the Dean will also provide the dean’s advisory committee and the Department Chair with the reasons. The Department Chair will then have ten days in which to provide further information or counter-argument before the Dean's final recommendation is made to the Provost.” Does “contrary to that of the department” mean contrary to the department chair or contrary to the department P&T? What about feedback and chance for further info for other kinds of disagreements, e.g. Dean disagreeing with advisory committee, advisory committee disagreeing with dept P&T or dept head, etc?

d. “If the Dean has a reasonable doubt about the excellence of the docket, the Dean should share that information in his or her report and consider withholding a favorable recommendation. Indicators of doubt may include a split vote within the Department or School-Wide Committee, or a clear difference of opinion between the Department Committee and School-Wide Committee. The report should lay out, in substantive terms, the basis for the positive and negative votes.” Clarify. Distinguish between positive and negative recommendations and/or between Dean agreeing/disagreeing w/ recommendation from prior stages. [Suggest consideration of possible alternative language for the opening statement: “If the Dean has some reservations about aspects of an otherwise excellent docket,...”]

Handbook:
1. Section V.3: “A full-time assistant professor in any school, college, division, or department except the School of Medicine and its departments, the Leonard N. Stern School of Business and its departments, the College of Dentistry and its departments, and the Rory Meyers College of Nursing and its departments, who is not promoted at the expiration of seven years as full-time assistant professor shall be ineligible for further full-time appointment in the University. … [goes on to say something similar for Stern, Langone, etc]"

Suggest striking this section, thereby allowing faculty who are denied tenure to apply for open contract faculty or administrative positions.

2. “A candidate for his or her first appointment in the rank of associate professor at New York University who has formally gained permanent or continuous tenure in another institution of higher education is subject to a tenure review at New York University at the department, school and university levels; a formal offer of an appointment with tenure can be made pending completion of the tenure review, and this condition shall be recorded in the appointment letter.”
   a. Consider rewording, changing “pending completion of the tenure review” to “contingent on a positive outcome of the tenure review”
   b. Similar issue later in document for full prof appointments
2021-2024
ACADEMIC CALENDAR RULES

1. FALL & SPRING TERM CALENDAR RULES:
   a. There are 70 class days (to comply with State regulations)
   b. There are 14 class meeting days plus a final exam day for each day of the week
   c. Legislative days are used to make-up meeting days missed on University-observed holidays, and are scheduled in the first half of the term, when possible
   d. There is a Reading Day break between the last day of class and first day of Final Exams (Weekends may be used)
   e. FALL SPECIFIC:
      i. Classes start Tuesday after Labor Day, except when Labor Day falls on September 7th
      ii. There are two days for “Fall Break,” typically in October and/or the Wednesday before Thanksgiving.
      iii. There is a break on Thanksgiving Thursday and the following Friday
      iv. The term ends on or prior to December 22nd
   f. SPRING SPECIFIC:
      i. Classes start on Monday
      ii. There is a break on President’s Day
      iii. There is a week-long “Spring Break” in the middle of the term (typically the 8th week)
      iv. Classes end on Monday
      v. Classes should end before Commencement
      vi. Commencement is typically held on Wednesday

2. JANUARY TERM (J-TERM) CALENDAR RULES:
   a. Classes start 7 business days after the end date of fall term (due to bargaining unit contract)
   b. Term has 14 class meetings on weekdays

3. SUMMER TERM CALENDAR RULES:
   a. There are 12 class meeting days for each day of the week
   b. 6 week sessions must start on Monday and end on Sunday (cannot start/end mid-week)
   c. There are 2-3 weeks between end of summer term and start of fall term
   d. There is a break on Memorial Day
   e. There is a break on Independence Day
CALENDAR KEY & SUMMARIES

● Key:

- **Legislative Day**
- A - Eid al-Adha
- AH - Al Hijra
- CD - Commemoration Day/Martyrs’ Day
- CLNY - Chinese Lunar New Year
- D - Diwali
- DB - Dragon Boat Festival
- E - Easter
- EO - Orthodox Easter
- F - Eid al-Fitr
- GW - Golden Week
- H - Hanukkah
- Independence Day
- IP - Indigenous Peoples’ Day
- K - Kwanzaa
- KJ - Krishna Janmashtami
- Labor Day

- MA - MidAutumn Festival
- MD - May Day
- Memorial Day
- MLK Day - Martin Luther King, Jr. Day
- N - Navratri
- ND - Chinese National Day
- New Year’s Day
- P - Passover
- President's Day
- QF - Qingming Festival
- R - Ramadan
- RH - Rosh Hashanah
- Thanksgiving
- UND - UAE National Day
- X - Christmas
- YK – Yom Kippur

● ACADEMIC YEAR 2021-2022 (FY 2022) Considerations:

- Fall: Starts before Labor Day on Thursday, September 2, 2021; with only one day for Fall Break on Monday, October 11, 2021; and with one Legislative Monday on Tuesday, October 12, 2021.
- J Term: Follows all rules
- Spring: Follows all rules
- Summer: Legislative Mondays on Sunday, June 19, 2022 and Sunday July 31, 2022 allowing only five Sundays in 6-week sessions.

● ACADEMIC YEAR 2022-2023 (FY 2023) Considerations:

- Fall: Starts before Labor Day on Thursday, September 1, 2022 with one Legislative Monday on Tuesday, October 11, 2022.
- J Term: Start date overlaps with HR required holiday for bargaining unit staff on Monday, January 2, 2022.
- Spring: Follows all rules
- Summer: Legislative Monday on Sunday, June 4, 2023 and Legislative Tuesday on Sunday July 9, 2022 allowing only five Sundays in 6-week sessions.
ACADEMIC YEAR 2023-2024 (FY 2024) Considerations:

- Fall: One Legislative Monday on Tuesday, October 10, 2023 with Reading Days on weekend.
- J Term: Follows all rules, but starts on January 8, 2024 to ensure 14 meeting days and no overlap with HR required holiday for bargaining unit staff.
- Spring: Follows all rules
- Summer: Legislative Monday on Sunday, June 2, 2024 and Legislative Thursday on Sunday July 6, 2024 allowing only four Sundays in first 6-week session.
<table>
<thead>
<tr>
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## Academic Calendar 2022-2023 (FY23)

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**Fall 2022**

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**Spring 2023**

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**Summer 2023**

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**Note:**
- Fall 2021: 8/28 - 12/17
- Winter 2022: 1/4 - 5/1
- Spring 2023: 5/4 - 8/12
- Summer 2023: 8/15 - 12/17
## Proposed Fall21-Summer24 Academic Calendar 20191206

### FALL 2023

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### SPRING 2024

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**Important Dates:**
- **Labor Day:** September 27, 2023
- **Fall Break:** October 23-27, 2023
- **Fall Break:** November 20-24, 2023
- **Spring Break:** March 20-24, 2024
- **Spring Break:** April 17-21, 2024
- **Summer Break:** June 23-27, 2024

**Academic Year Overview:**
- **2023-2024 (FY24):** September 27, 2023 - June 27, 2024

**Calendar Notes:**
- **Tentative Dates:** Dates marked with an asterisk (*) are tentative and subject to change.
- **Legislative Days:** Days marked with an "L" are legislative days.
- **Red Dates:** Dates marked in red indicate final exam periods.
Draft Proposal for Future Senate Representation

Background:
At the end of AY 2013/2014 the University Senate consisted of eighty-four (84) voting members. Since then we have added 51 seats, to increase faculty participation in shared governance, maintain proportional representation and welcome new schools (Table 1). The Senate Committee on Organization and Governance ("SCOG") was charged with analyzing the size and functions of the Senate in AY 2014-2015, AY 2016-2017 and now in AY 2019-2020.

SCOG's findings from its investigations have informed the recommendations and proposal that is set forth below. The new structure embraces principles of shared governance and equity. It further provides us with a clear framework for future growth if new schools are added to NYU. At SCOG’s meeting on February 7, 2020 the committee provided support for the following proposal for future University Senate representation.

Proposal:

Under SCOG’s proposal, the size of the voting membership of the University Senate would be decreased to between 111 and 115 voting members while allowing the individual councils to grow (Table 2).

The C-FSC, T-FSC and SSC will be composed of two types of Senators. Council Senators that are elected by their schools or at-large to represent them in the C-FSC, T-FSC and SSC. University Senators are Council Senators that vote at the University Senate. For schools with only one Council Senator elected by the school, that Council Senator and their two Alternate Council Senators are also the University Senator and Alternate University Senators and there will be no change. For schools with more than one Council Senator they will need to choose one University Senator and two Alternate University Senators (from the Council Senators). If the chosen University Senator is unable to attend the Senate one of their Alternate University Senators can replace them.

Each of the schools, portal campuses, and other represented units listed in Appendix A will have one University Senator each on the Dean’s Council, C-FSC, SSC, and T-FSC. If the Council does not have any constituents in a particular school or unit (i.e. there are no tenured or tenure-track faculty in Liberal Studies) then that seat in the University Senate will become an at-large seat.

Additionally, the C-FSC, SSC and T-FSC will each have 5 at-large seats that can be given to Council Senators chosen by the individual councils each year. Two of the at-large seats must
be available for the chair and vice-chair of the councils in the case that they are not already University Senators. Each at-large University Senator will have two at-large University Senate Alternates which are also chosen by the council at the beginning of each year.

If new schools are added to NYU in the future, the T-FSC, C-FSC, SSC and Deans Council will increase by 1 seat each.

At this time the AMC will remain the same size, but if the University Senate grows in the future then the AMC’s proportion should not decrease.

Table 1. Current composition of NYU’s University Senate

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<tr>
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<th>Senators</th>
<th>Percentage</th>
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<tr>
<td>C-FSC</td>
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<tr>
<td>Deans Council</td>
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<td>15.2</td>
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<td>SSC</td>
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<td>27.5</td>
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<tr>
<td>T-FSC</td>
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<td>27.5</td>
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<tr>
<td>University Officers</td>
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<td>3.6</td>
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<td>100.00</td>
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Table 2. Proposed composition of the University Senate and the Senate Councils

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<th>University Senators</th>
<th>Percentage of Voting Members</th>
<th>Council Senators or Representatives</th>
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<tr>
<td>C-FSC</td>
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<tr>
<td>Dean's Council</td>
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<td>18.3</td>
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<tr>
<td>T-FSC</td>
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<td>22.6</td>
<td>39</td>
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<tr>
<td>University Officers</td>
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<td>4.3</td>
<td>4.3</td>
</tr>
<tr>
<td>Chairs of Committees</td>
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<td>3.5</td>
<td>3.5</td>
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<tr>
<td>Total</td>
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<td>100.0</td>
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SCOG’s proposal is based on the following principles which are discussed below:

- The proportion of the SSC and AMC should not be diluted relative to the entire Senate. It is important to maintain the voice of students and administrators in the University Senate.
  - The absolute number of voting AMC seats remains at 7 so the proportion increases from 5.1 to 6.1 percent.
  - The number of SSC University Senators decreases by 12, and the proportion decreases from 27.5% to 22.6% (the same as the T-FSC). However, the total size of the SSC will increase to 39 to allow for the inclusion of Long Island School of Medicine. Additionally, if students chair committees their voting percentage would increase.

- The C-FSC and T-FSC as a combined faculty body should not hold more than 50% of the University Senate seats. This provides a balanced voice of the faculty in the University Senate.
  - The proportion of the University Senate represented by faculty as a whole will decrease from 48.5% to 45.2%. If a faculty member chairs a committee their voting percentage would increase.

- The T-FSC and C-FSC should be equal in size. Both faculty councils support the same committees with equal representation.
  - In this proposal both councils have the same number of University Senate seats and represent the same proportion of the University Senate.
  - Additionally, both the T-FSC and C-FSC membership will increase to 39 to allow for the inclusion of Long Island School of Medicine and create parity between the two councils.

- The Dean’s Council representation in the University Senate includes the Dean of each school. It is important to include the Leadership of each school in the Senate.
  - The proposal reflects that there is now only one dean at Stern and includes the new dean from Long Island School of Medicine.

- Size of the Senate. If the size of the University Senate is increased we are not only reaching the capacity of the room but we may also be decreasing deliberations at meetings and accountability for attendance.
The proposal will decrease the size of the University Senate but increase efficiency and productivity.

Appendix A: List of schools, portal campuses, and other units that would be represented in shared governance:

1. College of Arts and Science;
2. Faculty of Arts and Science;
3. School of Law;
4. Liberal Studies;
5. Robert I. Grossman School of Medicine;
6. College of Dentistry;
7. School of Global Public Health;
8. Rory Meyers College of Nursing;
9. Graduate School of Arts and Science;
10. Steinhardt School of Culture, Education, and Human Development;
11. Leonard N. Stern School of Business;
12. School of Professional Studies;
13. Robert F. Wagner Graduate School of Public Service;
14. Silver School of Social Work;
15. Tisch School of the Arts;
16. Gallatin School of Individualized Study;
17. Tandon School of Engineering;
18. Division of Libraries;
19. NYU Abu Dhabi
20. NYU Shanghai
21. Long Island School of Medicine
SENATE COMMITTEE ON ORGANIZATION AND GOVERNANCE

PROPOSAL ON REPRESENTATION OF FULL-TIME NON-TENURE TRACK/ CONTRACT FACULTY IN THE UNIVERSITY SENATE

Effective September 1, 2014:

(a) a new Council, the Full-Time Non-Tenure Track/Contract Faculty (FTNTT/CF) Senators Council, composed of 27 members elected in the Schools by and from among the FTNTT/CF shall be added to the University Senate;

(i) the Full-Time Non-Tenure Track/Contract Faculty Senators Council shall function as the Faculty Personnel Committee of the Senate with respect to the Full-Time Non-Tenure Track/Contract Faculty;

(ii) those faculty eligible for election and to vote in elections shall include full-time faculty who do not have tenure and are not eligible for tenure, have renewable appointments, have non-‘visitor’ titles;

(iii) the twenty-seven elected representatives shall be selected as follows: one from the Division of the Libraries of the University; and twenty-six apportioned among the colleges, schools, and the Abu Dhabi and Shanghai portal campuses by the method of equal proportions, with the proviso that each college and school and each of the two portal campuses will be entitled to at least one elected Senator and none will have more than six elected Senators. Each year, the University Secretary and General Counsel will provide to the Full-Time Non-Tenure Track/Contract Faculty Senators Council and the Dean of each college and school and the vice chancellors of each of the two portal campuses the number of faculty members assigned to each for the purpose of Senate elections and will at the same time state the number of Full-Time Non-Tenure Track/ Contract Faculty Senators to which each is entitled.

The inaugural group of elected Senators shall determine the means by which to stagger future elections to ensure that an equal number of seats will be vacated each year

(iv) given the timing in confirming the members of the FTNTT/CF and the need for schools to create a mechanism for elections for this new constituency, the deadline for submitting names of elected FTNTT/CF Senators shall be extended to September 2, 2014 in the first year;

(b) the Faculty Senators Council shall be composed of 36 members, with one from the Division of the Libraries of the University, six from the School of Medicine, and twenty-nine apportioned among the colleges, schools, and the Abu Dhabi and Shanghai portal campuses by the method of equal proportions with the proviso that each college and school and each of the two portal campuses will be entitled to at least one elected Senator. The current 3 Senator-at-Large seats will be eliminated by attrition so that there will be 38 members in the 2014-15 academic year and 37 members in the 2015-16 academic year.

(c) the Faculty Senators Council shall be renamed the “Tenured/Tenure Track Faculty Senators Council”;

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(d) the current Bylaws provision that states that “The Faculty Senators Council will function as the Faculty Personnel Committee of the Senate” shall be changed to provide that the Tenured/Tenure Track Faculty Senators Council shall function as the Faculty Personnel Committee of the Senate with respect to the Tenured/Tenure Track Faculty;

(e) the Student Senators Council shall be composed of 35 members, which shall include 21 allocated members elected in Schools and 14 at-large members;

(f) the Administrative Management Council shall be composed of 6 members, which shall be achieved by the addition of one member to the extant Administrative Management Council;

(g) the Deans Council shall be composed of 18 members, which shall be achieved by the addition of two members, one each from NYU Abu Dhabi and NYU Shanghai, to the extant Deans Council;

(h) the number of seats designated for senior members of the administration shall remain unchanged at 5;

(i) in 2 years the Senate shall undertake a major reevaluation of the Senate purpose and membership. Each Council shall be charged with developing plans for reapportioning its membership to achieve a reduction in the total membership of the Senate. Information gathering and research to support the rightsizing effort shall begin during AY 2014-15 so as to enable the process to begin promptly at the start of the AY 2015-16. Accordingly, the 127-member Senate recommended in this proposal shall be temporary between the time of approval by the Board of Trustees and the time of completion of the Senate reapportionment process. The ultimate size of the Senate shall be no larger than 110-120 members, but could be smaller.
Questions from TFSC on the plan for changes in the NYU retirement accounts for upcoming presentation of 3/5/2020.

Q1. There is a fundamental weakness of the NYU TIAA setup: it does not contain sector-specific funds. For example in has no technology fund. Technology funds have outperformed the rest of the stock market by far for over five years. But NYU faculty do not have an option to invest their money in such a fund (for example VGT) that has performed over 80% better than the available "Vanguard Growth Institutional Fund" (VIGIX) and much more than 80% better than all the other stock funds offered. The present revision is an opportunity to add such a fund. See attached diagram comparing the performance of the funds offered and the one proposed, after fees. In the last five years, the funds offered performed as follows:
1. VIGIX (Vanguard Growth Institutional) +70.91%
2. VPMAX (Vanguard PrimeCap Admiral) +26.08%
3. VEXRX (Vanguard Explorer) +3.81%
while the passive (unmanaged) Vanguard Information Technology Fund (VGT) in the same period has performance of +128.63%. Compared to the top performer among the ones offered (VIGIX), VGT has a return of 81.4% more! There is no reason not to start offering VGT right away. Although VGT is a better option, if you want to offer only mutual funds you can offer VITAX which is a mutual fund with the same composition and performance as VGT. Additionally, the fees of passive sector funds that we (clients) pay are low. For example, the proposed fund has low fees:

VGT, VITAX management fee (expense ratio) 0.10%

while

VIGIX management fee 0.04%
VPMAX management fee 0.31%
VEXRX management fee 0.34%
Q2. There is really no reason to restrict the number of funds to so few. No rationale has been offered here. As pointed out above, not offering VGT has cost very significant amounts of lost profits to NYU faculty.

Q3. The plan to create a self-directed brokerage account is unclear. Crucial issues would be (i) transaction and management fees in that account, and (ii) variety of funds and ETFs available. Without such information (currently unavailable) it is unclear whether this option will be used by many faculty.