Whereas: It is the duty of the Board of Trustees, taking account of the views of all stakeholders, to safeguard the immediate and the long term interests of the university and to consider the overall direction of the University.

Whereas: This responsibility includes the advancement of the University’s reputation, its progress in rankings, the expansion and achievements of the faculty, the progress of the research and educational missions, its admissions data, the stability of its finances and successes of its fundraising, and its response to broad societal forces affecting higher education.

Whereas: In all these categories, the Trustees of NYU see a record of superb accomplishment in the last 11 years under John Sexton, putting NYU in the top tier of major urban and global research universities.

Whereas: The Deans of NYU’s schools have also signaled their support, composing a letter that states: “. . . the unique character, style, charisma, and intimacy of John Sexton's leadership must be acknowledged and applauded. His cheerfulness, informality, and affection for students and colleagues . . . have inspired faculty and animated students. He has established a standard of collegiality that fosters our ability to work together; . . . Few, if any, university presidents could have taken NYU to the preeminence it enjoys today. None possess such an original and promising vision of higher education's future or such a clear plan for making that future a reality.”

Whereas: The Board has periodically reviewed and strongly endorsed the strategic framework for both academic priorities and the physical space to advance those priorities.

Whereas: In particular, the Global Network University has proven to be a transformative model that is both responsive to forces reshaping higher education and the university’s own history and circumstances. The Board sees the GNU as a strategy that will provide new and unique learning, teaching and research opportunities to students and faculty and will sustain the academic momentum that has so transformed NYU over recent decades.

Whereas: John Sexton and his team have made energetic efforts and significant progress in strengthening and improving faculty consultation, establishing a faculty committee to give guidance on space priorities and implementation of the recent city-approved expansion, and agreeing to a set of principles with the Faculty Senators Council – agreed to by this Board – regarding shared governance.

Resolved: We, the Board of Trustees, endorses the strategic direction of New York University and John Sexton’s stewardship. The transformation of NYU from a strong regional university into a university that stands shoulder-to-shoulder with the world’s most revered universities is a remarkable accomplishment that is a testament to the dedication of the deans and the faculty under the outstanding leadership of John Sexton.
January 11, 2013

To: Dr. Robert Berne

From: College of Dentistry and College of Nursing Deans, Chairs, and Directors

Re: Support for President Sexton

We write to express our strong support for the leadership of President Sexton. We do so as further endorsement of the letter of February 4, 2013 to you and Dean Grossman from the School of Medicine’s Department Chairs and Institute Directors. Reiterating the key points of their letter, we too are greatly troubled by the consideration of a Vote of No Confidence being discussed by the Faculty of Arts and Sciences (FAS) and believe that such a vote is entirely unjustified, especially given the remarkable growth in academic stature of the University under Dr. Sexton’s leadership. Discussion of a Vote of No Confidence in light of a record of exceptional achievement achieves nothing but destabilizing highly productive units and jeopardizing the reputation of the entire university, including the dental and nursing schools.

President Sexton has afforded the university community unprecedented access to himself personally as well as to the University’s planning processes. As stated in the letter from the leadership of the School of Medicine, we believe that there are more appropriate venues to address concerns of faculty, including existing governance mechanisms such as the University Senate, Faculty Senators Council, and Provost’s Advisory Committee on Academic Priorities, and new mechanisms such as the University Space Priorities Working Group.

As the academic and administrative leadership of the College of Dentistry and the College of Nursing, we express our unequivocal support for President Sexton who has led and continues to lead NYU with distinction to a position of ever-increasing excellence and prominence throughout the world. The opinions expressed by some members of the FAS, most assuredly, do not represent the opinions of the Chairs, Directors, and Deans of the College of Dentistry and College of Nursing.

Sincerely,

Charles Bertolami, Dean, College of Dentistry
Eileen Sullivan-Marx, Dean, College of Nursing
College of Dentistry

Chairs and Directors:
Steve Engbretson, Chair, Department of Periodontology and Implant Dentistry
Robert Glickman, Chair, Department of Oral and Maxillofacial Surgery
Leila Jahangiri, Chair, Department of Prosthodontics
Ralph Katz, Chair, Department of Epidemiology and Health Promotion
Amr Moursi, Chair, Department of Pediatric Dentistry
Nicola Partridge, Chair, Department of Basic Science & Craniofacial Biology
Joan Phelan, Chair, Department of Oral Maxillofacial, Pathology, Radiology and Medicine
Brian Schmidt, Director, Bluestone Center for Clinical Research
Asgeir Sigurdsson, Chair, Department of Endodontics
Louis Terracio, Vice Dean for Research, and
Interim Chair, Department of Biomaterials and Biomimetics
Cristina Teixeira, Chair, Department of Orthodontics
Cheryl Westphal-Theile, Chair and Assistant Dean, Dental Hygiene
Mark Wolff, Associate Dean for Predoctoral Clinical Education and
Chair, Department of Cariology and Comprehensive Care

Faculty Council:
Ralph Cunningham, Chair, Faculty Council
Elise Eisenberg, Secretary/Treasurer, Faculty Council
Marjan Moghadam, Vice Chair, Faculty Council

Administration:
Cosmo DeSteno, Associate Dean for Clinical Affairs
Stuart Hirsch, Vice Dean for International Initiatives and Development
Michael O’Connor, Executive Vice Dean for Administration and Finance
Andrea Schreiber, Associate Dean for Graduate Programs
Andrew Spielman, Associate Dean for Academic Affairs
Richard Vogel, Executive Vice Dean for Education and Academic Affairs

College of Nursing:
Deborah Chyun, Executive Associate Dean
Judith Haber, Associate Dean, Graduate Programs
Amy Knowles, Assistant Dean, Student Affairs and Admissions
Gail Melkus, Director, Muriel and Virginia Pless Center for Nursing Research
Barbara Kainovich-Miller, Associate Dean, Academic and Clinical Affairs
Ann Kurth, Executive Director, NYU College of Nursing Global
James Pace, Associate Dean, Undergraduate Programs
On April 3, 2013, the faculty of the NYU School of Law voted the following resolution: "The faculty of the NYU School of Law expresses its support for John Sexton's vision of NYU as one of the world's great universities and expresses its continuing confidence in his leadership." The resolution was adopted on a vote of 59-2, with 3 abstentions.

Report of the Faculty of Law’s Senators in Support of a Vote of Confidence in NYU President John Sexton
March 25, 2013

During the week before Spring break, the Faculty of Arts and Science, led by several A&S senators, voted that “we, the Faculty of Arts and Science have no confidence in John Sexton.” We believe that this vote is unfair to John and harmful to the University. We think that the no confidence vote reflects deep disagreement between John and his critics about what NYU’s future ought to be. Because we believe that it is in the interests of the Law School to support John's vision and leadership, and because it is unfair to John to leave the criticisms unaddressed, we will ask the School of Law Faculty to adopt a vote of confidence in John at its April 3 faculty meeting.

John's goal is to transform NYU, just as he transformed the Law School, from a university of good quality into one of the great universities of the world. In this ambition, he has made enormous progress. In its recently released global rankings, The Times Higher Education Magazine pointed out NYU's impressive rise in the world rankings, from 52nd to 29th in three years. Just this year, we have seen a 12% increase in applications for freshman admission in this year, the sixth straight year of record applications. The College Board reports that NYU is at the very top of “the most-searched-for universities” by prospective American students and foreign students as well. The academic qualifications of entering freshmen during John’s presidency have steadily increased as have the retention and graduation rates. Financial aid has increased tremendously. During John’s presidency, the University successfully completed a $3 billion fundraising campaign, at the time the largest university campaign in American history, essentially $1 million per day. The University’s finances, which were troubled when John took office, have improved dramatically. He and Executive Vice President Jack Lew cut $70 million from the operating budget and eliminated the University’s structural deficit. They successfully “de-merged” the NYU Medical Center from Mt. Sinai.

Under John’s leadership the size of the faculty has substantially increased, particularly in the arts and sciences. Scores of renowned scholars have been recruited to NYU from top U.S. and foreign universities. During John’s presidency, two tenured faculty members have won the Nobel Prize, and a third Nobel Prize winner has been recruited. Three mathematicians have won the Abel Prize, and the first NYU student in many years won a Rhodes Scholarship. NYU opened its first new science building in over 20 years and added a critically-needed engineering college to the University.

John himself has been widely recognized as one of the leading figures in higher education. He holds numerous honorary degrees and the student editors of NYU’s Annual Survey of American Law dedicated Volume 60 to him. In November 2009, Time named John
one of the 10 Best College Presidents, and in March 2010, he was named Chair of the American Council on Education.

Despite this outstanding record, John's critics focus on three separate areas, to which we now turn.

One. Globalization is a crucial component of John’s work at the Law School and the University. The founding of NYU-Abu Dhabi and NYU-Shanghai establish NYU as the first truly global university. Many universities are now seeking to adopt NYU’s global strategy. In 2011, Yale University’s Board of Trustees met at NYU with John to find out how NYU has done that. Extraordinary administrators, faculty and students have been attracted to Abu Dhabi and already to Shanghai. These campuses are creating important research and teaching opportunities for scores of Washington Square faculty. And they promote freedom of study, debate and expression in parts of the world where that has not been the tradition. Moreover, John has greatly improved the quality and oversight of NYU’s study abroad centers so that NYU undergraduates will have first-rate options for studying abroad.

The emergence of NYU as a leading global academic brand will be very beneficial to the Law School. It will help us with the recruitment of students, particularly to our LL.M. programs, and of faculty with strong global interests. Also, strong synergies exist between our own Global Law School program and the University’s globalization efforts and we already are benefiting from these synergies in the planning of our global immersion program.

Two. John’s critics object to NYU 2031 -- the proposal to construct additional buildings on the blocks where Washington Square Village and Silver Towers stand. It seems clear that over the next 20 years the University will need additional space to maintain and improve its academic mission. The pressure for more and better space does not emanate from the University Administration, but from the academic departments and colleges, which submit their space needs to the Provost’s office, where they are carefully vetted by a committee. NYU now has about 85 square feet of academic space per student, compared to Columbia’s 160 square feet per student (and that’s prior to the new Columbia north campus). Bobst Library has 3000 seats whereas 9000 are needed. The Tisch School’s facilities are woefully inadequate. Scientists claim that better labs are needed to properly train students and to recruit and retain top faculty. There is not enough classroom space to accommodate current course needs, much less the courses and students of the next generation.

John’s critics fear that the 20-year expansion plan will severely impair the University’s financial situation. Law School faculty who served during John’s tenure as Dean find it implausible that John would risk the University’s solvency. Moreover, the Board of Trustees, comprised of savvy businessmen and businesswomen, oversees the University’s budget and the expansion plan. The Board and the Administration believe that the expansion will be in line with what the University can afford. We have confidence in that belief. The University estimates that $600 million could be saved by building on land the University already owns -- i.e., the superblock sites south of Washington Square, rather than continuing to rent throughout the neighborhood. We also note the risk that, if the University does not plan and build for the future, the University will not be able to maintain its current excellence or competitive position. We
will lose or be unable to attract scientists, performing artists and others who simply need more and better space. We may lose (or cease to attract) students who will opt for universities with better classrooms, study space, and recreational space. A great University must build for the future. In a sense, John is taking a hit for asserting the interests of the future University’s faculty and students against the comfort of the present residents of Washington Square Village. In any event, no building can commence on the north superblock (Washington Square Village) until at least 2022. The Space Working Group is reviewing the University’s space needs and construction plans. John has said he will consider the recommendations of that committee to be “definitive guidance” as to the extent to which the University utilizes the ‘zoning envelop’ that it has been granted. What appears to be clear, even at this point, is that NYU cannot expand via eminent domain as Columbia is doing in Morningside Heights and Harlem. Indeed, NYU faces very tight zoning restrictions. It cannot build or expand into the West Village or Soho and cannot have classroom space east of Broadway. Expansion at or near the core essentially can only take place around Washington Square and to the north. Leasing and purchasing buildings north of the Square is extremely expensive, even if adequate buildings could be found, which is unlikely. Expanding into Brooklyn is not an option because students who are enrolled at the Square need to get from class to class. There is also a strong feeling that Washington Square should remain the heart and soul of the University.

Three. John’s critics say that he has not honored the faculty role in the governance of the University. The Sexton critics demand "shared governance." The complaint is somewhat vague. The University administration has at no time interfered with academic freedom -- that is, with curricular requirements, with what faculty members say about the subjects they teach, with examinations, with traditional prerogatives of faculty in academic appointments, or the like. Matters that are classically governed by faculty in American universities remain governed by faculty at NYU. What seems to be at issue principally is faculty control over the Global Network University and NYU 2031. In fact, John has been moving steadily and significantly to include the faculty in University decision making. He agreed to the Faculty Senators Council’s proposed standards for faculty participation in governance. He has established faculty committees to review NYU 2031 and the Global Network University, on which Jim Jacobs and José Alvarez, respectively, are our faculty representatives.

Thus, it seems clear that the faculty currently possesses plenary power over academic matters and the power to advise and consult in other areas. But his critics go further and seem to want power to stop the University from engaging in any initiative to which they are opposed. Their specific objective in voting no confidence, aside from forcing John to resign, appears to be to cancel NYU 2031 in its entirety and undo -- or drastically scale back -- the Global Network University, not simply to increase faculty participation in decision making. More broadly, their model of “shared governance” would turn every policy issue into a referendum and prevent the University from responding with agility to the challenging environment in higher education. Furthermore, our experience in the Faculty Senators Council suggests that John’s critics do not appear to appreciate the complex structure of the faculty, the different points of view of faculty in different schools, or the alternative ways in which a body representative of the faculty might be constituted.

Finally, it is important to consider the political style of the leaders of the dump Sexton
movement. They have engaged in ad hominem attacks on the Law School’s faculty senators, the Law School’s dean, the chair of the Faculty Senate Council, the Board of Trustees, and, of course, John Sexton. Their attacks focus extensively on Jack Lew. At the time that Lew was recruited to NYU, he had just completed his service as President Clinton's Director of OMB. He was widely sought after by agencies and businesses in the public and private sector. Apparently, to recruit him, NYU offered a competitive compensation and, when Lew ultimately left the University, the University honored the employment contract. Of course, President Obama later appointed Lew his Chief of Staff and now Secretary of the Treasury, confirming John’s judgment that Lew is an extraordinary budgetary and financial manager.

Like the Law School, which first adopted its housing program over 20 years ago on the initiative of the faculty, and many top tier institutions, the University sometimes makes loans for housing to faculty members (and in a handful of cases to administrators) as part of a recruitment package. Those loans have performed well for the University, yielding a better return over the last several years than returns earned by other endowment investments. Moreover, we note that these compensation and loan features have to be approved by the Board of Trustees. John’s own salary is in line with university presidents at peer institutions.

Some of John’s critics, including those on the University Senate, have attacked other NYU administrators, deans, faculty members, and trustees, as well as John. Their style comes through in one senator’s “reports” on Faculty Senators Council meetings. She called Dean Revesz “incompetent” to serve as director of the new Marron Institute on Cities and the Urban Environment. One report noted that “the Law School guys (i.e., Jacobs and Nelson) . . . spent, apparently, a good deal of time complaining about my Reports of the FSC meeting. . . . No matter. None of this is personal . . . ; this is political: about institutions, procedures, honesty, and integrity. They have little of the latter, so far as I can tell.”

This rhetoric -- impugning motives, competence and integrity -- is destructive in any environment, but especially inappropriate in an academic setting. It can have an especially negative impact on the current situation of NYU, making it more difficult to fundraise, to attract new faculty, and to recruit outstanding students.

Above all, John should be judged for who he is and what he has done. In his thirty plus years at NYU, he has worked tirelessly and creatively to make the Law School and the University better. He has always understood that the faculty is the heart and soul of any academic institution and worked with great success to recruit and nurture an extraordinary faculty. He has never wavered in his affection for and commitment to students. Our experience with John as Dean of the Law School was that he was always willing to talk to faculty members and on many occasions, he modified directions upon faculty input. We applaud him now for taking the advice from faculty about the University’s space needs and about the best ways to pursue globalization. For all the above reasons, we will ask the faculty at its April 3 meeting to adopt the following resolution:

The faculty of the NYU School of Law expresses its support for John Sexton’s vision of NYU as one of the world’s great universities and expresses its continuing confidence, based on the success he has achieved so far, in his leadership.
Dear Colleagues,

Over the past several weeks the Faculty Council has considered an issue that you may have heard about from press reports in which members of the NYU Faculty of Arts and Sciences have decided to hold a vote of no confidence in NYU President John Sexton. Below is brief background and a resolution that was passed by the Faculty Council in response.

At the January 7 meeting, the School of Medicine Faculty Council voted to approve the following resolution:

**In regard to the scheduled Faculty of Arts and Sciences Vote of No Confidence in the NYU President:**

The NYUSoM Faculty Council supports the President of NYU, Dr. John Sexton.

The result of the vote, by secret ballot, was:

28 in favor

9 opposed

In December a group of NYU Arts and Sciences (FAS) faculty members voted to hold a vote of no confidence (VNC) in University President, Dr. John Sexton. The decision was based on grievances raised at informal meetings organized by the “FAS caucus”, a subgroup of FAS Faculty Senators. The result of the vote was 144 in favor and 114 opposed to holding a VNC (out of a total of about 700 eligible voters). The vote is scheduled for mid-March. It is not an official action of a University governing body and thus its consequences are unclear.

As the FAS’s action will likely have repercussions across the University, the School of Medicine (SoM) Faculty Council (FC) felt compelled to consider the matter. The FC debated the above resolution over the course of more than four weeks and at two meetings. The Council heard invited presentations by Drs. Bob Berne, Executive Vice President for Health and Jim Uleman, leader of the FAS caucus and Department of Psychology representative and FC representatives were asked to consult with their constituencies.
Several FC members argued against the resolution on the grounds that the FC should not become involved with a yet unresolved FAS matter. They felt that the SoM resolution might be divisive and some felt that that they needed more time to discuss the matter with their faculty constituents before forming an opinion.

Most FC members supported the resolution. They felt that under Dr. Sexton’s administration the academic standing of the University and the SoM have greatly improved, University and Medical Center finances have been strengthened, important collaborative programs have been developed between the Medical Center and the downtown campus and that Dr. Sexton’s support has been crucial as the Medical Center recovers from the devastation of Superstorm Sandy. FC members acknowledged FAS’s concerns, which are largely related to the proposed expansion of the main campus, the establishment of international campuses and the need for increased faculty input in decision making. FC members felt that while these issues need to be resolved, the VNC would negatively impact the University and in particular, the SoM as it struggles to recover from Sandy.

The SoM FC resolution will be communicated to the SoM Administration, Dr. Sexton and the FAS leadership.

Nathaniel R. Landau, Ph.D.
Faculty Council President
Department of Microbiology

Danil V. Makarov, M.D., M.H.S.
Faculty Council Vice President
Department of Urology

Alexes Hazen, M.D.
Faculty Council Secretary
Department of Plastic Surgery
January 4, 2013

To: Robert Grossman, M.D.
    Robert Berne, Ph.D.

cc: School of Medicine Faculty

From: School of Medicine Department Chairs and Institute Directors

Re: Support of President Sexton

As Chairs and Institute Directors of the NYU School of Medicine and NYU Langone Medical Center we are writing to express our strongest support for President Sexton. We are greatly troubled by the consideration of a Vote of No Confidence that is under discussion by the Faculty of Arts and Sciences (FAS) and believe that such a vote is completely unjustified, especially in light of the unquestionable and remarkable growth in academic stature of the University under Dr. Sexton’s leadership. Furthermore, raising the current discourse to the level of a Vote of No Confidence will have serious consequences to the reputation of the entire university, including the medical school.

The timing of this discussion is particularly harmful as we, at the School of Medicine, recover from the devastation of Sandy and seek to recruit faculty and students to NYU.

We believe that there are more appropriate venues to address concerns of faculty, including existing governance mechanisms such as the University Senate, Faculty Senators Council, and Provost’s Advisory Committee on Academic Priorities, and new mechanisms such as the University Space Priorities Working Group and discussions about the pending National Labor Relations Board decisions.

As Chairs and Institute Directors it is our imperative to state our unequivocal support for President Sexton who has led and continues to lead NYU with distinction to a position of ever-increasing excellence and prominence throughout the world. The opinions expressed by some members of the FAS, most assuredly, do not represent the opinions of the Chairs and Institute Directors of the School of Medicine and NYU Langone Medical Center. The intent of this letter is to indicate our position to other members of the faculty, Deans and the NYU Board of Trustees.

Sincerely,

Steven B. Abramson, MD, Interim Chair, Department of Medicine
Claudio Basilio, MD, Chair, Department of Microbiology
Thomas J. Blanck, MD, PhD, Chair, Department of Anesthesiology
Joan Cangiarella, MD, Interim Chair, Department of Pathology
William L. Carroll, MD, Director, NYU Cancer Institute
Max Costa, PhD, Chair, Department of Environmental Medicine
Bruce Cronstein, MD, Director, Clinical and Translational Science Institute
Jack M. Dodick, MD, Chair, Department of Ophthalmology
Steven Flanagan, MD, Chair, Department of Rehabilitation Medicine; Director Rusk Institute of Rehabilitation Medicine
Silvia C. Formenti, MD, Chair, Department of Radiation Oncology
Steven Galetta, MD, Chair, Department of Neurology
Aubrey C. Galloway, MD, Chair, Department of Cardiothoracic Surgery
Lewis R. Goldfrank, MD, Chair, Department of Emergency Medicine
John G. Golfinos, MD, Chair, Department of Neurosurgery
Marc Gourevitch, MD, MPH, Chair, Department of Population Health
Charles Hirsch, MD, Chair, Department of Forensic Medicine
Judith Hochman, MD, Director, Clinical and Translational Science Institute
David Keefe, MD, Chair, Department of Obstetrics & Gynecology
Hannah Klein, PhD, Chair, Department of Biochemistry & Molecular Pharmacology
Ruth Lehmann, PhD, Director, Skirball Institute of Biomolecular Medicine
Herbert Lepor, MD, Chair, Department of Urology
Catherine Scott Manno, MD, Chair, Department of Pediatrics
Charles Marmar, MD, Chair, Department of Psychiatry
Joseph G. McCarthy, MD, Chair, Department of Plastic Surgery; Director, Institute of Reconstructive Plastic Surgery
Seth J. Orlow, MD, PhD, Chair, Department of Dermatology
H. Leon Pachter, MD, Department of Chair, Surgery
Neil Rambo, Chair, Ehrman Medical Library
Michael Recht, MD, Chair, Department of Radiology
Daniel Rifkin, PhD, Chair, Department of Cell Biology
J. Thomas Roland, Jr, MD, Chair, Department of Otolaryngology
Glenn Saxe, MD, Chair, Department of Child & Adolescent Psychiatry, Child Study Center
Richard Tsien, DPhil, Chair, Physiology and Neuroscience, Director, Neuroscience Institute
Joseph D. Zuckerman, MD, Chair, Department of Orthopaedic Surgery
April 4, 2013

The Board of Overseers of the NYU Stern School of Business hereby expresses its support and full confidence in John Sexton as President of New York University.

The final tally was:
For: 20
Against: 0

The motion was unanimously passed in favor of President John Sexton