



MINUTES OF THE C-FACULTY SENATORS COUNCIL MEETING OF OCTOBER 15, 2020

The New York University Continuing Contract Faculty Senators Council (C-FSC) met at 9:00 AM on Thursday, October 15 via Zoom.

In attendance were Senators Abel-Bey, Barnes, Brar, De Bartolo, de Leon, Gelb, Gershman, Gold-Von Simson, Illingworth, Jahangiri, Killilea, Kim, Latimer, Liston, Maier, Maynor, McCarty, Mitnick, Patterson, Renzi, Tourin, White, Williams, Youngerman, and Yuan; Alternate Senators Birdsall, Davis, Dickey, Ferguson, Kleinert, Malhotra (for de Leon), O'Connor, Owens, Sahin, Spivakovsky, and Stevens; and Guests Fleming and Stehlik.

APPROVAL OF THE AGENDA

Upon a motion duly made and seconded, the meeting agenda was approved unanimously.

APPROVAL OF THE MINUTES

Upon a motion duly made and seconded, the minutes of the September 17, 2020 meeting were approved unanimously.

REPORT FROM THE CHAIRPERSON: ETHAN YOUNGERMAN

See attached Documents A and B.

Chairperson Youngerman added to the Chair's Report that the Senate Executive Committee met on October 14 regarding the Senate Academic Affairs Committee (SAAC) resolution regarding the spring 2021 calendar. The resolution recommends that NYU alter its academic calendar to start classes one week later than currently scheduled and eliminate spring break due to COVID concerns. The resolution will be voted on at the November University Senate meeting.

In response to a Senator's inquiry, Committee member Gershman responded there would be no impact to J-term and the schedule change only apply to the spring term.

Youngerman noted the resolutions passed by the Board of Trustees at the October 7, 2020 and the July 29, 2020 meetings of the Board Executive Committee are included in the packet as Document B.

The Chair's Report was accepted into the minutes.

COMMITTEE REPORTS

See attached Document C.

Discussion/Questions on the following submitted reports:

Educational Policies & Faculty/Student Relations

Committee Chair Illingworth reported that the Committee will have its first meeting on October 16. They intend to begin work on a suggested policy regarding when a class might be declared fully-remote based on student locations/selections.

Faculty Benefits & Housing

Committee Chair Renzi reported annual enrollment for 2021 benefits begins soon, on October 26. He reported there is a zero increase to medical premiums. He noted there will be an upcoming meeting on the rollout of the retirement plan streamlining.

Finance & Policy Planning

Committee Chair Patterson reported the Committee discussed gathering further information on the decision-making process regarding program termination, particularly in the global network.

Governance

Committee Chair Davis stated the two main agenda items for the Committee are: 1) create C-FSC rules as a single document that is not overly restrictive and strikes a careful balance between specificity and flexibility; and 2) adopt secret voting rules to allow for remote, anonymous voting. In response to a Senator's inquiry, Davis noted the voting would apply to Council and Council committee decisions, but the process established could be reviewed for use at the University Senate level, etc.

Personnel Policies & Contract Issues

Committee Chair White reported the Committee will be reviewing the following policies: School of Global Public Health (SGPH) C-faculty policy, Libraries C-faculty policy, and the Steinhardt C-faculty policy. They received the SGPH policy and anticipate receiving the other policies later this semester.

Community Standards

Committee Chair Illingworth reported the Committee will be reviewing the following policies this year: University's Guidelines for Protest and Dissent and the University Student Conduct Policy.

A Senator noted the importance of continued oversight of these policies, particularly with current pandemic required changes.

Reports at Meeting:

Graduate Program Committee

Committee member Sahin stated the first meeting is next Wednesday.

Diversity, Equity, and Inclusion

See attached Document E.

Committee Chair Maynor reported the Committee is reviewing the effect of the Executive Order on anti-racism educational development. She noted the memo sent by the Office of Global Inclusion, Diversity, and Strategic Innovation regarding University Guidance Regarding Recent Presidential Executive Order on Combating Race and Sex Stereotyping. The memo stated that NYU is not pulling back on diversity, equity, inclusion (DEI), anti-racism, anti-sexism, and related efforts.

It was noted due to the Executive Order, the T-FSC DEI Committee is working to revise the language in the previously drafted resolution on Anti-Racism and Racial Bias, co-authored by the ad hoc committee of the T-FSC and C-FSC. The revision will be voted on the November meetings of the T-FSC and C-FSC.

The Committee also asked the Provost to comment on the Washington Square News controversy with the staff resigning. Maynor also reported she will present to the T-FSC next week on the Resolution for NYU to Adopt an Open Access Policy, which was approved by the C-FSC last spring.

There were no additional reports at the meeting.

The reports were accepted into the minutes.

NEW BUSINESS

NYU Paris

PPCI Committee Chair White reported NYU's plans to lay off five faculty members at the Paris site, some of whom having taught there for as long as twelve years.

She stated all have same contract, which can be broken in the following ways: the employee can choose to leave their job, the employer can fire them with cause, or the employer can lay them off for "economic reasons."

NYU Paris is claiming the lay-offs are for "economic reasons" because they are closing the LS first year program.

She noted a lack of transparency in the process.

White suggested the Council make a statement encouraging NYU to consider furloughs or online teaching for these faculty members to avoid layoffs. She screen-shared her proposed resolution.

Senators inquired on the type of contracts of these faculty members. White stated they are considered by French law to be on permanent contracts. A Senator noted this permanency is similar to tenure based on French labor law, which means, they can lose their position due to the closing of a program, as is the case with tenure. She suggested focusing on the need for faculty engagement in the process of closing programs.

SPECIAL PRESENTATION: PROVOST FLEMING

See attached Document D.

Provost Fleming responded to questions circulated by the Council.

Q1 Health: Many faculty who agreed in the summer to teach in-person/blended courses have expressed surprise about various health-related policies that have become clear after they made that commitment (e.g. contact tracing protocols, the 100-cases threshold, etc.). What would you recommend we senators tell individual colleagues who come to us, at any point in this pandemic, feeling unsafe about their in-person teaching?

Fleming clarified NYU is following the New York State threshold for temporary suspension of in-person classes, which is 100 cases or a positive test rate of 5% or greater within a 14-day period. She stated the Washington Square, Brooklyn, and Health schools' campuses are separate segments and only those segments that go beyond this number would need to suspend in-person.

She noted that there is a preference to keep classes in the format they are assigned and not to switch formats during the semester. She stated NYU has not compelled anyone to teach in any given format and all those who requested a modification or an accommodation received that accommodation.

A Senator remarked on the informative communication of the Provost's October 6 email on New York State Positive Case Threshold for Colleges, which detailed how the decision to remain in person was made. Fleming also noted the budget email on October 13 on the impacts of COVID-19 on A/Y 2020-2021 Budget and Operations was an opportunity to communicate detailed information on NYU's ability to maintain financial solvency.

A Senator inquired if faculty could select teaching a portion of their classes in-person, and a portion remote in the spring semester. She noted this might be of interest to faculty who are willing to teach in-person, but wish to minimize their commuting days. Fleming will look into this possibility. She also noted they are looking into the possibility of faculty teaching 2 sections of the same class, one in-person, one remote to avoid the challenges of the blended format.

Q 2 Global: We are concerned about reports (including from the NYU Chapter of the AAUP) of NYU Paris shutting its Liberal Studies program for first-year students and laying off 5 colleagues, some of whom have taught for many years and some of whom appear to be teaching full course loads, just like our Full-Time, Continuing-Contract constituents. Can you tell us more about this situation?

Fleming reported due to economic reasons of the expense of the program, along with the current crisis, the decision was made to close down the program.

Fleming reaffirmed the University's commitment to try to avoid terminations. She noted the French Government does offer programs for assistance, but their furlough program can only be used if there is a plan to resume the Liberal Studies first year abroad program, which the University does not plan to do.

A Senator expressed concern regarding the process of consultation and inquired if Senate Committees such as Financial Affairs or the Global Network University Committee are consulted on decisions regarding program termination.

The Provost noted the many factors involved in these decisions and commented market factors alone do not determine the breadth of academic offerings of the University. She discussed the roles of the administration and the school's autonomy in these processes.

A Senator suggested more transparency in the future would assist the Council in its role representing continuing contract faculty.

A Senator asked for more specifics on why the faculty members can not be offered other options, such as online teaching. Fleming stated she will provide more specific information on the limitations based on French law, their contracts, and other factors.

ADJOURNMENT

The meeting adjourned at 11:00 AM.