MINUTES OF THE C-FACULTY SENATORS COUNCIL MEETING OF OCTOBER 20, 2016

The New York University Continuing Contract Faculty Senators Council (C-FSC) met at 9:00 AM on Thursday, October 20, 2016 in in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Colloquium Room.

In attendance were Senators Borowiec, Carl, Elcott, Gold-Von Simson, Halpin, Herman, Howard-Spink, Jahangiri, Killilea, Kim, Mooney, Morton, Paiz (by phone), Slater, Steeves, Stehlik, Stewart, White, Williams, and Youngerman; Alternate Senators Celik (for Burt, by phone), Cittadino (for Joachim), Funk, Gershman, Lee, Mandracchia (for Ferguson), Renzi, and Sahin.

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES OF THE MEETING HELD SEPTEMBER 13, 2016

Upon a motion duly made and seconded, the minutes of the September 13, 2016 meeting were approved unanimously.

REPORT FROM THE CHAIRPERSON: FRED CARL

See attached Document A: C-FSC Chair Update

The report was accepted into the minutes.

COMMITTEE REPORTS

See attached Document B: Committee Reports

Discussion/Questions on the following submitted reports:

Administration & Technology

A Senator asked a question regarding the status of the Social Media Policy and the Personal Digital Content Policy. The Committee Chair was not in attendance at the meeting and a discussion of these policies will be added to the next meeting’s agenda.

Educational Policies & Student/Faculty Relations: Ben Stewart

A Senator raised questions regarding the Protection of Minors policy.

Senator Stewart clarified this policy relates to special programs on campus and defines minor as a
person under the age of eighteen who is not enrolled in or accepted for enrollment in degree-granting programs at NYU. Students who are dually enrolled in NYU credit-granting courses while also enrolled in elementary, middle, and/or high school are included in this definition.

A Senator asked how this effects faculty who ordinarily teaching in the regular academic terms, and how this effects their ability to teach in the summer session.

The Committee will ask for clarification on this issue.

**University Senate Judicial Board: Susan Stehlik**

A Senator asked if the policies on judiciary procedures apply to the portal campus of Abu Dhabi and Shanghai, and if representatives from Abu Dhabi or Shanghai serve on the Judicial Board.

The Committee will be asked if any members are willing to step down to allow for the appointment of a representative from one of these campuses.

It was noted it is expected that the Committee will be more active than in previous year because of the recent communication of the policy to students and the NYU community.

**Faculty Benefits and Housing: Vincent Renzi**

A Senator asked about the status of the lawsuits regarding retirement funds.

Alternate Senator Renzi noted there is no current update and the issue is still in process.

**Ad Hoc Committee on Tuition Remission and Portable Tuition Benefits: Vincent Renzi**

A Senator commented on the issue of faculty not receiving tuition remission for courses. He noted the current trainings on topics such as diversity, but the tuition remission policy does not provide benefits for faculty who may wish to take courses in this area of study.

Senator Stehlik noted the Finance Committee recommended professional development funds for faculty in their budget proposal.

**Senate Ad Hoc Committee on Work-Life Issues: Diane Mirabito**

A Senator asked about the several surveys being implemented, specifically if these surveys were run through the Office of Institutional Research and if they will be shared with the Senate for review.

Alternate Senator Renzi noted the survey being worked on by the Committee will now be run by the Provost's Office. Institutional research was involved and recommended using fewer questions.

The Senator also asked about the job responsibilities for the new hires in Human Resources (HR) related to work-life issues.

He offered some background on this issue, reporting NYU currently does not have any office related to work-life issues. In the past, there was an Office of Family Care, which was tasked with assisting employees with childcare, school placements, housing, etc. but this office no longer exists. He noted Columbia University has a work-life office with seven full-time employees.

The Committee discussed the issue of flexible benefits, an issue raised at the C-FSC retreat, with HR and they noted there probably can not be much change to what is already offered, which includes healthcare spending accounts, dependent care spending accounts, childcare scholarships, etc. One item that may change in the future is the switch to a single record keeper for retirement funds, which will save money. There is also a long-term discussion about offering less health care options as a way to save money.
Senators suggested including additional areas to the Work-Life Office’s agenda, including elder housing, housing upon retirement, and support for children with special needs.

A Senator asked about 181 Mercer Street and the new faculty apartments. It was the Committee’s understanding that the apartments will go to three schools, all of which have the funds to purchase them. It was noted this could make other housing available.

It was noted the Steering Committee is raising issues of housing with the President’s Office and discussing different models away from the square, such as Brooklyn, and also shorter term housing benefits to allow faculty the chance to transition to New York.

**Personnel Policies and Contract Issues: Brian Mooney**

A Senator requested that the C-FSC discuss with the Provost Office the previous resolution to post the Provost’s responses related to policy reviews. The Steering Committee will add this to their meeting agenda with the Provost.

**Faculty Committee on NYU’s Global Network University**

The Committee met with Matthew Santirocco and Linda Mills and communicated their support for all continuing contract faculty to have all of the opportunities of utilizing the GNU offered to tenured/tenured track faculty members. Santirocco and Mills made it clear that continuing contract faculty will have all of these opportunities.

**Senate Task Force on Diversity and Inclusion: David Elcott**

Senator Elcott noted the discussions of the Committee have related to increased levels of communication, particularly in recognizing the variety of diversity efforts taking place across the University and narrowing down which programs have made the best impact.

*No Discussion/Questions on the following submitted reports:*

- Finance Policy and Planning: Susan Stehlik
- Faculty Committee on NYU’s Global Network University: Sam Howard-Spink
- University Senate Academic Affairs: Ben Stewart
- University Senate SCOG: Larry Slater
- Faculty Advisory Committee on Academic Priorities: Susan Stehlik
- Ad-Hoc Advisory Committee on Sexual Misconduct: Susan Stehlik
- Steering Committee on Affordability: Susan Stehlik

The reports were accepted into the minutes.

**GOVERNANCE COMMITTEE PROPOSAL FOR CREATION OF COMMUNICATIONS COMMITTEE**

The Council approved the proposal to create a standing Communications Committee whose purpose would be to facilitate and coordinate the collection and distribution of relevant information to C-FSC constituents, administration, schools, other committees, and the public when deemed relevant. This should include, but not be limited to, creating succinct summaries of meetings, data from surveys, council decisions, policies, and activities, as well as aiding C-FSC Senators in the dissemination of important information directly to their individual schools.
DISCUSSION OF “CHIEF DIVERSITY OFFICER” POSITION

Tracey Gardner, Deputy Chief of Staff, President Hamilton’s Office, and Co-Chair, Chief Diversity Officer Search Committee presented on the Chief Diversity Officer Position.
Gardner mentioned the November 18, 2015 Listening Session at which many NYU students spoke about their experiences at NYU. One of the first actions in response to that listening session was the creation of the Equity, Diversity, and Inclusion Task Force, which will be active at least through April 2017 in its current iteration. One of the first recommendations of the task force was that NYU create a senior level position who will have overall responsibility and accountability for coordinating efforts across the university as they relate to equity, diversity, and inclusion.

The search committee includes sixteen faculty members, including members from NYU Abu Dhabi and Shanghai, a dean, students, and administrators. In addition, there is a member from Global Programs who is able to coordinate all of the global sites to ensure a rich and nuanced sense of what equity, diversity, and inclusion means at the various locations and how this role can work with the locations.

The search firm Isaacson Miller, which is the search firm that handled the President and Provost search, has been hired. She noted in addition to the firm’s reputation in the higher education field, they are also well respected in Chief Diversity Officer searches.

Gardner announced a list of listening sessions, which includes sessions at the Square, Tandon, Abu Dhabi, Shanghai, and each of the global sites. The information gathered will inform the formal job scope document that the search committee will produce and circulate with this group.

Gardner noted the term Chief Diversity Officer title may not be the proper title for this role so it is only serving as a placeholder until the final title is determined.

She noted, in addition to the listening sessions, the committee is hoping that people will send in nominations, suggestions, questions, etc.

Gardner stated there are many institutions that have some form of this role and over the last year or so, there have been many more universities, colleges, and other institutions that are seeking to hire this type of role. She noted it is a competitive landscape, but the committee feels confident they will get strong candidates both internally and externally.

Senators suggested that candidates have some experience in the classroom, noting the importance of understanding this environment and the types of macroaggressions and grievances that may be voiced.

A Senator asked about the placement of this role in NYU’s organizational structure. Through the listening sessions, the Committee is hoping to gather ideas on the staffing and the types of reporting relationships this person should have.

A Senator brought up the questions of whether the position is on an administrative reporting line or if the position would have a relationship with the academic project of the university. He suggested perhaps the role not be a permanent position but a rotating one.

A Senator noted because NYU is so large, it would be difficult for this position to have great influence on all the colleges and various constituents of NYU unless they had partners in each school. She suggested in the reporting mechanism there be an individual partner embedded within each school.

Senators noted the importance of the candidates having an awareness of the global context.

Senators discussed their concerns with the format of the listening sessions, noting the sessions need to include a broader, open discussion of the state of the university and what this position actually means for the University.

Senators were encouraged to send additional thoughts, comments, and questions to the Committee.
PRESENTATION FROM BIAS RESPONSE LINE TEAM

Mary Signor, OEO Executive Director & Title IX Coordinator presented on the Bias Response Line.

Signor stated the Office of Equal Opportunity was created in October 2009. Her role when she joined the university was to help centralize reporting complaints of discrimination and harassment across the university.

At the Listening Session in November 2015, student expressed they did not know who to contact regarding concerns of inappropriate comments, innuendos, etc. The Bias Response Line was created as a way to report issues of discrimination and also discriminations of bias. The Office of Equal Opportunity has been charged with overseeing this initiative so they can review each of the concerns when they are reported and be able to make the distinction whether it is a bias comment or potentially a hate crime.

The line launched in April 2016, then relaunched in September 2016 as the Bias Response Line. The name Bias Response Line came out of researching other universities across the country.

The Office of Equal Opportunity has responsibility for monitoring two key policies on campus: the non-discrimination and anti-harassment policy as well as the sexual misconduct, relationship violence, and stalking policy. The Office ensures compliance under the federal, state, and city laws, and is the unit responsible for receiving these reports and concerns. The Office also does workshops across the university on discrimination, cultural sensitivity, and diversity and inclusion.

The Office also worked with IT to develop a tracking system, which is a customized database that will gather information, identity status, and assist in tracking all reports.

Signor noted OEO is not a punitive office but serves as a neutral fact-finder. OEO gathers the information, and if the incident is found to be a violation of anti-discrimination or anti-harassment policy it is referred to the appropriate place: Provost, school, or business unit.

She noted everyone can utilize the BRL: faculty, staff, administrators, students, vendors. There are three ways to report: phone at 212-998-2277, email at bias.response@nyu.edu, and the online form at nyu.edu/bias response.

She noted the BRL it is not emergency line and is not staffed 24 hours a day, however there is a live person on the line from 9am to 8pm and emails will be responded to within the next 24 business hours.

When created in 2009 to centralize all of these complaints, the Office did an outreach to all schools and identified individuals to serve as contact partners. If an incident is reported that does not require an investigation by OEO it will be referred to the appropriate contact partner.

She noted the BRL team is meeting with various groups to gather feedback. She also stressed the BRL and the OEO, are a resource for faculty.

A Senator asked about ways to assist students in approaching their professors regarding incidents. Signor noted there have been examples where a student contacted her Office to talk through ways to approach a situation. Additionally, she noted there has been collaboration with her office and schools in terms of what type of workshop or session an individual school can provide to its students.

A Senator asked about the number of reports to the Bias Response Line. Signor responded since the soft launch in April 2016, 26 concerns have been reported, 15 since September 2016. Of the 26 concerns, 20 were from students, 4 from faculty members, and 2 from graduate alumni.
A Senator asked what oversight there is to ensure NYU is learning from best practices. He noted concerns from contract faculty members that complaints against them may result in contracts not being renewed. He asked if there is guidance from other institutions.

Signor noted her Office is addressing these concerns with the Office of General Counsel and looking into best practices used across the nation. She noted faculty members have the opportunity to respond to complaints and noted if an incident is not found to be in violation of a policy, it is not incorporated into one’s personnel file.

She noted the project is in the pilot phase and they are looking at various best practices. She offered the example of the School of Law, which has a diversity working group that developed a three-page document about creating an inclusive classroom.

A Senator expressed concern regarding sending issues via email. Signor noted that students tend to prefer email, but she usually follows up with a phone call. The Senator also asked about her office’s role in clarifying policy. Signor responded when it comes to the non-discrimination and anti-harassment policy, if her office is doing an investigation under the non-discrimination policy, and they find a violation of the policy, then it is referred to HR if it’s a staff or administrator. If it is a faculty member, found in violation of the policy, it is referred to the Provost’s Office.

A Senator asked about social media groups and potential disparaging comments. She noted these issues would be directed to the Office of Student Conduct and Community Standards.

A Senator asked if her office offers guidance, advice, or policies to deans and other administrators in schools when dealing with a faculty member who has been reported for instance of bias from the Bias Response Line, and if they would be open to creating a set of recommendations and policies to give to deans. Signor responded they would be open to this idea.

A Senator asked about the distinction between anonymity, privacy, and confidentiality. Signor noted university members can contact the BRL anonymously, but she encourages people who have a serious complaint to go on the record.

**ADJOURNMENT**

The meeting adjourned at 11:00 AM.
1. **C-FSC Committees**

   Some committees have met and elected committee chairs. All committees are encouraged to elect chairs/co-chairs and email those names to Karyn as soon as possible.

2. **Steering Committee Vice-Chair**

   For those of you who are not aware, Mary Killilea is the Vice-Chair of the Steering Committee.

3. **Meetings with President Hamilton and Provost Fleming and the Steering Committee**

   The Steering Committee has scheduled at least 3 meeting each semester with both President Andy Hamilton and Provost Katie Fleming. The first meeting with President Hamilton was on Wednesday, October 4, 2016, and the first meeting with Provost Katie Fleming is on Thursday, October 27, 2016.

4. **Chief Diversity Officer Search Committee**

   You should have all received notification about the three listening sessions for faculty regarding the search for the “Chief Diversity Officer” (I put that in quotes because there is discussion about further refining the name of the position). The dates and times are:

   - Friday, October 14—2:00-3:30
   - Friday, October 21, 2016, 9:30-11:00—Global Center, Rm 461
   - Monday, October 24, 2016, 1:00-2:39—location TBA

   As you will see, we have scheduled time on the Agenda for our Thursday, October 20, 2016 meeting to discuss expectations and best outcomes for this position; we will be joined by Tracey Gardner, Deputy Chief of Staff, President’s Office, and Co-Chair, Chief Diversity Officer Search Committee.

   As an Addendum to this Report, please see two documents:
1) A description of the CDO Search Committee, the complete list of listening sessions, some questions to consider for discussion, and the email address to send in thoughts and/or candidates to consider; and

2) A Candidate Suggestion Form.

5. Presentation by Bias Response Line Team

As you will see on the Agenda, we have scheduled time for a 30/45-minute presentation from the Bias Response Line team to answer questions that faculty may have regarding the policies and procedures associated with the newly instituted Bias Response Line, created in response to the demands of the students following last November’s Town Hall discussion on Equity and Inclusion.

6. C-FSC Meeting Participation

The Steering Committee would like to encourage all C-FSC members, Senators and Alternate Senators, to attend and participate in C-FSC meetings and committees. Our Rules of Procedure stipulate that only Senators may vote on any action items (Alternate Senators vote when their corresponding Senator is unable to attend). It should be kept in mind that votes on Action Items comprise a relatively small part of our meetings. The bulk of our meetings consist of in-depth discussions of items of importance to continuing contract faculty by all members of the C-FSC, Senators and Alternate Senators included, and all committees and discussions rely on participation by the full Council.

Thank you!
From: Joint NYU Senate Councils’ Policy Committee  
AMC: Norma Kenigsberg (and ITS)  
C-FSC: Janie Skye Bianco, Jung (Ted) Kim, Vicky Steeves, Antonius Oktaviano Wiradjaja (NYUSH)  
T-FSC: Kwame Anthony Appiah, Carol Shoshkes Reiss (chair), Arun Sundararajan (co-chair), Amanda Watson, Brad Westlake (NYUSH), Thomas Wisniewski  
Deans: Carol Mandel  
Public Safety: Rebecca Holland  
ITS: Kitty Bridges  
Student Affairs Office: Craig Jolley  
General Council’s Office: Mark Righter  

To: Elected Members of AMC, C-FSC, T-FSC, and Deans’ Council  

Date: 10/6/16  

You may recall discussion and consideration over the past few years regarding the Personal Digital Content Policy (“PDC Policy”). The PDC policy is intended to: a) further buttress NYU’s existing strong protections in this area, and b) to ensure that NYU's policies and practices are consistent with national best practices.  

You may further recall that the AMC, C-FSC and T-FSC approved the PDC Policy in 2015. It then went for consideration and approval by the Deans and Provosts Group. That group raised several issues where it requested additional clarifications, namely regarding the manner in which notice would be given when information is accessed, and requesting that the decision to access PDC would not be made by a single individual. Based on these requests, our PDC Policy committee worked with committee member Arthur Miller, who also happens to be an international scholar in the area of privacy rights. The attached revised draft, which Professor Miller assisted in preparing, has also been approved by Dean Trevor Morrison, who raised some of the issues for clarification.  

Accordingly, the amended policy must now be approved by the AMC, C-FSC, T-FSC, and Deans’ council. We have attached the PDC for your consideration.
New York University
UNIVERSITY POLICIES

Title: University Access to Personal Digital Content
Effective Date: October 3, 2016
Supersedes: New Policy
Date of Latest Revision: N/A
Issuing Authority: Executive Vice President, Finance and Information Technology
Responsible Officer: Vice President, Information Technology and Chief Information Officer

Policy

It is the policy of New York University, including its Schools and other units, Global Network University sites, and all University Affiliates (together “NYU”), that NYU limits the circumstances under which NYU will access, disseminate, and use Personal Digital Content, or “PDC” (as defined in this policy) of NYU faculty, students, and staff, and that NYU be transparent about those circumstances and its related procedures.

NYU recognizes that as faculty, students, and staff increasingly create, receive, use, transmit, and store information in digital form — as opposed to traditional media (e.g., print materials, file cabinets) — there is growing concern that such information may be more vulnerable to unintended or inappropriate use. At the same time, NYU appreciates and affirms that NYU faculty, students, and staff have an expectation of privacy. Such privacy is a necessary part of fulfilling NYU’s commitment to academic freedom (as set forth in the Faculty Handbook), and its commitment to respect in its relationships with faculty, students, and staff (as set forth in the New York University Code of Ethical Conduct).

Purpose of this Policy

The purpose of this policy is to establish internal standards and procedures governing NYU’s access to, and dissemination and use of, PDC to achieve the above-stated policy objectives. This policy is grounded on six important principles:

- Access to, and dissemination and use of, PDC of NYU faculty, students, and staff will be authorized only by the PDC Access Panel, and access will be conducted pursuant to NYU’s Policy on Requests to Information Technology (NYU IT) to Support Investigations.
- Access to, and dissemination and use of, PDC of NYU faculty, students, and staff will occur only for a legitimate NYU purpose, as set forth in this policy.
- Except as provided in this policy notice pursuant to the Notice section of this policy will be given to affected NYU faculty, students, and/or staff when their PDC will be, or has been, accessed.
- Access to, and dissemination and use of, PDC of NYU faculty, students, and staff will be limited in scope to the information needed to accomplish the purpose.
NYU will maintain sufficient records to enable appropriate review of compliance with this policy.

Access to, and dissemination and use of, PDC will be subject to ongoing, independent oversight by an NYU Committee that will issue regular reports to the University Senate.

This policy does not create rights in any individual or entity to seek legal redress for action inconsistent with the policy.

Scope of this Policy

This policy affords protections to faculty, students, and staff of NYU with respect to their Personal Digital Content and sets forth NYU’s commitment and processes to effectuate those protections.

Procedures for Implementation

Background

NYU faculty, students, and staff rely on technology in multiple aspects of their work, teaching, research, study, and other activities. In doing so, they often use electronic systems, networks, and devices that NYU owns, provides, or administers. These NYU Systems assist NYU in carrying out certain activities. As used in this policy, “NYU Systems” means all information technology services, networks, and devices owned, provided, or administered by any unit of NYU. Services include, but are not limited to, email services, internet access, file servers, voice message servers, hardware and cloud-based storage devices and/or services, laptop, tablet, desktop, and other computers, phones or other mobile devices, and other outsourced information technology services (e.g., Google NYU Mail or Google Apps for Education).

This policy provides protections to NYU faculty, students, and staff with respect to their “Personal Digital Content” or “PDC,” which means the following content and its associated metadata to the extent stored in files and/or accounts on, or transmitted through, NYU Systems and that are associated with a specific NYU faculty member, student, or staff member:

(a) digital documents and communications of NYU faculty, students, and staff, such as emails, voice mails, text messages, audio and video files;
(b) internet search records and internet sites visited for specific NYU faculty, students, or staff;
(c) manuscripts and other similar works of authorship by NYU faculty, students, or staff that are not publicly available; and
(d) other scholarly content of NYU faculty, students, and staff that comprises “Traditional Works of Scholarship” under NYU’s Statement of Policy on Intellectual Property, except to the extent such works also qualify as “Instructional Media” under that policy.

Examples of content that are not included within the definition of PDC include: (a) logs or records of access, including video files, to NYU facilities or equipment; (b) “Research Data” as defined in NYU’s Policy on Retention of and Access to Research Data; (c) personal information needed for management of NYU records, such as financial, human resource, and student information system records; and (d) routine uses of NYU instructional management systems (e.g., the statistics section of NYU Classes). If members of the University community have a question about whether specific
data is included within the definition of PDC, they should consult with their Dean or Director who, together with the Responsible Officer for this policy, will provide guidance.

**Reasons for Access**

NYU does not routinely monitor the PDC of a specific NYU faculty member, student, or staff member. NYU may obtain access to such PDC in some circumstances, but only for a legitimate institutional purpose, as set forth in this policy. The paragraphs below describe certain purposes for which NYU may access such information. While this list is expected to cover most instances of access, the list is not intended to be exhaustive. NYU may access the PDC of NYU faculty, students, and staff for other comparable reasons that advance a legitimate institutional purpose, as determined pursuant to this policy, and subject to review by the Oversight Committee as described below. In evaluating the institutional purpose, the PDC Access Panel will in each case weigh not only the stated reasons for access but also the possible effect of access on NYU values such as academic freedom and internal trust and confidence.

A. **System Protection, Maintenance, and Management**

NYU Systems require ongoing management, maintenance and inspection to ensure that they are operating properly; to implement new systems; to protect against threats such as attacks, malware, and viruses; and to protect the integrity and security of information. For example, system logs, also known as log files, are created during system operation and contain information about system events that are needed for specific business reasons or to satisfy legal requirements. Business reasons include, but are not limited to, deploying new software, troubleshooting, system testing, collecting metrics on system performance and usage, billing, documentation, electronic discovery, and forensic investigation. No routine network scans of faculty, students, or staff are done that examine content.

B. **Business Continuity**

NYU may access PDC of NYU faculty, students, and staff for the limited purpose of ensuring continuity in its business operations where the information in question is material to conducting business operations, and where it is reasonably determined that there is no better practicable alternative under the circumstances. This need can arise, for example, if an employee who typically has access to the files or business information in question is unavailable for the time period when the files or information is needed. The term “business continuity” includes University business and administrative data and files, but does not include teaching materials, scholarly works, or other similar academic information.

C. **Safety Matters**

NYU may access PDC of NYU faculty, students, and staff to deal with exigent situations presenting a threat to campus safety or the life, health, or safety of any person.

D. **Legal and Regulatory Process and Litigation**

NYU may access PDC of NYU faculty, students, and staff in connection with pending litigation or a bona fide threat of litigation (as determined by the Office of General Counsel), and to respond to subpoenas and similar lawful requests for information in relevant law enforcement investigations, other government investigations and regulatory processes, and legal and regulatory processes, and as otherwise required by law.
E. Internal Investigations and Audits

NYU may access PDC of NYU faculty, students, and staff: a) in connection with investigations under, and consistent with the requirements of, any applicable NYU policies (such as, for example, claims of discrimination, harassment, sexual misconduct, research misconduct, financial misconduct); b) for purposes of internal audits and audits by NYU’s public accounting firm; and c) in connection with claims relating to public safety, including allegations of criminal conduct, and other circumstances as outlined in policies such as Electronic Communications and Social Media, Missing Student Notification, Appropriate Use of Email at New York University, and Terms of Use for NYU Google Apps for Education. Access may be authorized only when the PDC Access Panel has determined that the investigation advances a legitimate institutional purpose and that there is a sufficient basis for it.

Authorization of Access

Access to PDC of NYU faculty, students, and staff must be authorized by a three-person standing University panel (“PDC Access Panel”) comprising the VP/CIO or his/her designee, a representative of the Office of General Counsel, and the Provost or his/her designee. The PDC Access Panel will develop and approve protocols for approvals. Once authorized by the PDC Access Panel, the VP/CIO or his/her designee will undertake access in accordance with NYU’s Policy on Requests to NYU Information Technology (NYU IT) to Support Investigations.

Any authorization of access by the PDC Access Panel will apply only to the particular situation and specific NYU faculty, students, and/or staff. Any other situation must be separately authorized.

No independent authorization is required for information technology personnel to conduct routine system protection, maintenance, or management in accord with internal protocols and processes. Likewise, requests for access in connection with litigation, legal and regulatory processes, or requirements, or law enforcement investigations, or to preserve PDC for possible subsequent access in accordance with this policy, need no independent authorization if made by the Office of General Counsel.

In exigent situations involving a threat to campus safety or the life, health, or safety of any person where there is no other governing policy, access may be authorized by the Office of General Counsel. If emergency conditions do not allow for prior authorization, the matter will be reported to the Office of General Counsel as promptly as possible.

Notice of Access

When NYU intends to access PDC of current NYU faculty, staff, and students, and except as otherwise provided in this policy, all reasonable efforts will be made to give notice to the affected community member(s) at or before the time of access or, where it is deemed necessary by the PDC Access Panel (e.g., to preserve the integrity of the PDC) as soon thereafter as reasonably possible, and consistent with any applicable laws and university policies. Notice will be provided by the VP/CIO and will ordinarily include a summary of the actions taken (including date and time of access), and the reasons the action was taken. However, the timing, content and scope of notice are often dependent upon unique circumstances, and the PDC Access Panel will establish for the VP/CIO any specific requirements for notice in each situation for which access has been authorized consistent with this policy.
The following are examples of situations where notice is not required:

A. System protection, maintenance, and management — Individual notice is not required for ordinary system protection, maintenance, or management as described in this policy. Notice should be given if the access relates specifically to the activity of an individual faculty member, student, or staff member, unless troubleshooting the individual user’s problem with a system based on a report from the user.

B. Business continuity — Individual notice prior to access normally is not required for access to PDC for purposes of business continuity, in accordance with this policy and established NYU practice, and the common understanding is that individual notice prior to access in such cases typically is not practicable.

C. Legal restrictions — Individual notice is not required where NYU is subject to legal constraints, or with requests by law enforcement or regulators, or similar constraints on NYU’s ability to give notice.

D. Emergencies and other extraordinary cases — Contemporaneous individual notice is not required in cases where there is insufficient time, where giving notice could otherwise interfere with an effective response to an emergency or other compelling need (e.g., at a stage of an internal investigation where giving notice could compromise the investigation, or in exigent situations presenting a threat to campus safety, or the life, health, or safety of any person), or where it is impracticable. The decision not to give contemporaneous notice to an NYU faculty member, student or staff member must be made by the PDC Access Panel. In such cases, notice will ordinarily be given as soon as practical.

E. Policy Restrictions – Notice is not required where providing such notice would be in violation of any other applicable University policies

The PDC Access Panel may decide not to give notice. Any such decision, and the grounds for overcoming the presumption set forth in this policy, will be documented, and available for review by the Oversight Committee, as set forth in this policy.

Scope of Access

NYU will adopt reasonable steps, whenever practicable, to limit access, dissemination, and use of PDC of NYU faculty, students, and staff obtained under this policy to the content that is related to NYU’s documented purpose in obtaining access. These steps will vary depending on the circumstances of the search. Participation in the search, and access to, and dissemination and use of, the PDC in question should be limited to those personnel with a reasonable need to be involved.

Records of Process

The PDC Access Panel will ensure that reasonable records of the process are preserved, including who requested the access, the purpose for which the access was requested, who undertook any investigation, the process undertaken, and any decision reached. The PDC Access Panel will also ensure that any person involved in accessing PDC signs an acknowledgement that all such PDC will be held in strict confidence in accordance with this policy.
In all instances of access under this policy, records should be maintained that are adequate to permit effective review as described in the Oversight Committee section of this policy. Records will be maintained for a period of time that is consistent with all legal obligations and with custom and practice.

Compliance with Laws

There are numerous international, federal and state laws related to data privacy, data security, and data transfer. This policy should be understood in light of those laws, including the Family Educational Rights and Privacy Act of 1974, the Electronic Communications Decency Act of 1986, the Healthcare Insurance Portability and Accountability Act of 1996, and implementing regulations.

Oversight Committee

This policy, its implementation and protocols, and instances of access under this policy will be subject to review by an Oversight Committee to be constituted by the Provost annually, which will include representatives (or their designees) from each council of the University Senate and appropriate senior administrators. The Oversight Committee will be provided at least annually with a report by NYU IT that categorizes the number of incidents where PDC of NYU faculty, students, and staff was accessed, and for each incident, the date of access, position of the individual(s) whose data was accessed (i.e., faculty, student, staff), the academic or administrative unit that requested access, the purpose for the access, whether there was notice provided, and whether such access, dissemination and use was in compliance with this policy and with NYU’s Policy on Requests to Information Technology Services (NYU IT) to Support Investigations. The report will not contain any actual PDC, and will not directly or indirectly identify individuals whose PDC was accessed. The Oversight Committee will meet at least annually to discuss the report and may make recommendations to the Provost as to the processes set forth in this policy and possible amendments to the policy. The Oversight Committee will also make periodic reports to the University Senate on the implementation of this policy.

Policy Definitions

“Personal Digital Content” or “PDC” means the following content, and its associated metadata, to the extent stored in files and/or accounts on, or transmitted through, NYU Systems and that are associated with a specific NYU faculty member, student, or staff member:

(a) digital documents and communications of NYU faculty, students, and staff, such as emails, voice mails, text messages, audio and video files;
(b) internet search records and internet sites visited for specific NYU faculty, students, or staff;
(c) manuscripts and other similar works of authorship by NYU faculty, students, or staff that are not publicly available; and
(d) other scholarly content of NYU faculty, students, and staff that comprises “Traditional Works of Scholarship” under NYU’s Statement of Policy on Intellectual Property, except to the extent such works also qualify as “Instructional Media” under that policy.

“NYU” means Schools and other units of NYU, NYU’s Global Network University sites, and all University Affiliates.
“NYU Systems” means all information technology services, networks, and devices owned, provided, or administered by any unit of NYU. Services include, but are not limited to email services, internet access, file servers, voice message servers, hardware and cloud-based storage devices and/or services, laptop, tablet, desktop, and other computers, phones or other mobile devices, and other outsourced information technology services (e.g., Google NYU Mail or Google Apps for Education).

“School” means each NYU school, college, and institute that functions similarly to a school or college (e.g., IFA, ISAW, Courant, and CUSP), each NYU portal campus (e.g., New York and Abu Dhabi), and may include for purposes of this policy other global sites as designated by the Provost.

“University Affiliates” consist of those entities controlled, directly or indirectly, by the University through (a) ownership of more than 50% of the ownership interests in the entity or (b) the power to appoint or elect a majority of the organization’s governing body (e.g., directors or trustees).

Related NYU Policies

- [Appropriate Use of Email at New York University](https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/appropriate-use-of-e-mail-at-new-york-university.html)
- [Data Classification at NYU](https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/data-classification.html)
- Electronic Communications and Social Media Policy
- Family Educational Rights and Privacy Act (FERPA)
- HIPAA Policies [https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/hipaa-policies.html]
- [Missing Student Notification Policy](https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/missing-student-notification-policy.html)
- [NYU Code of Ethical Conduct](https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/code-of-ethical-conduct.html)
- [Policy on Requests to Information Technology (NYU IT) to Support Investigations](https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/requests-to-its-support-investigation.html)
- [Policy on Retention of and Access to Research Data](https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/retention-of-and-access-to-research-data.html)
- Terms of Use for NYU Google Apps for Education. [https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/google-tou.html]
Report of the C-FSC Educational Policies and Faculty/Student Relations Committee

Committee members: Spiros Frangos, Neal Herman, Brian Mooney, Debi Smith, Ben Stewart (Chair).

- The committee last met on Tuesday, October 11th.

- We discussed the Policy for the Protection of Minors (attached). Our assessment is that this is a well-written, generally well-thought-out policy. The policy establishes guidelines (which involve training) for members of the University community who take part in programs that involve minors.

  The one issue we have some concern about is academic freedom. There is an item in the policy that covers this issue (on page 5, item A-4):

  A: Authorized Adults must not:

  4. Engage in conversations regarding romantic, sexual or related matters etc. . . unless in the role of a provider of healthcare or counseling, or faculty academically addressing materials of a sexual nature as part of a course, training, or classroom experience;

  We propose adding a more explicit statement, which could come in one of two places, either in a parenthesis at the end of that clause:

  course, training, or classroom experience (i.e. this policy does not supersede academic freedom);

  Or, at the end of the “Scope of this Policy” section, a similar statement:

  This policy does not supersede academic freedom.

- Finally, we have a draft of recommendations for working with student evaluations in the evaluation of teachers; we hope to circulate a version of this draft before our next meeting on 11/17.

Respectfully submitted, Ben Stewart
UNIVERSITY POLICIES

Title: Protection of Minors
Effective Date: September 1, 2016
Supersedes: Not Applicable
Issuing Authority: Provost, Executive Vice President for Finance and Information Technology
Responsible Officers: Vice Provost; Vice President Human Resources

Policy

New York University ("NYU" or "University") is a not-for-profit institution dedicated to teaching, learning and research. Consistent with those objectives, NYU and its students, faculty and staff participate in a variety of programs and activities to engage Minors under the age of 18 who are not enrolled in or admitted to NYU's degree-granting programs. NYU encourages members of its Community to participate in such programs and activities to introduce Minors to the higher education environment and to specific areas of knowledge.

NYU is committed to protecting the safety and well-being of Minors who participate in programs and activities held at, sponsored by, or otherwise associated with NYU. The participation of Minors in Affiliated Activities or Programs requires an increased level of attention and supervision, as well as an expectation that members of the University Community will conduct themselves appropriately in the presence of Minors in Affiliated Activities or Programs that take place on or off-campus.

Purpose of this Policy

The purpose of this policy is to establish guidelines and procedures for members of the University Community who take part in Affiliated Activities or Programs that involve Minors who are not enrolled in or admitted to the NYU's degree-granting programs with the goal of promoting the safety and well-being of those Minors. These include but are not limited to formal teaching programs, individual educational presentations, mentoring, volunteering, and recreational activities.

Scope of this Policy

This policy applies to NYU employees, including faculty, professional staff, and administrators ("Employees"); students ("Students"); and consultants, contractors, and vendors performing activities or providing services at or under the auspices of NYU ("Third Parties") participating in programs and activities on or off-campus involving Minors, whether such programs or activities are limited to daily activities or involve housing of Minors in residence halls. Global

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1 Definitions of capitalized terms may be found at the end of this policy.
2 For purposes of this policy, “participating” means working in or volunteering on a Covered Program.
sites and campuses including NYU Abu Dhabi and NYU Shanghai are required to follow the Procedures for Implementation, unless contrary to applicable local law. The NYU Medical Center, which includes the NYU School of Medicine maintains its own procedures relating to employee interactions with minors, and therefore, is not covered under this policy.

Covered Programs include, but are not limited to: formalized courses of study; academic camps; mentoring activities; academic enrichment programs; internships or other activities in laboratories; athletics activities; and recreational programs.

Covered Programs do not include public events and other activities at or sponsored by NYU at which parents or other guardians are expected to provide supervision of Minors in their care, or in which Minors are patients and are expected to be accompanied by their parents or other guardians. Supervision of minors who are University research subjects is addressed in the policies and procedures of NYU’s Institutional Review Board, known as the University Committee on Activities Involving Human Subjects (UCAIHS).

All members of the University Community who participate in Covered Programs are responsible for understanding and complying with this policy and related procedures.

**Info for Members of the NYU Community Regarding Non-NYU Affiliated Programs**

Non-NYU organizations and entities that operate programs or activities involving Minors at NYU or in NYU Facilities must be aware of, and comply with, this policy. Members of the University Community who participate in programs or activities involving Minors run by non-NYU organizations or entities at non-NYU locations should familiarize themselves with, and follow, the policies of those organizations regarding interactions with Minors. It is the responsibility of program organizers to notify Third Parties of this Policy and ensure their compliance with the Policy.

**Procedures for Implementation**

**Registration**

Sponsoring Departments or Units that wish to offer an Affiliated Activity or Programs involving Minors, offer housing to Minors participating in a program, or host a non-University program for Minors in University Facilities are required to register the program or activity with the Office of Youth Program Compliance pursuant to the established deadlines included under Registration Deadlines.

Registration will include providing the following information:

1. A description of the program or activity, including the location or locations at which it will be held;
2. Dates on which the program or activity will occur;
3. Name, title and contact information for the sponsor of the program activity;
4. Approximate number and age range of the Minors who will participate in the program or activity; and
5. Information regarding Authorized Adults who will participate in the program or activity.
6. Information regarding the participating Minors, such as emergency contacts, as deemed necessary and appropriate by the Designated Office.

Registration Deadlines
Registration for Covered Programs that do not involve Overnight Stays for Minors in NYU residence halls should be submitted no later than one month prior to the date when the program or activity would begin.

Registration for Covered Programs that involve Overnight Stays for Minors in NYU residence halls should be submitted no later than two months prior to the date when the program or activity would begin to allow sufficient time for Authorized Adults to complete required training. (See Training section, below).

Registration for Covered Programs involving Minors using University laboratories or equipment should be submitted no later than two months prior to the date when the program or activity would begin to allow sufficient time for the Authorized Adult(s) to complete required training, and for the Minors to schedule and complete required safety training. (See Training section, below).

Conditional Appointments
For certain categories of Covered Programs and/or certain roles within Covered Programs, NYU employees who wish to participate in programs involving Minors will receive a conditional letter of appointment requiring the submission and verification of additional information regarding the applicant prior to final appointment to participate in a Covered Program.

Reporting Abuse or Neglect of Minors
Any member of the University Community participating in Covered Programs, or any other programs or activities in NYU Facilities involving Minors, who knows, suspects, or receives information indicating that a Minor in such program or activity has been abused or neglected, including suspected sexual abuse, must contact the NYU Student Health Center Wellness Exchange at 212-443-9999. However, if the Minor is in immediate danger or requires emergency assistance, the Community member should call 911.

NYU employees who are required by New York State law to report suspected child abuse and maltreatment to the New York State Office of Child and Family Services (“OCFS”) Hotline, called “mandated reporters,” include physicians, psychiatrists, dentists, registered nurses, licensed creative arts therapists, social workers, and mental health professionals, among others. Mandated reporters in the University Community who have called OCFS regarding a Minor participating in a program at NYU should also contact the Student Health Center Wellness Exchange.
Where the suspected or reported abuse is sexual in nature, the University Community member may also be required to report the incident to NYU’s Title IX Coordinator at 212-998-2352. Please see NYU’s Sexual Misconduct, Relationship Violence and Stalking Policy for more information.

Where consistent with applicable confidentiality obligations, the NYU Student Health Center, Public Safety and/or NYU’s Title IX Coordinator should immediately alert the Office of Youth Program Compliance if a complaint related to a Minor covered under this Policy has been made.

Training

Members of the University Community participating in Covered Programs must complete a University-wide online training course prior to participating in activities with Minors. There are three types of Minors on Campus Staff training; the type of training that must be completed depends on the member’s role in a Covered Program.

1. Minors on Campus Online Training: All NYU faculty, staff, students, and volunteers who will be participating in a Covered Program must complete the online training. Members must successfully complete this training each year that they participate in the Covered Program in order to be an Authorized Adult in a Covered Program.

2. Minors on Campus Classroom Training: Any member of the University Community who will engage in One-on-One Contact with Minors in a Covered Program, including program directors, program assistants, residence hall staff, tutors and faculty, must complete a live course presented by the Office of Youth Program Compliance prior to the start date of the Covered Program.

3. Laboratory Safety: NYU requires that all members of the University Community must complete the laboratory safety training curriculum provided by the Department of Environmental Health and Safety (EHS) prior to working in NYU laboratories. All Minors who will be working in and using the equipment of NYU laboratories must also complete the EHS laboratory training program.

Non-NYU organizations that operate programs or activities involving Minors in NYU Facilities must provide documentation to the Office of Youth Program Compliance certifying that all individuals from their organizations who will be interacting with Minors in those programs or activities, and anyone who supervises such individuals, have received training on (a) appropriate behavior when working with Minors, and (b) recognizing and reporting child abuse and neglect, and also have undergone a background check that meets or exceeds requirements set by the Office of Youth Program Compliance.
Using Laboratory Equipment, Chemicals, or Other Equipment
NYU may make available opportunities for Minors to participate in laboratory activities as an introduction to an academic field of study and research and/or as part of an educational mentoring opportunity. Minors may only conduct activities in NYU laboratories while under the supervision of an Authorized Adult. All proposed activities conducted by Minors in NYU laboratories must adhere to the requirements and restrictions of the NYU Department of Environmental Health and Safety (EHS), including requirements for completing laboratory safety training prior to commencing activities in the laboratory. A Minor’s failure to complete this training may result in prohibition against engaging in any laboratory work.

Minors must also be provided with safety training by subject matter experts prior to participation in any other activity that involves use of equipment that may pose a safety hazard and/or would require safety training prior to use by NYU students.

Consent and Medical Authorization Forms
For all Covered Programs involving Overnight Stays, athletic or recreational activity, or working in NYU laboratories; Off-Site Programs; and for any other Covered Programs designated by the Office of Youth Program Compliance, the Sponsoring Department or Unit must collect the following forms from the parent or legal guardian of a Minor prior to the Minor’s participation in the Covered Program: (a) a signed release of liability form, which describes the activities planned and (b) a medical treatment authorization form. The required models for these forms shall be annexed to this policy as Appendix 1.a and 1.b.

Guidelines for Working With Minors
An Authorized Adult will, whenever possible, have another adult present when working with Minors in an unsupervised setting. Any One-on-One Contact with Minors should take place in a public setting.

A. Authorized Adults participating in Covered Programs must not:
1. Engage in sexual activity with a Minor;
2. Make sexual comments or tell jokes of a sexual nature to or in the presence of a Minor;
3. Touch a Minor in a manner that could be reasonably interpreted as inappropriate;
4. Engage in conversations regarding romantic, sexual or related manners unless in the role of a provider of health care or counseling, or faculty academically addressing materials of a sexual nature as part of a course, training, or classroom experience;
5. Engage in communications with minors through any method – email, text message, telephone, social media, etc. – outside of academic or programmatic need; or
6. Use, possess, or be under the influence of drugs or alcohol while on duty or responsible for a Minor’s welfare.

B. Authorized Adults participating in Covered Programs must:
1. Watch for and be aware of adults or other Minors who engage in any of the above-listed behavior;
2. Maintain high standards of personal behavior when working with Minors;
3. Whenever possible, have another adult present when working with Minors in an
unsupervised setting. Meetings should be conducted with another person present,
with doors open, and/or in public view;
4. Treat all Minors consistently and with respect;
5. Maintain discipline and discourage inappropriate behavior; and
6. Consult with other adults when uncertain about a situation involving a Minor.

Safety and Emergency Procedures

A. Minors attending Covered Programs of greater than one week’s duration should receive
NYU identification cards and will be given an NYU ID card in a color that clearly
identifies them as being Minors.

B. Prior to participation in a Covered Program, Minors will be required to complete an
electronic form to provide their mobile telephone numbers (if any) and emergency
contact information. Mobile telephone numbers will be entered into NYU’s emergency
notification system for the duration of the Minors’ participation in the Covered Program
so that they may receive emergency alerts sent out by the Department of Public Safety.

C. In the event of an emergency requiring evacuation of an NYU Facility containing Minors
in Covered Programs, members of the University Community will follow the procedures
outlined in the Minors on Campus Fire Safety & Emergency Preparedness Guide.

D. Sponsoring Departments or Units should provide notification of the location, dates, and
times when Minors in Covered Programs will be present in NYU Facilities to the Facility
Manager so that plans for emergency evacuation plans can factor in any special
considerations arising out of the presence of minors.

Violations of this Policy

Violations of this Policy will be handled by the Office of Youth Program Compliance in
conjunction with the Dean or sponsoring unit. Programs or Activities that do not adhere to the
Policy may result in non-approval of a Covered Program, immediate termination of a Covered
Program and/or referral to other University offices for consideration of disciplinary action
consistent with applicable University policies.

Policy Definitions

Minor: For purposes of this policy, a Minor is a person under the age of eighteen (18) who is
not enrolled in or accepted for enrollment in a degree-granting program at NYU. Students who
are dually enrolled in NYU credit-granting courses while also enrolled in elementary, middle
and/or high school are included in this definition.

Abuse or Neglect of Minors: Infliction of physical or mental injury, sexual abuse or
exploitation, or negligent treatment or maltreatment of a person under age 18. Sexual abuse
includes engaging in or attempting to engage in a sexual act or sexual contact with a minor,
causing or attempting to cause a minor to engage in sexually explicit conduct, or exposing the
minor to sexually explicit conduct. Neglect includes the failure by a person with a responsibility
of care to make reasonable efforts to prevent the infliction of abuse upon a person under age 18 or the failure of such a person to exercise a minimum degree of care resulting in a person under age 18 becoming impaired or being in imminent danger of becoming impaired.

Conduct that constitutes Abuse of a Minor may also constitute conduct prohibited under NYU’s Sexual Misconduct, Relationship Violence and Stalking Policy, particularly conduct defined under that policy as Sexual Assault and Sexual Exploitation. Sexual Assault is defined as “having or attempting to have sexual contact with another individual by force or threat of force, or coercive conduct; without consent; or where that individual is incapacitated.” Sexual Exploitation is defined as conduct “that involve[s] non-consensual use of another individual’s nudity or sexuality, excluding conduct that constitutes one of the other Sexual Misconduct offenses.” For the full definitions of these offenses and other prohibited conduct that may constitute Abuse of a Minor, see the Sexual Misconduct, Relationship Violence and Stalking Policy.

Covered Program: An Affiliated Activity or Program which puts Minors in Direct Contact with members of the University Community.

Authorized Adult: Individuals, paid or unpaid, who are authorized to interact with, supervise, chaperone, or otherwise oversee minors in Affiliated Activities or Programs or activities as counselors, coaches, instructors, mentors, residence hall staff, or in other capacities. This includes but is not limited to faculty, staff, volunteers, undergraduate and graduate students, interns, and Third Parties. An Authorized Adult must be at least eighteen (18) years of age.

Direct Contact: Providing direct care, supervision, guidance, control or instruction of minors.

Intern: A person who (1) performs services primarily for his or her own benefit; (2) does not displace a regular employee; (3) produces little or nothing of value for the employer; (4) understands that he or she is not entitled to a wage for the period of training; and (5) is not entitled to a position when the training ends.

Misconduct: A violation of local, state, or federal law or University policy.

NYU includes the Schools and other units of NYU, NYU’s Global Network sites, and all University Affiliates (as each term is defined in the University Policy Development Policy, as amended from time to time).

One-on-One Contact: Interaction between any Authorized Adult and a minor without the presence of at least one other Authorized Adult, parent or legal guardian.

Off-Site Program: An Affiliated Program or Activity that take place at a location other than a NYU Facility.

Overnight Stay: An Affiliated program or activity in which minors participating are intended to stay from evening through morning for one or more days in a NYU Facility or under the supervision of a member or members of the NYU Community.
Programs: Programs and activities offered by any academic, administrative or athletic unit of the University, or by non-University groups using University Facilities.

School means each NYU school, college, and institute that functions similarly to a school or college (e.g., Institute of Fine Arts (IFA), Institute for the Study of the Ancient World (ISAW), Courant, and the Center for Urban Science and Progress (CUSP)), each NYU degree-granting campus (e.g., New York, Abu Dhabi and Shanghai), and other global sites as designated by the Provost.

Sponsoring Department or Unit: The academic, administrative or athletic unit of NYU that has ownership of a NYU activity or program or gives approval for the use of NYU facilities.

University Community means the following categories of individuals associated with NYU: (a) faculty, including visiting faculty; (b) researchers, including persons conducting research at or under the auspices of the University; (c) employees; (d) professional staff, including medical, dental and nursing staff; (e) volunteers; (f) fellows, trainees and post-doctoral appointees; (g) students; and (h) others who are performing activities or providing services at or under the auspices of the University, including consultants, vendors, and contractors.

NYU or NYU Facilities: NYU or NYU Facilities means all buildings and properties that are owned, operated, managed, or controlled through lease or other written agreement by the University.

Affiliated Programs and Activities are programs or activities that NYU operates or sponsors or in which members of the University Community engage through their University role, including programs and activities sponsored by student organizations. This term does not include programs or activities in which one may engage that are unrelated to one’s status as a member of the University’s Community.

Volunteer: Individuals who freely give their time to NYU on a charitable basis and who have no promise or legitimate expectation of compensation.

Related Policies

Sexual Misconduct, Relationship Violence and Stalking Policy

Family, Educational Rights and Privacy Act (FERPA)

Notes

1. Dates of official enactment and amendments:
2. History:
3. Cross References:
ATTACHMENT A
Criminal Background Checks
Criminal Background Checks for Those Interacting with Minors

In accordance with applicable law, the University will run a criminal background check on the following categories of adults prior to final appointment to participate¹ in University activities or programs involving minors:

- Those who stay overnight with minors as part of their job responsibilities in a program or activity involving minors; and
- Those who regularly spend time alone with minors as part of their job responsibilities or role in a program involving minors; and
- Those who participate in any athletic or recreational program involving minors, except staff who primarily work in an administrative capacity with little to no contact with minors.

The Office of Youth Programs Compliance will oversee the processing of criminal background checks in partnership with the Talent Acquisition Department within the Division of University Human Resources. Pursuant to the university’s Protection of Minors policy, any program or activity involving minors must be centrally registered and approved by the Office of Youth Program Compliance in advance. Department liaisons, who are identified by their respective dean or vice president, are charged with the responsibility of ensuring that any adults involved in youth programs who fall within the categories referenced above are identified for background checks and obtain final results prior to commencing the youth activity. Individuals whose names and information are provided for background checks will receive a conditional appointment letter from the Director of Youth Program Compliance indicating their role as an adult engaged in programs involving minors, and outlining the process for the university’s background check procedure.

In accordance with applicable law, NYU will run background checks on individuals who fall within one of the three categories above only after a conditional appointment has been made. Background checks shall consist of a social security number trace and address locator for seven years, a search of federal and state sex offender databases for criminal history for the past seven years, and a sex offender registry check.

A criminal history does not automatically disqualify a person from participating in a program or activity. If a background check reveals adverse information or unfavorable results, a full analysis will be conducted consistent with applicable law before any final decision is made with respect to participation in the program or activity.

For University-sponsored or affiliated programs or activities, only a background check conducted by an external source approved by New York University will be accepted for purposes of this policy.

Background checks for NYU employees and students who participate in University-sponsored or affiliated programs or activities involving minors will be run through an NYU-approved vendor upon conditional re-appointment to participate in a University-sponsored or affiliated program or activity, if four (4) or more years have elapsed since the individual’s last

¹ For purposes of this document, “participate” means to work or volunteer.

(00103853.1)
background check, unless otherwise provided herein.

Any employee or student who is required by this Policy to have a background check is under a continuing obligation, with each conditional re-appointment, to disclose any felony or misdemeanor convictions to the Office of Youth Programs Compliance. If the employee or student discloses that he or she has a felony or misdemeanor conviction, then a background check will be conducted through an NYU-approved vendor (even where four (4) or more years have not elapsed since the individual’s last background check).

Except as otherwise required by law, criminal background checks of University faculty, staff and students performed under this Policy will be used only for purposes consistent with this Policy and will be kept confidential in accordance with NYU policies relating to employee and student records. Consistent with current practice, results of background checks will be maintained by the Talent Acquisition unit within University Human Resources. Background checks related to appointment of individuals working with minors will also be reviewed and a final determination will be made by the Director of Youth Program Compliance. Neither supervising nor department chairs will have access to the background check, and will only be advised whether the individual has been cleared to engage in the activity involving a minor, where necessary and appropriate (e.g., when the supervisor is directly involved in the administration of the program or otherwise has a need to know about the roles being fulfilled by the individual). In the event that a conditional approval to engage in a youth activity is granted pending a background check, and the individual appointed does not receive clearance, the individual and, when appropriate, the department supervisor will be notified by the Director of Youth Program Compliance.

Non-University organizations and entities that operate programs or activities on campus involving minors must conduct criminal background checks of their employees, volunteers, and representatives that meet NYU standards and that are otherwise in accordance with applicable law. If any background check conducted by a non-university program returns a conviction or other adverse information, the external program must inform their New York University contact person in writing, in accordance with applicable law. The University, in accordance with applicable law, may request that an external program employee, volunteer, or representative who does not successfully pass a background check not be allowed to participate in programs or activities on campus.

Non-University organizations and entities must also submit a certification of compliance with the background check rules described herein, including that they have conducted background checks as set forth in this Policy and in accordance with applicable law, and that they have disclosed all convictions revealed by background checks, prior to the start of any program or activity, as set forth in this Policy and in accordance with applicable law.
Sabrina Ellis, Trish Halley and Terry Nolan from University Administration met with representatives of the Benefits Committees of the TFSC, the CFSC, and the AMC on Thursday, October 13, 2016. CFSC was represented by Vince Renzi, Michael Ferguson, and Marion Casey.

Retirement funds at NYU have been overseen since 2009 by a nine-member Retirement Plan Investment Committee. There are four plan administrators from NYU and four from NYU Langone plus one from the outside consulting firm, Cammack Retirement Group (http://cammackretirement.com/). The NYU and NYU Langone administrators are drawn from HR and Finance senior staff.

The objective of the Retirement Plan Investment Committee is to ensure the plan offers a diverse set of investment options with a variety of risk/return characteristics from which a participant can self-direct his or her portfolio.

This committee currently oversees investments in 103 funds. It meets quarterly to review fund performance and evaluate short and long term progress. It votes to maintain, watch or eliminate investment in particular funds. The funds invested in are either Vanguard or TIAA, both of which encourage faculty to seek one-on-one retirement plan counseling.

NYU Langone has one record-keeper: TIAA. NYU has two record-keepers: TIAA and Vanguard. There is currently a consolidation RFP with the goal of reducing duplication and fees for NYU. The selection of a single “record-keeper” does not affect current investment options for faculty and staff.

Terry Nolan addressed the lawsuit filed against NYU, MIT, Yale and others in August 2016 that charged their retirement plan investment choices result in excessive fees for participants. He said it is still early days and there is nothing new to report at this time.

Respectfully submitted,

Marion R. Casey
October 17, 2016
Minutes from the University Senate Finance and Policy Planning Committee and
Minutes from the Continuing Contract Faculty Committee on Finance and Policy Planning

Committee Charge: studies faculty salaries, working conditions, negotiation processes; examines long-range issues; addresses other relevant financial matters

Members Present: Jamie Skye Bianco, Dr. Leila Jahangiri, Tommy Lee, Susan Stehlik, Chair
Members Absent: Jon Ritter

RE: Summary Report of both Committee meetings on October 5, 2017

US Finance and Policy Planning Committee
Anthony Jiga, presented operating budgets for 2016-17 as well as a confidential look at the future.

The annual operating budget is public information and can be accessed on the Senate site under Financial Affairs Committee link. A calendar of due dates and meetings was established with a request for topics to explore.

- Preliminary Budget recommendations for FY18 to be submitted to the SFAC - FEB 1, 2017
- Final budget recommendations for FY18 to be submitted to the SFAC - MAR 31, 2017
- Key budget information:

  http://www.nyu.edu/about/news-publications/budget.html
    - Budget on NYU’s website: http://www.nyu.edu/about/news-publications/budget.html
    - NYU Audited Financial Statements (Fiscal Year 9/1 8/31) Includes “University” (with NYU Abu Dhabi, NYU Shanghai in NY, Global Programs), Medical School, and NYU Hospital Corp. (Med School and NYUHC combined are NYU Langone Medical Center) Reviewed by Audit Committee and presented to Board each December

- Other Financial Reports Available
  - NYU 990 (Tax Return) http://www.nyu.edu/employees/resources-and-services/financelink/tax.html
  - Credit Reports (NYU rated AA-/Aa3)
  - Rating Agency Perspective on NYU Financial Condition
    - NYU (University and SOM) debt is rated “Aa3” (positive outlook) and “AA” (stable outlook) by Moody’s Investor’s Service and Standard & Poor’s, respectively
  - Rating Strengths:
Size and scope of operations
- Exceptional enrollment and student demand profile
- Successful history of fundraising
- Real estate assets
- Strong clinical demand
- Quality of management, strategy and risk management

Rating Weaknesses:
- Relatively high leverage and low levels of financial resources relative to peers
- Relatively low endowment per student
- Relatively high exposure to clinical care on a consolidated basis.

Affordability is on the top of the agenda along with operational efficiencies and ideas for lowering student expenses, including administrative expenses.

A suggestion was made to review energy efficiency throughout the university and develop a campaign to align with President Hamilton’s promise at his inauguration to make the campus “green”.

A summary review of the budget and rating agency reports highlighted a few facts:
- NYU is the largest private, not-for-profit educational institution in the US
- NYU borrows at 4%, but conservatively budgets at 6%
- Endowment is the lowest of our peers at $3 billion

CCF Finance and Policy Planning Committee
Our committee met to discuss a strategy for drafting a salary and AMI proposal to again include professional development funds. A concern over possibly non competitive salaries among our members questioned a need for a salary survey. In some cases, it may be more financially beneficial for Full time continuing Contract faculty to teach as adjuncts, rather than their current contracts. We agreed to research the existing contracts and compare adjunct to full time faculty compensation.

One suggestion on affordability, which we will send to the USFAC is to consider Microtels
Report of C-FSC GNU Committee, submitted by Sam Howard-Spink on 10/18/16

The committee held its first meeting on October 6th. In attendance were Josh Paiz, Joe Foudy, Mary Killilea, Vince Renzi, and Sam Howard-Spink, with John Burt Skyping in from AD.

As its first order of business, the committee selected Sam Howard-Spink as Chair.

Topics touched on included meetings with the committee’s TSFC counterparts, and visa difficulties faced by contract faculty both in NYC and at the portal sites.

The first joint CFSC/TSFC GNU committees meeting took place on October 17th. In attendance from CFSC were Sam Howard-Spink, Mary Killilea, Joe Foudy, and Josh Paiz. The session was attended by Linda Mills (VC Global Programs & University Life, NYU & Assoc VC Admissions & Financial Support) from the Provost’s office, and Matthew Santirocco (Senior Vice Provost for Academic Affairs). Both guests discussed the recently revised structure of the Global Network, and talked about the research potential at NYU in the area of study abroad programs. Ms Mills made the point that NYU’s international sites had a “welcome” sign over them for faculty interested in teaching and/or research, but that it was up to faculty to initiate ideas about what they wanted to do. She offered workshops and department visits as ways to encourage NYC faculty to engage with the sites. Joe and Sam made the point that it is often very difficult, if not impossible, for Clinical faculty to get the kind of teaching relief needed in order to be able to spend a year or semester away.

The Faculty Committee on the GNU held its first meeting on October 14, with Sam Howard-Spink in attendance. Matthew Santirocco was also present, and led a discussion of many of the same issues that came at the TSFC/CSFC GNU. Other topics included what was being discussed by the Global Learning Outcomes Committee (chaired by Matthew), coordinated hiring between NYC and the portals (“both/and” memo), and the proposed clarification of the “Global Network Professor” role.
Personnel Policies and Contract Issues

Brian Mooney (chair), John Halpin, Heidi White, Lu Zhang

The committee is in the process of reviewing the appointment, reappointment and promotion policy for NYU Shanghai. We will meet next with our counterpart committee on the T-FSC. We have not received any other policies so far this semester.
Senate Academic Affairs Committee Report  
October 6th, 2016

Committee Members: Peggy Morton, Ezra Sacks, Ben Stewart (Chair)

The Senate Academic Affairs Committee last met on October 6th. At that meeting we elected a chair (Ben Stewart), continued our discussions about the Founders’ Day award, and discussed the committee’s charge for the rest of the semester (which includes honorary degree nominations and preliminary work on the academic calendar). Because there were several competing ideas regarding the fate of the Founders’ Day award we set up a subcommittee, which will report back to us at our next meeting, which has tentatively been scheduled for October 27th.

Respectfully submitted by Ben Stewart
Members from Continuing Faculty Council are:
Lucretia Depaola-Cefola
Nancy Fefferman
Peggy Morton
Susan Stehlik
Andrew Williams
Ethan Youngerman

Members Present:
Members Absent: Susan Stehlik

DATE: October 6, 2016
Meeting Slide deck is attached to this report

AGENDA
1) Introduction and Purpose of the Committee
2) Relevant Policies
3) Student Conduct Procedures
4) General Hearing Outline and Guidelines
5) Student Grievance Procedures
6) Scheduling Meetings
7) Plug for Policy Modernization Initiative
NEW YORK UNIVERSITY
OFFICE OF STUDENT CONDUCT AND COMMUNITY STANDARDS

2016-17 UNIVERSITY SENATE JUDICIAL BOARD COMMITTEE

Kick-Off Meeting
October 6th, 2016

AGENDA
1) Introduction and Purpose of the Committee
2) Relevant Policies
3) Student Conduct Procedures
4) General Hearing Outline and Guidelines
5) Student Grievance Procedures
6) Scheduling Meetings
7) Plug for Policy Modernization Initiative
Introduction and Purpose of the Committee

The University Senate Judicial Board Committee is responsible for hearing cases of alleged student misconduct and student grievances at the University level. The committee is comprised of representatives from each of the Senate councils.

The Judicial Board is convened by the Office of Student Conduct and Community Standards when a case or grievance requires review.

JURISDICTIONS

“Faculty Jurisdiction” – Matters affecting only one school
Case referred to the applicable school process for the responding student

“Senate Jurisdiction” – Matters affecting more than one school
Case referred to the Office of Student Conduct and Community Standards and, if necessary, the University Senate Judicial Board
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**Most Relevant Policies**
1) Rules for the Maintenance of Public Order
2) University Policy on Student Conduct

**Other Potentially Relevant Policies**
1) Non-Discrimination and Anti-Harassment Policy
2) Bullying, Threatening, and Other Disruptive Behavior Guidelines
3) Guidelines Regarding Protest and Dissent
4) University Policies on Substance Abuse and Alcoholic Beverages
5) Office of Residence Life and Housing Policies

**Policies NOT reviewed by the University Judicial Board**
1) Sexual Misconduct, Relationship Violence and Stalking Policy
NEW YORK UNIVERSITY
OFFICE OF STUDENT CONDUCT AND COMMUNITY STANDARDS

GENERAL HEARING PROCESS
1) Introduction and Overview
2) Discussion and Questioning of Reporter
3) Discussion and Questioning of Respondent
4) Discussion and Questioning with Witnesses
5) Final Statement from Respondent
6) Deliberation, Decision, and (if applicable) Sanctioning
7) Written Decision

Student Grievances

The University Senate Judicial Board Committee may be convened to consider a grievance filed by a student against an individual, business unit, department, or school for allegedly failing to abide by an established policy while acting in an official capacity.

The Judicial Board is only convened when the matter has not been appropriately addressed or resolved at the unit or school level. The Judicial Board typically considers these matters under a paper review and in-person appearance by the parties may not be required.
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Scheduling of Cases

When cases require a panel to be convened, the Office of Student Conduct will send an email to the committee members with the following details about the case:

a) Nature of the Incident and Charge
b) School Affiliation of the Responding Student
c) Proposed Dates and Times for the Hearing (via Doodle poll)

All committee members are asked to respond to the poll within 3 business days (even if you are not available for any of the proposed times). A panel will then be assembled and scheduled.

Assigned panelists will be provided with all materials for the case approximately one week before the hearing.

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STUDENT CONDUCT POLICY MODERNIZATION INITIATIVE

First Meeting
November 2016

Members of the University Judicial Board are encouraged to participate.
NEW YORK UNIVERSITY
OFFICE OF STUDENT CONDUCT AND COMMUNITY STANDARDS

THANK YOU
SCOG had a scheduled meeting on October 6 after the University Senate meeting. However, quorum was not met. It was the general thought of those present that many, especially alternate senators who had not planned on attending the University Senate meeting, did not read through the Senate materials and know there was a meeting. As such, the committee will have its first meeting on October 20. At that time the committee will elect a chair and discuss the committee's charge, which is to review the mission of the Senate.

Larry Slater
Vince Renzi
Brian Mooney
John Gershman
TO: Continuing Contract Faculty Council
FROM: Susan Stehlik, Stern Senator (Did not attend this meeting)
DATE: October 17, 2016
RE: Summary Report of the Provost’s Committee on Academic Priorities meeting of April 12, 2016

Provost’s Academic Advisory Committee Meeting

Meeting Summary submitted by Prof. Michele Shedlin

The meeting was held from 6:00-9:00 pm in the Torch Club. It was divided into 3 sessions: Faculty involvement in residential halls; Opportunity Programs; Research expenditures.

Faculty Involvement in Residential Halls

NYU owns 75% of the residential halls and 25% are leased. The model developed by NYU, given the “campus” of NYC, is different from other universities. Importantly, rather than choices going to more senior students, sophomores are given choices and junior and seniors expected to move farther out from the Square. The idea of faculty involvement is to “implicate faculty into the lives of the students early in their schooling”. The types of involvement presented were: Faculty Fellows-in-Residence; Faculty Affiliates; Writing Affiliates; Visiting Faculty Program and the Pathways Program. [attached are details of these opportunities].

Opportunity Programs

This presentation involved statistics of the HEOP, CSTEP and STEP/BEST programs. HEOP has been in existence at NYU for 47 years and is the largest of the State’s HEOP programs with 575 students. Acceptance is based on income with no racial/ethnic requirements. CSTEP is directed at primarily Black, Latino and Asian/Pacific Islanders from any income level, however they must have a 3.5 GPA to be admitted. Most are STEM (70%) students. There is a strong emphasis on counseling and tutoring, and summer programs are required. Leadership training is integrated into the programs. The graduation rates are impressive, and the attending faculty wondered why there is not more information or PR out regarding these successes. Concerns about the stigma which could be associated with attending NYU in these programs was the main reason given.

Research Expenditures

The total annual research expenditures of NYU were given as $500M. NIH and DHHS account for 31% of this figure; NSF for 14%. NYU is ranked 38th (Michigan 37th; Emory 36th; Purdue 35th). Nursing was highlighted as “a success story”, and the Provost wondered why there had not yet been more announcements regarding the Meyers gift. I did mention the pending NIH Center (CDUHR) monies to him as we talked after the meeting and he was delighted with yet another Nursing success.

Final Meeting of the Provost’s Tenure

Speeches, applause and toasts thanked the Provost for the many years of leadership of this committee which he began upon entering the position. It remains to be seen if this committee will be continued under the leadership of the new provost. [photos attached]
TO: Continuing Contract Faculty Council
FROM: Susan Stehlik, Stern Senator
DATE: October 17, 2016
RE: Update of the Ad-Hoc Sexual Misconduct Committee

Craig Jolley is moving to the Judiciary Committee. A new person will be appointed shortly.

No word on a meeting date.
Report of Representatives to the Ad Hoc Committee on Tuition Remission and Portable Tuition Benefits

The committee held its first meeting of the year on October 12th. Present from the C-FSC were Joseph Borowiec and Vincent Renzi.

The committee reviewed sample fiscal models for an increase in portable tuition benefits for dependents.

The committee also reviewed a draft of questions for the upcoming survey.

Senators and alternates are encouraged to pass to the council’s representatives on the committee any thoughts or recommendation they or their constituents may have on these issues.

Respectfully submitted,

Vincent Renzi
To: Karyn Ridder  
From: Diane Mirabito, DSW, LCSW  
Re: Work-Life Balance Committee Report  
Date: October 17, 2016

The Work-Life Balance Committee met once on September 27, 2016 and is scheduled to meet October 18th, Nov. 10th, and Dec. 1st.

The committee is planning to implement a survey which will be incorporated into a larger survey with the Office of Human Resources. The original survey developed by the Work-Life Committee was reviewed by the Office of Institutional Research and it was found to be too long. Incorporation of the survey with the Office of Human Resources will be discussed at the next meeting on October 18th when the committee meets with Sabrina Ellis.

Carol Hoffman, who was the Director of the Office of Work-Life at Columbia University, is retiring and she may be available for consultation at NYU.

In addition to meeting with Sabrina Ellis, the committee will be meeting later this semester with a representative from the NYU EAP provider (Mary D. Hunt, Carebridge) and also with someone to discuss elder care and the Health Advocate program. Trish, from Human Resources will obtain more information re: utilization of the EAP program. It was noted that Trish recently presented information re: retirement to Stern faculty and staff and is also available to present to other schools and audiences.

Committee Recommendations, to date, include:

- Hire dedicated Work-Life personnel
  - With substantial funding
  - To handle recommended services
- Create Work-Life office, based in Provost’s Office and/or HR
- Better promotion of current services
- Services should be offered both online and in-person

Goals/Mission of a Work-Life Office:

- Guidance on schools and child care
- Advocate for work-life positive policies

The committee will work on matrix comparing NYU benefits to peers.

Updates were provided on the following areas:

Day Care Centers:
- Langone: 1 Park Ave.
  - Commitment to renovate the space to the day care center
  - Carol spoke with Medical Center
• Rockefeller: expanding their day care center

**Housing at 181 Mercer:**
• 50 new faculty apartments
• Regina will get details from Lynne/Rachel/Barbara

**Disability-accessibility:**
• Bathrooms are not ADA-compliant
• Tremendous amount of time and effort
• Designate a point person (support for people with disabilities re: facilities)

**Meeting Schedule for the Semester:**
• Tuesday 10/18, 12:30-2, at 17th Street: Sabrina Ellis (speaker)
• Thursday 11/10, 12:30-2: Mary Dougherty-Hunt, Carebridge (speaker)
• Thursday 12/1, 12:30-2

Submitted by,

Diane Mirabito, DSW, LCSW
Clinical Associate Professor
Diversity Committee  
September 27, 2016  

Michael Sean Funk, Ethan Youngerman, David Elcott, Jamie Skye Bianco  

Issues we discussed:  

Surveys:  
- Demographic study of schools in terms of social identity.  
- Also, what is offered in terms of diversity at the University, for faculty, students, admin, combined.  
- Survey of our senate about what/how schools/administration are doing beyond faculty hiring  
- Survey of our faculty or senate about what they are doing in terms of the issues of diversity. – a basket of resources  

First-in-the-family students need supports. Contract faculty who teach more would be in a position to help.  

Students in need – self defined or identified by faculty/admin. There are programs available and faculty do participate. We need to check and see what relation our faculty can have. Ideas:  
- Bolster a faculty mentoring system – or faculty resource  
- Faculty could have specific students  

Diversity dinners – make sure everyone on our committee is invited.  

Faculty teaching – how to improve issues of teaching and learning in terms of diversity. Pedagogies of inclusion. Faculty not thinking about this in real pedagogic terms. We are a teaching faculty and this could be an issue we run with.  
- Advanced teaching brown bag lunch  
- A program on pedagogy  
- Dealing with adjuncts  
- How do we as continuing faculty incentivize engagement on these issues, as stakeholders  

We need to address who sits at the table – making sure that this is not an issue only for those social identities that are considered “minority.” Making sure this brings in White straight all-American guys.  

A Post-doc model [https://www.nyu.edu/life/diversity-nyu/diversity-resources/faculty-resources/postdoctoral-and-transition.html](https://www.nyu.edu/life/diversity-nyu/diversity-resources/faculty-resources/postdoctoral-and-transition.html) was discussed that focuses on diversity wondering if this could be used in some way for contract faculty as well. There were concerns that since contract faculty are university academic appointments this may be hard, but worth exploring.
Can tenure or re-appointment add a question about the ways the faculty member has engaged in/learned about/addressed issues of diversity and cultural competence? This becomes a question about teaching that assumes academic excellence demands a focus on issues of diversity. Note two articles on the topic: https://www.insidehighered.com/news/2016/05/23/pomona-moves-make-diversity-commitment-tenure-requirement

Can we incentivize faculty members being allowed taking courses or even get degrees in areas of diversity –pedagogy- cultural competence and have them funded by the University? Applicants would need to define the ways that this learning will affect their quality as university teachers.
Affordability Steering Committee – Agenda
Wednesday, September 14, 3:30 – 5:00 PM
Soho Conference Room, Bobst Room 1244

1. Review Report Outline
2. Academics Update
3. Communications

CCF Representative: Susan Stehlik – did not attend this meeting

AFFORDABILITY

We listened
Things AH did in February
- 2.9% tuition increase, lowest in 20 years
- Froze R+B/fees
- Overall increase 2%, and lowest among our peers (ranged 3.1% - 5.1%)
- Increased student hourly wage to $15/hour (over time)
- Converted 650 dorm beds to lower cost
- Increased Yellow Ribbon Funding from $3,500 to $10,000 for all UG's; at the grad level CUSP, GSAS, Stern, Wagner also increased funding to $10K; Tandon $12,500, Law $20,000
- Established Affordability Steering Committee and Working Group
  - Idea generation March – May
  - Ideasecale #’s; How Might We Session #’s
  - Summer – data gathering and idea vetting
  - Posting responses to some ideas/comments on Ideasecale, where app

Context:
- NYU tuition on par, or less, than most of our peers (we are not in the top 50 DOE list)
- High NYC living costs (esp housing) impacts overall COA;
- NYU serves a higher percentage Pell eligible students (21%) compared to most of our peers (Brown 19%; Columbia 18%, Princeton 18%, Cornell 15%, Harvard 15%, Stanford 15%, Dartmouth 14%, Yale 14%, Georgetown 12%, Johns Hopkins 12%, Northwestern 12%, Carnegie Mellon 11%, University of Chicago 11%, Washington U 8%)
- Since 2008 financial aid has increased by 116%; we are funding fewer students but meeting a higher percent of need for those who receive aid ; in 2008 the average institutional grant met 40% of student’s tuition and fees compared to 64% in 2015
- NYU does not have endowment as robust as many of our peers ($72,000 per student compared to over $1million per student at Princeton, Yale, Harvard, Stanford, Swarthmore, and Pomona; and more than $300,000 per student at Columbia, Chicago, UPenn, Dartmouth, Northwestern, and Brown, among many others)
• Average student indebtedness has declined. In 2008-09 average debt at graduation (for students with debt) was $41,375 compared to $30,352 in 2014-15 (excluding Tandon, Shanghai and Abu Dhabi.)
• Since 2008 financial aid has increased by 116%; funding fewer students but meeting higher percent of need; in 2008 40% of student need met compared to 64% in 2015
• Value add of NYU education and NYC location; high percentage of NYU students worked in pt jobs and internships while in school (87.3% of students who filled out graduating student employment survey). Opportunities to gain practical experience, build skills (and earn income that offsets cost of attendance) contribute to the high employment rate; nearly 50% of UG students secure jobs before graduation, another 30% within three months of graduation; remaining 20% in six months (95% total).
• Our goal is not just to make NYU “more affordable for more students”. It is also to help people appreciate NYU as a value-based and a value-producing institution.

Culture Change

• This is just the beginning
• We can all play a part; attention to issues of affordability involves the entire community
• Examples: smart procurement choices; adhering to design standards; helping students make smart choices (pathways and academic progress, taking advantage of NYC, financial literacy); faculty attention to cost of instructional materials when creating their syllabi; other examples.....

Headlines for fall announcement

• Will need to announce tuition/fees for 17-18, also room and board inflators
• Administrative savings - $20 million as of fiscal 2018 and another $10 million (?) under review; primarily OTPS
• Raised over $100m for FA since February; identified xx$ in “vintage” funds;
• Crowdfunding platform – targeted opportunities for alumni to give/increase pool of donors. UDAR has selected a vendor: Scalefunder. Need to select categories and set a start date.
• Goal is to reduce price of books and course materials by 50% over two years
  - Amazon contract - likely to be finalized in September?
  - E book pilot in two courses
  - VERPA on-line pricing tool for students (now) and faculty (by January 2017)
• Provide wider range of options for meals
  o Revising meal plan options for 17-18; less expensive default plan
  o App that lets students share meal plan swipes;
  o 6 free meal swipes/semester for needy students
• Make 4yr graduation the norm (95% already do); FA available for 4 yrs
• 3.5 year acceleration pathway
- In conversation with schools (conversations to date with CAS, Steinhardt, Stern, Tandon, Tisch; others to come)
- Ideas under review include
  - Acceleration advisors
  - AP/IB credits
  - More 2 credit courses
  - 36 credits in one year
  - More J-term and summer courses
  - Up to 8 credits of non-residential transfer credit
  - 4 year academic planner for CAS and Tandon live as of Sept; Tisch, Gallatin, Silver, Steinhardt Shanghai live in Jan 2017 (also Law)
    - Options for “backfill”, including possibility of January start
- More on-campus employment for students; in-house temp and Violetlist
- MyScholly agreement
- Pilot inter-generational low cost housing option with University Settlement
- Transportation – increasing daily shuttle runs between Manhattan and Brooklyn from 6 to 16 Mon-Thurs
- Financial Literacy/Education vendor (end of Sept) - will address borrowing, monthly budgeting and loan repayment
- Promote benefits that students are entitled to
  - NJ Transit discount
  - NYC ID
  - Others
Proposed C-FSC Resolution Regarding  
Creation of Standing Communications Committee  

Presented by the Governance Committee for consideration  
at the C-Faculty Senators Council Meeting, 10/20/16

Resolution:

It is proposed that the C-FSC create a standing Communications Committee whose purpose would be to:

Communications Committee

Facilitate and coordinate the collection and distribution of relevant information to C-FSC Constituents, Administration, Schools, other committees, and the public when deemed relevant. This should include, but not be limited to, creating succinct summaries of meetings, data from surveys, council decisions, policies, and activities, as well as aiding C-FSC Senators in the dissemination of important information directly to their individual schools.