



MINUTES OF THE C-FACULTY SENATORS COUNCIL MEETING OF FEBRUARY 2, 2017

The New York University Continuing Contract Faculty Senators Council (C-FSC) met at noon on Thursday, February 2, 2017 in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Colloquium Room.

In attendance were Senators Borowiec, Carl, Celik, Elcott, Fefferman, Ferguson, Gold-Von Simson, Halpin, Herman, Jahangiri, Joachim, Killilea, Kim, Mooney, Slater, Stehlik, Stewart, Watkins, White, Williams, and Youngerman; Alternate Senators Bednarz, Bianco, Casey, Cittadino, Funk, Gershman (for Elcott), Goldmann, Lee, Mirabito (for Morton), Renzi, Sahin, and Smith.

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 DECEMBER 6, 2016

Upon a motion duly made and seconded, the minutes of the December 6, 2016 meeting were approved unanimously.

INTRODUCTIONS

Alternate Senator Cittadino introduced Mitchell Joachim who will serve as the Senator for the Gallatin School. Senator Celik introduced Wendy Bednarz who will serve as Alternate Senator for NYU Abu Dhabi.

REPORT FROM THE CHAIRPERSON: FRED CARL

See attached Document A: C-FSC Chair Update

Discussion/Questions on Chair's Report

Important Appellate Court Decisions

Chairperson Carl pointed out item 2 in his report regarding appellate court decisions, which are significant because they both strengthen the argument that policies created both at the School level and contained in the Faculty Handbook have the force of a contract. He commented on the hard work of the Personnel Policies and Contract Issues Committee. Senators stated it highlights the importance of schools finalizing their appointment, promotion, grievance policies and procedures, if they have not done so already.

Academics Against Immigration Executive Order and Andy Hamilton Letter

He pointed out items 3 and 4 in his report and encouraged Council members to circulate any communications about similar items going on in their schools.

C-FSC Meeting Participation

He urged all C-FSC members, Senators and Alternate Senators, to attend and participate in C-FSC meetings and committees. While the Rules of Procedure stipulate that only Senators may vote on any action items, it should be kept in mind that votes on Action Items comprise a relatively small part of the meetings. The bulk of the 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.

Provost Advisory Committee on Grievances

Carl stated the C-FSC Grievance Committee forms the pool from which the C-FSC member is selected to serve on grievances by continuing contract faculty that reach the level of the Provost's Office. The Steering Committee would like to solicit more members for this important committee from Schools currently unrepresented on the committee. Current committee members are from FAS, LS, Dental, Law, Medicine, SPS and the Libraries.

The Steering Committee also selects a senior administrator to serve as a member of each constituted Grievance Advisory Committee. As suggested, that administrator should have deep knowledge of NYU and be at the level of Associate Dean in their school. The Steering Committee would like to solicit names of senior school administrators from Senators and Alternate Senators to develop a list of people that we can go to when we get notification of a grievance reaching the Provost's Office.

He noted grievance committee members must have no real or apparent conflict of interest or no knowledge of the grievance. He noted the service on the committee would be for one year, but grievance cases take about two months.

The Chair's Report was accepted into the minutes.

COMMITTEE REPORTS

See attached Document B: Committee Reports

Discussion/Questions on the following submitted reports:

Diversity, Equity and Inclusion: David Elcott

Senators discussed the resolution sent by the T-FSC to President Hamilton in favor of designating NYU a sanctuary campus. Senators mentioned other letters and statements being circulated at the Schools. Senators discussed coordination efforts between C-FSC and T-FSC committees.

Faculty Benefits and Housing: Vince Renzi

Senator Renzi reported the Tuition Benefits Committee sent out a survey on faculty use and knowledge of the tuition remission benefit. A Senator asked about the question regarding how many children one has in high school, which some faculty took to mean children not in high school might have the benefit taken away.

Renzi stated the dependent benefit will continue. The question being examined is how much should and could continue to be allocated to people who send their children to NYU versus the desire on the part of some faculty to have a richer benefit for students attending other institutions. He stated the question is intended to gather data on dependent ages to understand how many students are going to soon be taking advantage of the benefit. He stated if any changes were to be made, the plan would be to phase in those soon planning to take advantage of the benefit.

A Senator asked about admission for dependents and commented on the perception that since the University does not benefit from the tuition, there is a stricter criteria for applicants with tuition remission.

Renzi stated the Admissions Office does not know the status of the applicants. Secondly, the University is going to receive the tuition in real dollars, because it comes out of the fringe pool and is paid as tuition to the school in which the student enrolls. However, it varies between schools, but the general practice is a decrease in scholarship aid if a student is bringing in a tuition benefit. The survey is intended to gather data on how faculty and administrators are using the benefit.

Renzi also reported the C-FSC and T-FSC Benefits Committees met with TIAA-CREF and Vanguard representatives. The University has a request out for proposals to both providers in their move to a single record keeper. The Benefits Committee is making recommendations. Renzi announced he was recently elected to the American Association of University Professors (AAUP) Executive Committee as an at-large member, and encouraged Senators to contact him if they have questions about AAUP. He stated the Board of Trustees (BOT) invited chairs of faculty assemblies to lunch with the BOT.

Chairperson Carl added the Steering Committee is also meeting with the BOT.

Global Network University (GNU): Sam Howard-Spink

Chairperson Carl mentioned an issue the Steering Committee raised in the meeting with President Hamilton regarding continuing contract faculty members on visas. They asked for information on the number of faculty members on visa and ways to address any potential problems with current new regulations.

Personnel Policies and Contract Issues: Brian Mooney

Senator Mooney reported the Committee is working with the T-FSC Committee on reviewing the NYU Shanghai Guidelines on the Full-Time Continuing Contract Faculty Review Process for Reappointment and Promotion. Senators discussed the importance of ensuring schools are following guidelines related to continuing contract faculty participation in the formulation of these policies.

The Committee is also reviewing the response on the Stern Policy and determining which recommendations were incorporated.

University Senate Academic Affairs: Ben Stewart

A Senator asked for a copy of the proposed Fall 2020 calendar before the vote by the University Senate. He stated Tandon's concerns over the calendar because of the period of ten straight weeks in which three distinct experiments need to be run each week.

Stewart confirmed the proposed calendar begins on a Wednesday instead of a Tuesday to allow enough time for orientation. He will send the proposed calendar to the Council.

The reports were accepted into the minutes.

Reports at Meeting:

Educational Policies and Faculty/Student Relations: Ben Stewart

Senator Stewart reported the Committee plans to meet with Student Senators Council members regarding course evaluations.

Faculty Committee on the Future of Technology-Enhanced Education: Mary Killilea

Senator Killilea reported the Provost requested the committee review online communities and third party vendors, taking into account affordability.

Faculty Working Group on Global Learning Outcomes: Mary Killilea

Senator Killilea reported the Committee met and developed a list of outcomes that the Committee will evaluate.

Superblock Stewardship Advisory Committee

Senator Renzi stated he is serving on the sub-committee that will be reviewing furniture for the 60 classrooms and asked Senators to send him any suggestions.

Task Force on Equity, Diversity and Inclusion: Fred Carl

Senator Carl reported the University hired the respected firm Rankin & Associates to assist in the development of a climate assessment mechanism for the University. They are assisted in this effort by a Working Group representing multiple stakeholders in the University.

Senator Bianco reported focus groups are being organized, for instance there will be one for continuing contract faculty.

A Senator commented the Provost's office has given some funding to recruitment of diverse faculty to a variety of schools. She asked how the University is defining diversity.

Senator Bianco reported the Task Force explored this scope and it is detailed in their charge.

University Senate SCOG: Larry Slater

Senator Slater reported the Committee is reviewing the charge of the Senate and is focusing on communication and transparency. This includes items such as written committee reports distributed ahead of University Senate meetings and review of policies and procedures by the University Senate.

ADJOURNMENT

The meeting adjourned at 2:00 PM.

**C-FSC—Chair's Report
Chairperson Fred Carl**

Report as of January 30, 2017

1. Welcome

Happy New Year and welcome back!

You will recall that John Burt stepped down from his role as the C-FSC Senator from Abu Dhabi. I'm sure you all join me in welcoming Aysan Celik as the new C-FSC Senator from Abu Dhabi and Wendy Bednarz as the new Alternate Senator from Abu Dhabi.

2. Important Appellate Court Decisions

In December 2016 the NYS Appellate Court reinstated lawsuits brought by two tenured professors at the Medical School, affirming that the petitioners have "sufficiently alleged that the policies contained in respondent's Faculty Handbook, which "form part of the essential employment understandings between a member of the Faculty and the University," have the force of contract..." (See the full decision [here](#).)

This decision, along with another NYS Appellate Court ruling allowing a claim of defamation brought by a former Tisch Associate Arts Professor to proceed (read the full decision [here](#)) are significant because they both strengthen the argument that policies created both at the School level and contained in the Faculty Handbook have the force of a contract.

3. Academics Against Immigration Executive Order

A nation-wide petition, titled "Academics Against Immigration Executive Order" has been created to voice opposition by academics to Donald Trump's January 27, 2017, Executive Order, titled "Protecting the Nation From Foreign Terrorist Entry Into the United States."

If you would like to read and/or sign the petition, please go [here](#).

4. Andy Hamilton Letter

I am sure that you have all seen Andy Hamilton's January 29, 2017 letter to the community regarding the Trump Executive Order. If you haven't, you can read it [here](#).

5. Further Events

The following student-organized and student-run event will take place on February 3, 2017, 9am-4pm, Kimmel 804/805:

Organizing to Resist: Take Action & Make Change Teach-In (see event notification on eventbrite/nyu-CMEP webpage [here](#)).

The NYU Department of Social and Cultural Analysis, in partnership with the NYU Immigrant Rights Clinic, are sponsoring a panel discussion and legal clinic on Thursday, February 9, 2017, 6pm-10pm, at the Department of Social and Cultural Analysis, 20 Cooper Square, 4th Floor: **Immigrant Rights in the Trump Era: Legal Clinic & Info Session.**

6. NYU Center for Urban Science and Progress (CUSP)

In November 2015 our Personnel Policies and Contract Issues Committee (PPCI) received for review the Guidelines on Appointment, Reappointment and Promotion for the NYU Center for Urban Science and Progress (CUSP). The Committee developed recommendations, which were approved at our final C-FSC meeting in May 2016. Recently, the policy was finalized, with the majority of our recommendations approved, with the exception of three recommendations (Recommendations 4, 7 and 16) that CUSP wishes to defer until a later date if and when CUSP grows.

Once again, thank you to our PPCI committee for your fine, hard work.

(Please find the November 2015 Guidelines, the May 2016 approved C-FSC Recommendations and Provost's Memo finalizing the Guidelines and the CUSP Final Guidelines attached.)

7. Personal Digital Content Policy

Carol Shoskes Reiss, co-Chair of the Committee that developed the new Personal Digital Content policy, wrote to inform the Senate Executive Committee that the new policy has been published and can be found both as webpage content [here](#) and as a Pdf [here](#).

8. Survey from the Tuition Remission Committee

I have received the following from Trish Halley, Senior Director of Global Benefits:

“The Tuition Remission Committee, with representatives from the T-FSC, C-FSC and AMC, has created a tuition remission survey which will be distributed to all full-time faculty, administrators and professional research staff on or about February 2nd.”

Many thanks to C-FSC Senator Joe Borowiec and Alternate Senators Iskender Sahin and Vince Renzi for their work towards strengthening this important benefit.

9. C-FSC Meeting Participation

The Steering Committee strongly urges 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.

10. Provost Advisory Committee on Grievances

As you know, our C-FSC Grievance Committee forms the pool from which the C-FSC member is selected to serve on grievances by continuing contract faculty that reach the level of the Provost's Office. The Steering Committee would like to solicit more members for this important committee from Schools currently unrepresented on the committee. Current committee members are from FAS, LS, Dental, Law, Medicine, SPS and the Libraries.

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11. Emergency Management Advisory Council

In early January 2017 Marlon Lynch, the Vice President, Global Campus Security, requested C-FSC representation on a new advisory group, the Emergency Management Advisory Council, explaining that in meeting at least quarterly, the "group will be charged with assisting the Department of Public Safety's Emergency Management team by providing strategic advice and insight on the program's direction as well as providing assistance with the creations of plans, policies and procedures aimed at improving the resiliency of our community."

Senator Mary Killilea has agreed to serve as the C-FSC representative on this council.

12. Publications, Performances, Awards and Distinctions

Senator Aysan Celik most recently performed in “The Making of a Great Moment,” a play written for her and fellow actor Danny Scheie by playwright Peter Sinn Nachtrieb, at Boston’s Merrimack Repertory Theatre.

Alternate Senator Vince Renzi has been elected as an at-large member of the executive committee of the NYU chapter of the American Association of University Professors (AAUP).

As mentioned at our C-FSC meeting on December 8, 2016, C-FSC Senator Ezra Sacks has been named the next chair of the Tisch School of the Arts Undergraduate Film and Television Department.

Please join me in congratulating Aysan, Vince and Ezra.

Thank you!

Diversity, Equity, & Inclusion

Members: Jamie Skye Bianco, David Elcott, Michael Funk, Peggy Morton, Andrew Williams, Marco Williams, Ethan Youngerman

The Diversity Committee met in December to survey what has been happening at the University and to consider what steps that we can take at this time. Jamie Skye Bianco is our liaison to the work of the University task forces. Based on her assessment that these groups will be reporting shortly, we decided to wait to pursue our own course once we know what has already been accomplished. We also will reach out the T-FSC committee that has new leadership to consider collaboration.

David M. Elcott, PhD
Taub Professor of Practice in Public Service and Leadership
Robert F. Wagner School of Public Service
New York University

Report of the Committee on Benefits and Housing
Vincent Renzi

In December, 2016, a faculty member contacted me in by capacity as chair of the Benefits Committee with a query about tuition benefits. After discussion with Trish Halley, Director of Global Benefits, and Peter Gonzalez, Assistant Provost for Academic Appointments, I was able to get the following clarification on the current policy. Please feel free to share it.

It used to be that anyone of “professorial rank” was prohibited from being a degree candidate (i.e., anyone with the word “professor” in their title, whether assistant, associate, or full, but regardless of whether full- or part-time, tenure-line, contract-line, or adjunct). When the Contract Faculty Senators Council was created in the by-laws, the Board took that opportunity to update this policy. The current policy is that all full-time faculty are prohibited from degree candidacy (i.e., whether “professors” at any rank or lecturer or instructors, and regardless of tenure-line or contract-line), but that part-time/adjunct faculty are eligible for candidacy (regardless of whether they’re called “professors” or not).

Two things to note: First, Library faculty are still eligible because they are not teaching faculty and because they have to have a Master’s degree in their subject area beyond their professional degree (they usually come in with a Master of Library Science), and many earn the subject Master’s after they’re hired.

Second: There is a mechanism for appeal, if a faculty member can make the case that pursuing the degree would advance their professional development and thus be of value to their school. The waiver is granted by the Board on the recommendation of the Provost, of whom it is requested by the dean of the faculty member’s school.

Note that this prohibition on degree candidacy is an academic policy separate from any Human Resources tuition benefits policy. So, if the waiver is granted, the faculty member does receive tuition remission.

I understand that the number of waiver requests is on the order of one to two per year, but that requests made by the deans are typically approved.

Report of CFSC GNU Committee, submitted by Sam Howard-Spink on 12/15/16

The committee held its third meeting of the semester on December 8th. In attendance were Josh Paiz, Joe Foudy, Mary Killilea, Vince Renzi, John Burt and Sam Howard-Spink (the first time the entire committee was able to meet in person).

The discussion included the negative response of Andrew Ross and the Coalition for Fair Labor to the new Code of Conduct for employers in Abu Dhabi. It was felt that, despite having the right intentions, the CFL's response was overly critical and that it had not sought input from faculty at AD or the portals at large. Other topics touched upon included hiring and pay at Shanghai, and the Global Network Professor title.

One action point to come out of the meeting was the continuing need to improve communications technologies used by AD and Shanghai professors when calling in to meetings held on the Square.

Continuing Contract Faculty Senators Council

Personnel Policies and Contract Issues Committee

Jan. 30, 2017

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

The Committee has met twice with the Personnel Policies & Tenure Modifications Committee of the T-FSC. Together we have been working to draft a joint set of recommendations on the NYU-Shanghai appointment, reappointment and promotion policy to submit to our respective Councils for discussion and voting. Several points of difference remain before we will be able to agree on a joint set of recommendations.

We are beginning a review of the Tandon School of Engineering policy.

Respectfully submitted,

Brian Mooney

Senate Academic Affairs Committee Report
January 26th, 2017 meeting

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

The Senate Academic Affairs Committee (SAAC) last met on January 26th. At that meeting we met with Beth Kienle-Granzo, the registrar, to go over the Fall 2018 – Summer 2021 calendar one final time before we submit it to the full Senate for a vote. Due to a request from Student Affairs, we made one change to the calendar we saw last semester, namely: in the Fall 2020 calendar as we saw it, there was not enough time for orientation (only two days, as compared to the usual five). For this reason, we moved the start of Fall 2020 from the Tuesday before Labor Day (9/1/2020) to the Wednesday before Labor Day (9/2/2020) to add a third day for orientation activities.

At the University Senate meeting on February 16th, SAAC will submit two proposals for a vote: the Fall 2018 – Summer 2021 calendar, and our proposed revision of the Founders' Day Award.

Respectfully submitted, Ben Stewart