



Memorandum

Date: July 12, 2012 (REVISED)

To: Ted Magder, Chair, Faculty Senators Council
Robert Schact, Immediate Past Chair, Faculty Senators Council
Marie Monaco, Vice Chair, Faculty Senators Council
Mary Ann Jones, Secretary, Faculty Senators Council

From: Bonnie Brier, General Counsel
Carol Morrow, Chief of Staff to the Provost
Diane Yu, Chief of Staff and Deputy to the President

Cc: John Sexton, President
David McLaughlin, Provost
Christine Harrington, Faculty Senators Council
Warren Jellinek, Faculty Senators Council

Re: Faculty Handbook - Amendments

As a follow up to our meeting earlier this semester with the FSC (Ted Magder, Christine Harrington and Warren Jellinek), we have per your request drafted language to include in the Faculty Handbook with respect to the process for amending it. You will see that our language is consistent with our June 28 memo to you about Governance Issues. Please review the proposed language, which we share with you on behalf of the Provost and the President, and let us know what you think. We appreciate it is the summer and this matter is not time sensitive. Accordingly, if you prefer to defer this matter to the fall semester that is perfectly acceptable from our standpoint.

Current Language (See <http://www.nyu.edu/faculty/governance-policies-and-procedures/faculty-handbook.html>)

The Faculty Handbook is a guide to the faculty and is designed to present in a convenient form general information about New York University, and some of the more important University policies and practices as they apply to the faculty of the University. The Handbook has been compiled from a number of sources. Some parts quote those formulations that have a controlling effect throughout the University, such as the Charter granted by New York State, the University's Bylaws, and various policy statements and procedures formally adopted by the Board of Trustees. A careful attempt has been made to set forth such passages in a way that will prevent their being confused with those statements that merely describe practices that have evolved or have been adopted administratively over the years. Matters that have a controlling effect are subject to reasonable interpretation by the officers charged by the Bylaws with that

responsibility, but can be changed only by action of the body or bodies that enacted them. Matters not in this category may be modified by administrative action from time to time as may prove advisable.

The policies included and referenced in the Handbook form part of the essential employment understandings between members of the faculty and the University. Other University policies and guidelines are available [here](#). In addition, schools, including institutes and colleges for this purpose, and units have additional policies. For example, school statements on faculty appointment policies and procedures, particularly those concerning promotion and tenure criteria and review procedures, supplement policies outlined in this Faculty Handbook. The Handbook is meant to inform and serve members of the University Community.

Proposed Language:

The Faculty Handbook is a guide to the faculty and is designed to present in a convenient form general information about New York University, and some of the more important University policies and practices as they apply to the faculty of the University. The Handbook is maintained by the Office of the Provost. It has been compiled from a number of sources. Significant portions of the Handbook have been adopted by, or reflect actions of, the University's Board of Trustees, including: the excerpted portions of the University's Charter and Bylaws; matters involving the Faculty such as those with respect to academic freedom and tenure, appointment of faculty, faculty grievance procedures, and organization of the faculty, among others; the establishment of University Councils and Commissions; and key policies, including the NYU Code of Ethical Conduct, Policy on Academic Conflict of Interest and Conflict of Commitment, and Statement of Policy on Intellectual Property, among others. Certain portions of the Handbook provide an overview of the University and its administrative offices, libraries and student affairs. The Handbook also provides links to Selected University Policies, which represent a broad array of policies, including policies that principally affect faculty and policies that may be of interest to faculty but that apply broadly throughout the University community. The Handbook is meant to inform and serve members of the University Community.

Where a University Council, dean or faculty of a school, which includes a college or equivalent institute or center for purposes of this Handbook, or other appropriate member of the University community seeks to propose changes to the Faculty Handbook, the body or person should contact the Provost (or his or her designee). The process for considering changes varies depending on the nature of the issue and whether the matter falls within the purview of the Board of Trustees or another body outside of the Office of the Provost. Where a matter is within the purview of the Board of Trustees, the Provost (or his or her designee) is responsible for making a recommendation to the President of the University as to whether the President should present the matter to the Board. Where changes to the Faculty Handbook principally affect faculty, the Office of the Provost strives to assure that faculty are engaged in consideration of the changes and/or have an opportunity for review and comment, which may be through established channels such as

representatives of the Faculty Senators Council or committees of the University that include faculty.

The policies of the University form part of the essential employment understandings between members of the faculty and the University. Policies beyond those referenced in the Handbook are available [here](#). In addition, school and units have additional policies. For example, school statements on faculty appointment policies and procedures, particularly those concerning promotion and tenure criteria and review procedures, supplement policies outlined in this Faculty Handbook.