

T-FSC Governance Committee  
February 2018 Report

The Governance Committee met on February 16, 2018 and discussed the following items:

1) C-FSC Proposed Resolution Regarding Additional Language to the “Disciplinary Procedures Section”

Currently the NYU Faculty Handbook stipulates that any student, faculty member, staff or officer of the university may file a complaint against “ a member of the Full-Time Continuing Contract Faculty.” Given the increase in supervisory administrators who do not hold faculty lines, the C-FSC are proposing additional language to make it clear that grievances can be filed against “an administrative officer charged with supervising Full-Time Continuing Contract faculty or part-time faculty.” (See Appendix.)

The T-FSC Governance Committee approved of the additional language and will recommend to the T-FSC to support the proposed change in the by-laws .

2) Application of Principles of Shared Governance Survey

Analysis of T-FSC and C-FSC generated survey administered last year has begun. Ideally it will be completed and reported upon by the end of the Spring semester.

3) Resolution on Faculty Representation on the NYU Board of Trustees

The Governance Committee has requested that T-FSC’s resolution regarding Faculty representation on the NYU Board of Trustees be put on the agenda for the March University Senate Meeting. This has taken longer than expected because we are coordinating our presentation with similar resolutions produced by the Student Senators Council (passed) and the C-FSC (to be voted upon at their next meeting on March 2).

4) General Disciplinary Regulations in the Faculty Handbook

It had been brought to the attention of the T-FSC Governance Committee that the language regarding “General Disciplinary Regulations” in the Faculty Handbook is overly broad and vague and, perhaps, needs to be re-considered and re-drafted. (See Appendix.)

Upon examination, the Governance committee found phrases such as “Disciplinary action may also follow when the faculty member engages in *other conduct unbecoming a member of the faculty*” with qualifiers “such as” and including “any other conduct *prejudicial to the teaching, research or welfare of the University, and so forth.*” to be, yes, overly broad and vague.

The T-FSC Governance Committee plans on further researching this issue.

*Appendix:*

**C-FSC Proposed Resolution Regarding Additional Language to the “Disciplinary Procedures” Section of the “Faculty Policies Applicable to Full-Time Continuing Contract Faculty,” NYU Faculty Handbook**

WHEREAS the current “Faculty Policies Applicable to Full-Time Continuing Contract Faculty” of the NYU Faculty Handbook includes a section on Disciplinary Procedures (p. 59) and states that “any member of the faculty or staff, or any student may file a complaint against a member of the Full-Time Continuing Contract faculty”;

WHEREAS this same passage of the Faculty Handbook does not mention possible complaints against administrative officers who hold no faculty appointments and who are charged, nevertheless, with supervising Full-Time Continuing Contract faculty or part-time faculty;

WHEREAS there are some units at NYU that have administrative officers charged with supervising Full-Time Continuing Contract faculty or part-time faculty and who, nevertheless, hold neither tenured/tenure-track positions nor contract faculty positions;

RESOLVED the following bolded passage should be inserted into page 59 of the NYU Faculty Handbook, under “Disciplinary Procedures,” no. 1, as indicated here:

[Who may file a complaint] Any officer of the University, any member of the faculty or staff, or any student may file a complaint against a member of the Full-Time Continuing Contract faculty (**or against any administrative officer charged with supervising Full-Time Continuing Contract faculty or part-time faculty**) for conduct prohibited by the rules and regulations of the University, or its schools, colleges, and departments.

FURTHER RESOLVED the C-FSC asks the T-FSC for support in the above resolution.

*Faculty Handbook of New York University*

<https://www.nyu.edu/faculty/governance-policies-and-procedures/faculty-handbook.html>

**p. 52**

*Title IV: General Disciplinary Regulations Applicable to Both Tenured and Non-Tenured Faculty Members on the Tenure Track*

1. [General obligations] Quite apart from any question of tenure or the termination for cause of the service of a faculty member with tenure, all faculty members have an obligation to comply with the rules and regulations of the University and its schools, colleges, and departments. These rules protect the rights and freedoms of all members of the academic community.
2. [Particular obligation] In particular, the faculty member is obligated to live up to the standards of academic freedom as outlined in this statement. Disciplinary action may also follow when the faculty member engages in other conduct unbecoming a member of the faculty, such as violation of the New York University [Rules for the Maintenance of Public Order](#), any action which interferes with the regular operations of the University or the rights of others, any serious violation of the law, or any other conduct prejudicial to the teaching, research, or welfare of the University, and so forth.

**p. 68**

**General Disciplinary Regulations**

*General and Particular Obligations*

All faculty members have an obligation to comply with the rules and regulations of the University and its schools, colleges, and departments. These rules protect the rights and freedoms of all members of the academic community.

In particular, the faculty member is obligated to comply with the standards of academic freedom as outlined in this statement. Disciplinary action may follow when the faculty member engages in other conduct unbecoming a member of the faculty, such as violation of the New York University [Rules for the Maintenance of Public Order](#), any action which interferes with the regular operations of the University or the rights of others, any serious violation of the law, or any other conduct prejudicial to the teaching, research, or welfare of the University, and so forth.