



## **MINUTES OF THE C-FACULTY SENATORS COUNCIL MEETING OF MAY 14, 2015**

The New York University Full-Time Non-Tenure Track/Contract Track Faculty Senators Council (C-FSC) met at noon on Thursday, May 14, 2015 in in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5<sup>th</sup> Floor Grand Hall.

In attendance were Senators Becker (by phone), Borowiec, Burt (by phone), Carl, Carter, Cittadino, Elcott, Halpin, Killilea, Mauro, Mowry, Rainey, Sacks, Slater, Stehlik, Stewart, Williams, and Ying; Alternate Senators Bianco, Casey, Derrington, Lee, Renzi, Ritter, and White.

### **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 APRIL 30, 2015**

Upon a motion duly made and seconded, the minutes of the April 30, 2015 meeting were approved unanimously.

### **REPORT FROM THE CHAIRPERSON: ANN MARIE MAURO**

*See attached Document A: C-FSC Chair Update*

Chairperson Mauro commented on the End of Year Celebration, held the previous evening, and stated for those not in attendance, their Certificate of Appreciation will be mailed to their office address, unless a special address is provided.

The report was accepted into the minutes.

The Council offered Chairperson Mauro a round of applause for her great work in chairing the Council this inaugural year.

### **COMMITTEE REPORTS**

An Alternate Senator asked about the status of the recommendation regarding the Tisch School of the Arts (TSOA) Teacher Policy.

Senator Carl provided background on this issue. He stated at the December 9, 2014 faculty meeting of the Tisch School of the Arts, the TSOA Teacher Policy was approved unanimously, with three abstentions.

The C-FSC and T-FSC reviewed the policy and developed joint recommendations. At the T-FSC meeting, a Senator from Tisch discussed some issues with the policy and the T-FSC decided to not move forward with approving the recommendations at that time, and planned to work on drafting a preamble to include with their recommendation. Therefore, the C-FSC submitted the recommendation separately from the T-FSC, but made it clear that the recommendations were jointly developed by the T-FSC and the C-FSC Committees.

## **OLD BUSINESS**

### **Steering Committee member election (term 6/1/15 – 8/31/2016)**

Chairperson Mauro announced the process for the election for one new Steering Committee member to serve from June 1, 2015-August 31, 2016. The process includes a call for nominations from the floor, confirmation from the nominee(s) that they accept the nomination, brief statements made by candidates, and then a vote by closed ballot. She noted nominations do not require a second and Senators can self-nominate or nominate a fellow senator.

Senator Derrington nominated Brian Mooney from the School of Professional Studies and he accepted the nomination.

Senator Lee nominated Joseph Borowiec from the Polytechnic School of Engineering and he accepted the nomination.

Senator Becker nominated Ben Stewart from the Faculty of Arts and Science and he accepted the nomination.

Senator Slater from the College of Nursing self-nominated.

#### *Candidate Statements*

Senator Borowiec stated he is from the Polytechnic School of Engineering and has been there the last six years. He commented he is excited for the opportunity to run for the Steering Committee. He stated he is an industry professor and has worked in telecommunications for 24 years.

Senator Mooney introduced himself as a clinical associate professor of Anthropology in the School of Professional Studies. He stated he served on the Planning Committee that led to the foundation of this Council. He stated he is currently a cultural anthropologist, before that he was a lawyer, and would bring to the Steering Committee his attention to detail as a lawyer but also the critical eye that a cultural anthropologist brings to matters. He stated he will also bring his commitment to representing the continuing faculty, and noted he comes from a School with only Continuing Faculty, except for one tenured faculty member.

Senator Slater introduced himself as a clinical assistant professor from the College of Nursing. He commented he has had a wonderful year working with continuing faculty and noted, through his work on committees, he has worked closely with members of the administration. He stated he feels that he has learned a lot about the university and can bring that knowledge to the Steering Committee. He stressed the importance of looking at different viewpoints from the various schools and noted changes coming in the fall with the new Faculty of Health, affecting both the College of Dentistry and College of Nursing. He commented his viewpoint in representing the clinical faculty of this new College of Global Public Health will be beneficial not only for the three colleges in this new umbrella, but throughout NYU as clinical faculty develop their governance structure.

Senator Stewart introduced himself as an associate professor of expository writing. He stated he represents about 100 faculty, most of who are language lecturers with only has one tenure track faculty member. He commented the expository writing serves every school, except for Gallatin, so it highlights the issue of thinking about connections across departments and differences between programs and how those issues affect faculty across the University.

Senators were asked to fill-in their ballot with their vote.

Alternate Senators from FAS noted that Senator Youngerman was not present nor his assigned Alternate. They asked if one of them could vote in his place. It was noted that an Alternate must be designated prior to the meeting and since Senator Youngerman did not designate a replacement Alternate, no Alternates may vote in his place.

Manager of Faculty Governance Karyn Ridder read the results of the election: Joe Borowiec received six votes, Brian Mooney received 5 votes, Larry Slater received 3 votes, and Ben Stewart received 6 votes.

A run-off election took place between Joe Borowiec and Ben Stewart.

Chairperson Mauro read the results of the run-off election and announced Joe Borowiec as the new Steering Committee member. Borowiec received 12 votes and Stewart received 8 votes.

### **Governance Committee – recommendations for C-FSC Elections and Term Rotations**

*See attached Document B: Proposed C-FSC Election Schedule.*

Senator Sacks presented the Committee proposed C-FSC election schedule, which lists the proposed three groups of Senators by terms ending August 31, 2016, 2017, and 2018.

The proposed election schedule was approved by vote of the Council.

### **C-FSC 2015-2016 meeting schedule**

*See attached Document C: Proposed C-FSC Meeting Dates: 2015/2016.*

The proposed meeting schedule was developed by reviewing the results of the poll sent to all Senators and Alternates, requests by portal site Council members, room availability, and planning around the University Senate meeting schedule to allow one to two weeks between meetings.

Senator Burt from Abu Dhabi commented that he and Senator Becker from Shanghai may travel, fully funded, to attend one University Senate meeting per semester. Therefore they requested at least one Council meeting per semester be scheduled during the same week as a University Senate meeting so they may attend both in person.

Karyn Ridder added that the Council meetings for 2015-2016 will be hosted in the Colloquium Room, which offers video and audio conferencing.

The proposed meeting schedule for 2015-2016 was approved by unanimous vote of the Council.

## **NEW BUSINESS**

### **Planning for 2015-2016: Committee assignments and Fall Retreat**

Senator Carl reported the Steering Committee will be sending a poll to all Council members requesting Council and University Senate Committee preferences for next academic year.

Steering Committee members proposed hosting a fall retreat. This will be an opportunity to identify key issues and directions that the Council would like to proactively move forward on.

Vice Chair Mowry commented the retreat is an important opportunity to set the tone for the Council's operations. He commented that with the Council being new, the Council reacted to issues, some of which happened before the Council was formed. He stated it would behoove us to have an agenda to approach leadership with on a regular basis.

Senator Burt requested that if an End of Year Celebration is planned for next academic year, that it take place the week of April 25, when the University Senate and Council meeting are scheduled so that the portal site Senators may attend.

## **Finance Committee Report**

Senator Stehlik reported a response was received by Martin Dorph regarding the Council's budget recommendations for fiscal 2016.

The policy of the University is to provide, within available resources, an annual merit increase (AMI) pool of sufficient size to remain competitive with peer institutions. She reported a 2.5% AMI pool will be recommended to the Board of Trustees for approval, which is higher than the inflation of 1.3%, as measured by the NY Metro Area CPI.

## **SPECIAL PRESENTATION: NYU POLICY ON SEXUAL MISCONDUCT**

Chairperson Mauro introduced Craig Jolley, Deputy Director, Office of Equal Opportunity.

Jolley discussed the Office of Equal Opportunity's responsibility to ensure the University complies with Title IX. He stated his presentation will focus on three parts: 1) the legislative history, current landscape, and what's happening outside of NYU; 2) what NYU is doing in response and what NYU has done in the last year, and what NYU will do in the upcoming year; and 3) how this relates to faculty interaction with students and a discussion of faculty obligations.

Title IX originated in 1972 and is a federal law stating no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. He stated this includes sports, majors, affinity groups, programs, etc.

He stated in April of 2011, the Department of Education's Office of Civil Rights sent out a letter to every college and university reminding them of their obligations under Title IX as it relates to sexual harassment, sexual assault, and sexual violence on campus. The letter laid out expectations for schools, including the need for policies and procedures in place that prohibit harassment and discrimination and procedures for discipline. In addition, every school must have a Title IX Coordinator. NYU's Title IX Coordinator is Mary Signor, Executive Director for the Office of Equal Opportunity. In this role, Signor ensures NYU is complying with the law and following the correct steps whenever an issue arises concerning gender discrimination, sexual harassment, or sexual assault or violence.

The letter also stated that if a school knows about a sexual harassment case they must move forward with an investigation or if they know about a sexual violence case they must move forward, even if the person does not want the University to move forward.

In response, the Office revised policies and began trainings regarding these topics.

In 2014, following media reports regarding sexual assaults, rapes, sexual violence, on university campuses, the Department of Education produced a 13 page Q & A document. The White House put together a task force and launched a national educational initiative called Not Alone. The Not Alone website ([www.notalone.gov](http://www.notalone.gov)) informs students about their rights and the responsibilities of their institutions and how they can reach out to the federal government if they feel they are not getting a proper response at their institutions. In addition, President Obama reauthorized the violence against women act. NYU updated their policies accordingly.

On September 30, 2014, Diane Yu, Deputy President, and Marc Wais, Sr. Vice President for Student Affairs, announced the New Policies and Practices Regarding Sexual Misconduct, Relationship Violence, and Stalking.

Jolley commented NYU has received positive responses on this new policy and stated it provides clear definitions of sexual assault, sexual harassment, sexual exploitation, relationship violence, dating violence, domestic violence, as well as stalking which all comply with the requirements of the law and also offers students and faculty and employees a clear understanding of what the policy prohibits.

Based on student requests, a sexual support services website was created: <http://www.nyu.edu/sexual-respect>. This website provides information on counseling and wellness services, law enforcement options, where to go to get help, and answers questions regarding confidentiality. The site also contains a student-produced video regarding consent.

Jolley stated that if the University becomes aware of an issue of sexual harassment or sexual misconduct, it must act. The Office asked the Department of Education, what defines how or when a school knows about a sexual assault. The definition is when a responsible employee is made aware. The NYU policy accordingly now defines 'responsible employee' so students know who to go to, including public safety officers, deans of students, academic advisors, etc. But the federal government also says a responsible employee is anybody who has significant responsibility for the welfare of students. So, by the nature of the definition, faculty members may fall under the definition of responsible employees. Therefore, if a faculty member were to become aware of an issue of sexual violence or sexual harassment, they must inform the University.

A Senator asked if this included off-campus cases. Jolley responded Title IX applies to students, no matter where the incident occurs.

A Senator asked about the procedure if a student comes to a faculty member and requests full confidentiality. Jolley suggested putting some sort of warning in place and offered the following example statement: 'it depends on what you're going to tell me, I have some obligations as an employee of NYU to connect you with the right people because there's certain things I can't do. So if you tell me you're going to hurt yourself, for example, that's not something I can keep to myself, I would have to connect you with a counselor. And if you tell me this is a matter of sexual assault, sexual harassment; I have some obligations to connect you to the right resources.'

Jolley stated if a faculty member becomes aware of an incident of sexual violence, or sexual harassment, or sexual misconduct, they should notify the Title IX Coordinator, Mary Signor. Her Office would then offer the student the list of options, rights, resources, etc. including how to involve law enforcement and pursue disciplinary action.

A Senator asked if directing a student to the Wellness Exchange counts as informing the University. Jolley responded there also needs to be a notice to the Office of Equal Opportunity.

A Senator asked if a student came to him with a situation like this and he referred them to Mary Signor, if he could stay with the student through the process. Jolley responded that students may have support person or advisors of their choosing through the process.

Jolley reported his Office has implemented mandatory training for all students, including undergraduate and graduate. There is no mandatory training for faculty, but Jolley stated he will come to departments and offer faculty trainings upon request.

A Senator asked how this policy correlates with academic freedom.

Jolley responded the policy doesn't interfere with academic freedom and recognizes there will be some areas of study where exploration of sex and sexuality are part of the curriculum.

A Senator asked if there is a specific office for sexual support services. Jolley stated there is now a new unit within the Wellness Exchange, called S.P.A.C.E. (Sexual misconduct Prevention, Assistance, Counseling, & Education).

A Senator asked about the potential repercussions if a faculty member is not aware and does not report an incident. Jolley stated a student could make a complaint to the Office of Civil Rights.

A Senator asked if the Office of Equal Opportunity has been in touch with the Dean's Council.

Jolley responded his Office is in communication with the Deans, and he's been invited to present at several department chair meetings.

A Senator asked how Title IX deals with gender identity and sexual orientation harassment.

Jolley responded harassment, assault, and discrimination based upon gender identity or sexual orientation falls within the scope of Title IX.

Chairperson Mauro asked for any comments by the portal site Senators from Abu Dhabi and Shanghai. Jolley clarified the policy applies to all sites including global sites and the portal campuses.

A Senator commented it seems faculty would welcome a structured approach to educating full-time faculty as well as adjunct faculty to the policies and their responsibilities.

Jolley will send the PowerPoint presentation "Responding to Reports of Sexual Misconduct" to Karyn Ridder for distribution to Council members. He also referred Council members again to the website:

<http://www.nyu.edu/sexual-respect>

## **ADJOURNMENT**

The meeting adjourned at 2:00 PM.



## Continuing Faculty Senators Council Chairperson Ann Marie Mauro

### Report as of May 11, 2015

#### 1. New Steering Committee Member Election (Term 6/1/15 – 8/31/16)

A new Steering Committee member will be elected at our May 14<sup>th</sup>, 2015 meeting to fill my unexpired term from 6/1/15 through 8/31/16. Self-nominations of senators are welcome. Senators and alternate senators may nominate a senator with his/her permission. The other Steering Committee members will continue to serve next year: Fred Carl (Chair), Randolph Mowry (Vice-Chair), David Elcott, Mary Killilea, Susan Stehlik, and Patrick Ying.

#### 2. Continuing Faculty Policies – Tisch School of the Arts & Liberal Studies

At its May 7<sup>th</sup> meeting, the T-FSC deferred the Tisch Teacher Policy and the recommendations from the joint C-FSC and T-FSC working group, which were approved by the C-FSC at our last meeting, for further discussion. The C-FSC and T-FSC working group will next review the Liberal Studies Policy, which we recently received from the Provost and shared with C-FSC members. As we receive these policies throughout the summer, Fred Carl will reach out to senators from the relevant schools for input to bring to the working group.

#### 3. C-FSC Senator Elections & Term Rotation Schedule

A staggered election and term rotation schedule will be presented by the Governance Committee for approval by the C-FSC at our May 14<sup>th</sup>, 2015 meeting.

#### 4. C-FSC 2015-2016 Meeting Calendar

Chair-Elect Fred Carl and Karyn Ridder developed a proposed calendar for next year, which will be discussed at our May 14<sup>th</sup>, 2015 meeting. The proposed meeting schedule was based upon the calendar poll results, and requests from the global senators to meet from 9am-11am when possible and at least one Tuesday per semester the week of the Senate meeting so they can attend in person.

#### 5. End of Year Celebration

The event will be held on Wed 5/13/15 from 6pm-9pm in Kimmel 912 and 914 to celebrate our successful inaugural year as a council.

#### 6. Planning for 2015 – 2016

Following the May 14<sup>th</sup> meeting, senators and alternate senators will be receiving a poll regarding committee assignments for the 2015 – 2016 academic year. All are encouraged to sign up for at least

one to two committees as soon as possible to facilitate planning. You may request to remain on the your current committee(s) and/or switch to new committees. A poll will also be sent out for preferred dates for a September council retreat.

## **7. University Policy on Sexual Misconduct**

Craig Jolley from the Office of Equal Opportunity will deliver a presentation on the University Sexual Misconduct Policy followed by time for questions and answers.

## **8. End of Year Summary**

The Continuing Faculty Senators Council (C-FSC) website may be accessed at <https://www.nyu.edu/about/leadership-university-administration/university-senate/membership/councils/ft-non-tenure-track-contract-faculty-senators-council.html>.

The major issues addressed by our council this past year are posted under [Current Issues](#) on the website, and include the:

- Council Communication Guidelines
- Recommendations to the Provost regarding the University Guidelines for Full-Time Non-Tenure Track/Contract Faculty Appointments
- Recommendations to the Provost regarding the Faculty Handbook
- Recommendations to the Executive Vice-President for Health Robert Berne regarding the Health Realignment Proposal
- Report on Coordination of the Tenured Faculty Senators Council (T-FSC) and Full-Time Non-Tenure Track /Contract Faculty Senators Council (formerly the N/C-FSC now known as the C-FSC) Standing Committees
- Council Response to Senate Committee on Governance (SCOG) regarding the Council and Senate Structure
- Recommendations to Terrance Nolan, General Counsel and Secretary, regarding the Social Media Policy
- Recommendations to the University Financial Affairs Committee regarding the 2015 – 2016 University Budget
- Council Operating Procedures
- Resolution regarding Academic Freedom
- Resolution to Change the Council Name to Continuing Faculty Senators Council (C-FSC)
- Recommendations to the Provost regarding the Tisch Teacher Policy

In addition, the approved council meeting minutes are posted under [Meetings](#) on the website.

We encourage you to share this end of year summary and the web links with your school's faculty members.

## 9. Acknowledgments

I would like to thank my fellow founding Steering Committee members, Senators, and Alternate Senators for their dedication and service during our inaugural year. It is through your efforts that we have established our place in university governance, created a credible voice for continuing faculty, and accomplished all of our goals and more. I thank you for the honor and privilege to serve as the founding C-FSC chair, and as a member of the University Senate Executive Committee.

I know that Fred Carl will be an excellent Chair, and that you all will give him whatever support he needs, along with Randy, David, Mary, Susan, and Patrick to continue to provide our council with excellent leadership.

Sincerely,

A handwritten signature in blue ink that reads "Ann Marie Mauro". The signature is written in a cursive, flowing style.

Ann Marie P. Mauro, PhD, RN, CNL, CNE  
Founding Chairperson

## PROPOSED C-FSC ELECTION SCHEDULE

(Prepared by: C-FSC Governance Sub-Committee 5/11/2015)

Senators T/E (term ending) August 31, 2016

\*\*Ann Marie Mauro — leaving 2015 — (replacement to serve one year through spring 2016)

Ron Rainey  
Eugene Cittadono  
Amy Becker  
School of Med (needs to select two members)  
Division of Libraries (seat is currently open)  
Randy Mowry  
John Gurrin

Senators T/E August 31, 2017

Larry Slater  
Faculty of Arts and Science (needs to select two members)  
Brian Mooney  
Andrew Williams  
School of Medicine (needs to select two members)  
Peggy Morton  
Fred Carl

Senators T/E August 31, 2018

Faculty of Arts and Science (needs to select two members)  
School of Medicine (needs to select two members)  
Susan Stehlik  
Ezra Sacks  
David Elcott  
Joe Borowiec  
John Burt

We are requesting that those schools who have yet to choose senate terms for their members please do so by June 1<sup>st</sup>, 2015.

Those senators who are elected in spring, 2016 will serve three full years until 2019. Those elected in spring, 2017 will serve until 2020. Those elected in 2018 will serve until 2021. While most senators were given the term that they asked for, the last two terms (2017, 2018) required a blind lottery.



**Proposed C-FSC Meeting Dates: 2015/2016**

- Thursday, September 24, 2015, 9:00-11:00 am
- Thursday, October 29, 2015, 12:00-2:00 pm
- Tuesday, December 8, 2015, 12:00-2:00 pm (same week as University Senate)
- Thursday, February 11, 2016, 9:00-11:00 am
- Thursday, March 24, 2016, 12:00-2:00 pm
- Tuesday, April 26, 2016, 12:00-2:00 pm (same week as University Senate)
- Thursday, May 12, 2016, 9:00-11:00 am