

# NYUFSC

## Faculty Senators Council

194 Mercer Street, Suite 401  
New York, New York 10012  
Telephone: 212 998 2232  
Facsimile: 212 995 4575  
[www.nyu.edu/fsc](http://www.nyu.edu/fsc)  
[faculty.senators.council@nyu.edu](mailto:faculty.senators.council@nyu.edu)

November 25, 2012

### MEMORANDUM

**To:** John Sexton, President  
David McLaughlin, Provost

**FROM:** Ted Magder  
Chairperson, Faculty Senators Council  
A/Y 2012-2013

**RE:** Faculty Senators Council Resolution on Procedure for Amending the Faculty Handbook

At the November 20, 2012 meeting of the Faculty Senators Council, the attached resolution was approved.

**CC:** Carol Morrow, Associate Provost  
Diane Yu, Chief of Staff and Deputy to the President  
Bonnie Brier, Senior Vice President  
Cara Terzulli, Manager of Operations  
Marie Monaco, FSC Vice Chairperson  
Mary Ann Jones, FSC Secretary  
Christine Harrington, FSC Governance Committee Chair

Date: November 20, 2012

To: John Sexton, President  
David McLaughlin, Provost

From: Faculty Senators Council

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

**Background:** During AY 2011-12 and the summer of 2012 several revisions were made by the Provost's Office to the Faculty Handbook (FH) with no review or only an incomplete review by the full Faculty Senators Council. Examples include:

- Addition of a "Preamble," which is a modified version of the "Foreword," on the front page of the online version of the Spring 2012 FH edition;
- Alterations to the policies on Intellectual Property and Conflict of Interest.
- Removal of the sentence verifying FSC approval of FH revisions: "All of the material included in this Faculty Handbook has been reviewed by and accepted by the Faculty Senators Council of New York University."

FSC's principles of shared governance, along with past practices wherein the Faculty, the Administration and the Board of Trustees work collaboratively to reach mutually agreeable revisions of the FH, underscore the importance of consultation in an academic community.

### **Resolution on Procedure for Amending the Faculty Handbook**

WHEREAS the previous NYU Faculty Handbook (2008) contains the following statement on its last page – "All of the material included in this Faculty Handbook has been reviewed by and accepted by the Faculty Senators Council of New York University." – and the new (2012) online and pdf versions omits this important provision; and

WHEREAS the new, 2012 Faculty Handbook was not reviewed by and accepted by the full Faculty Senators Council; and

WHEREAS the new, 2012 Faculty Handbook contains recent amendments to important academic policies, such as the policy on "Intellectual Property" (patents, copyrights, and tangible research property) and on "Conflict of Interest and Conflict of Commitment," which have not been reviewed by and accepted by the Faculty Senators Council;

RESOLVED that all changes to the New York University Faculty Handbook shall be reviewed and accepted by the Faculty Senators Council before such changes are included in the New York University Faculty Handbook, as has been the practice in the past. If a change to the Faculty Handbook must be made before the Faculty Senators Council is able to review and accept such change, it shall be noted in the Table of Contents and in the amended text that the “change was made administratively,” as occurred for the “Principles and Procedures for Dealing with Allegations of Research Misconduct” in the 2008 edition of the Faculty Handbook. This designation shall remain until the Faculty Senators Council has reviewed and accepted the proposed change; and

RESOLVED that the Faculty Senators Council will post the following statement on its website and widely publicize:

“Unlike the prior edition (2008) of the NYU Faculty Handbook, the new (2012) online and pdf versions of the NYU Faculty Handbook have not yet been presented by the administration for review by and acceptance by the Faculty Senators Council.”