

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
faculty.senators.council@nyu.edu

November 26, 2012

MEMORANDUM

TO: Katherine Fleming, Deputy Provost and Vice Chancellor
Linda Mills, Vice Chancellor
Bonnie Brier, Senior Vice President
Diane Yu, Chief of Staff and Deputy to the President

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

RE: Faculty Senators Council Resolution regarding Joint Shared Governance

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

CC: Carol Morrow, Associate Provost
Marie Monaco, FSC Vice Chairperson
Mary Ann Jones, FSC Secretary
Christine Harrington, FSC Governance Committee Chair

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Resolution of Agreement with University Administration Designees on Joint Shared Governance Resolution

Approved 11/20/12

At the November 20, 2012 meeting of the Faculty Senators Council, the Council approved the following resolution:

Resolution:

WHEREAS: the Faculty Senators Council adopted on May 5, 2011 five Resolutions Regarding Shared Governance, and

WHEREAS: representatives of the Faculty Senators Council and designees of the New York University Administration reached mutual agreement on the language of these five Resolutions, it is

RESOLVED: That the five principles of shared governance listed below shall be followed:

1. Representation

The Faculty Senators Council (FSC) will have a representative (from the FSC or its designee), on university Committees, Taskforces, or other university-wide bodies that are convened by the university administration to advise on matters that affect faculty in educational and administrative policy [[NYU Bylaw 63a](#)].

2. Information

Transparency with respect to information regarding matters that affect faculty in educational and administrative policy is the norm. The use of “deliberative privilege” is the exception to this norm, requested only in circumstances wherein an individual(s) or the university’s interests would be harmed by public disclosure. In such instances, the university administration will provide appropriate reasons for invoking “deliberative privilege”.

3. Consultation

Except under rare, extraordinary circumstances, the university administration will provide a reasonable length of time for FSC consultation and input on all matters that affect faculty in educational and administrative policy. This means that the administration must plan in advance to allow enough time for at least one regularly-scheduled FSC meeting to occur before the consultation period comes to a close on any particular matter

For urgent decisions, such as decisions that must be taken during the summer or winter holiday, when the FSC is not in session, the FSC will establish a “provisional review committee” and a set of procedures for timely consultation and input regarding university administration decisions on matters that affect faculty in educational and administrative policy. All decisions reached by FSC’s provisional review committee are subject to full FSC review and approval. The FSC will promptly convey its final decision on the matter to the administration, which in turn will reconsider the provisional policy, based on new or additional advice provided by the FSC. The administration will then promptly convey its final decision to the FSC.

4. Reasoned Justification

When the FSC submits advice in writing to the university administration and the administration does not agree with or accept FSC's advice, the administration will provide its reasons for not accepting the FSC's advice to the FSC in writing and in a timely manner.

5. Communication

Predicated on the understanding that communications will pertain to Senate-related matters relevant to faculty colleagues within the Senators' schools, and that communication systems will be used in a reasonable and responsible manner consistent with the norms of civility, the Deans will enable Senators to send emails to faculty colleagues within their schools. Such communications will clearly convey whether its content is an official FSC communication or if it reflects the personal view(s) of the author(s) [[Provost Memo dated March 3, 2011](#)].