

# NYUFSC

## Faculty Senators Council

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### MEMORANDUM

**DATE:** February 21, 2014

**TO:** Bonnie S. Brier, Senior Vice President, General Counsel, and Secretary of the University

**FROM:** Raghu Sundaram  
Chairperson, Faculty Senators Council  
A/Y 2013-2014

**RE:** Faculty Senators Council Approval: Faculty Handbook Introduction, 2/10/14

At the February 20, 2014 meeting of the Faculty Senators Council, the Council approved the changes to the Faculty Handbook Introduction, dated 2/10/14.

The Council recommends the following corrections to the language in paragraph three, which begins with the phrase "To clarify the history...": remove "state," "specify," and "set forth." The attached document reflects these suggested edits.

**CC:** Awam Amkpa, FSC Vice Chairperson  
Charlton McIlwain, FSC Secretary  
Ted Magder, Immediate Past FSC Chair  
Jim Uleman, FSC Governance Committee Chair

Diane Yu, Deputy President  
Charles Bertolami, Dean, College of Dentistry  
Carol Morrow, Senior Associate Provost/ Chief of Staff to the Provost

# AMENDING THE FACULTY HANDBOOK INTRODUCTION

[Entire Introduction](#)

[DRAFT 12-3-13](#)

[2-10-14](#)

[Approved by the Faculty Senators Council on February 20, 2014, pending review by the NYU Board of Trustees.](#)

## [Purpose of the Handbook](#)

The Faculty Handbook is a guide to the Faculty and is designed to present 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. It also is meant to inform and serve other members of the University Community. 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, [among others](#): the excerpted portions of the University's Charter and Bylaws; matters involving the Faculty such as 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 [linkshyperlinks](#) 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 policies outlined in the Faculty Handbook as in effect from time to time form part of the essential employment understandings between a member of the Faculty and the University. Policies beyond those referenced in the Handbook are available here. In addition, Schools and units have their own internal rules, procedures, and policies, such as School statements on Faculty appointment policies and procedures, particularly those concerning](#)

promotion and tenure criteria and review procedures, which may supplement -- but do not supersede or replace -- policies outlined in this Faculty Handbook unless an exception has been granted by the Board of Trustees or President.

Where

### Amending the Faculty Handbook

Whenever the University Senate, a University Council, a Dean, or Faculty of a School (which includes a College or equivalent institute for purposes of this Handbook) seeks to propose changes to the Faculty Handbook, the body or person should first contact the Office of the Provost. The Provost (or his or her designee) will ascertain, based on the nature of the matter proposed change, whether the matter may be handled solely within the Office of the Provost, or whether the matter falls within the purview of the Office of the President of the University (which includes for this purpose all departments reporting directly or indirectly to the President other than those that report up through the Office of the Provost) and/or the Board of Trustees. In the event that the matter is within the purview of the Office of the President, the Provost (or his or her designee) will submit a recommendation to the President (or his or her designee) with respect to the proposed change. If the matter is within the purview of the Board of Trustees, the Provost (or his or her designee) will submit a recommendation to the President as to whether the President should present the matter to the Board for its consideration. Nothing in this Handbook constrains the Board of Trustees from making changes to this Handbook with respect to any matter, and in the manner, it finds appropriate in carrying out its duties; and administration will notify the Executive Committee of the Faculty Senators Council if the Board of Trustees makes any change to the Faculty Handbook.

To clarify the history of the Faculty Handbook or a policy included in the Faculty Handbook, the Provost's Office will maintain an on-line resource available to the Senate, the University Councils, the Deans, and Faculty of the Schools with the following information: ~~state~~ whether the provision or policy ultimately was promulgated by the Board of Trustees, the Office of the President, or the Office of the Provost; ~~specify~~ when a Senate or a Council comprising the Senate had the opportunity to review and comment on the provision or policy; and ~~set forth~~ the effective date of the provision or policy.

The administration of the University consults with the Faculty Senators Council with respect to additions and changes that it seeks to make to the Faculty Handbook, including changes to policies provided only by ~~clickable-link~~[hyperlinks](#), before inclusion in the Faculty Handbook other than in exceptional circumstances<sup>1</sup>. Consistent with the five principles of shared governance [~~link~~[hyperlink](#)], this includes the administration providing a reasonable length of time for consultation and input by the Faculty Senators Council; and, where the administration does not agree with written advice it receives from the Faculty Senators Council, the administration providing in writing, and in a timely manner, its reasoned justification for not accepting the advice. If an addition or change to the Faculty Handbook is made before the Faculty Senators Council reviews the addition or change, the addition or change is considered effective; however, the administration will provide an explanation to the Executive Committee of the Faculty Senators Council and the table of contents and text will indicate that the matter is still being reviewed by the Faculty Senators Council.

~~The policies outlined in the Faculty Handbook as in effect from time to time form part of the essential employment understandings between a member of the Faculty and the University. Policies beyond those referenced in the Handbook are available here. In addition, Schools and units have their own internal rules, procedures, and policies, such as School statements on Faculty appointment policies and procedures, particularly those concerning promotion and tenure criteria and review procedures, which may supplement — but do not supersede or replace — policies outlined in this Faculty Handbook unless an exception has been granted by the Board of Trustees or President.~~

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<sup>1</sup> The Faculty Handbook includes a substantial amount of descriptive material (e.g., the history of the University, excerpted portions of the University Charter and Bylaws, information about the University's officers, information about the University Senate and its Councils and Commission, information about the Libraries and the University Press, information about administrative departments of the University such as University Relations and Public Affairs, the Office for University Development and Alumni Relations, and the Office of General Counsel, information about benefits, selected University resources available to faculty, and information about student affairs). It also includes ~~linked~~[hyperlinked](#) policies. There will be changes from time to time to these materials that have little or no effect on faculty with respect to educational and administrative policy and often are quite minor. In such cases, changes may be made to these materials without prior consultation with the Faculty Senators Council. The administration will promptly notify the Executive Committee of the Faculty Senators Council of any such changes; and if, after receiving such notification, the Faculty Senators Council believes that it should have an opportunity to review and comment on the changes, it should so notify the Office of the Provost and also may ask that the table of contents and text indicate that the matter is still being reviewed by the Faculty Senators Council. The addition or change is considered effective unless subsequently changed.