MINUTES OF THE T-FACULTY SENATORS COUNCIL MEETING OF NOVEMBER 21, 2019

The New York University Tenured/Tenure Track Faculty Senators Council (T-FSC) met at noon on Thursday, November 21, 2019 in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Colloquium Room.

In attendance were Senators Battista, De Leon, Economides, Fenton, Frankl, Garabedian, Geppert, Irving, Kamer, Klein, Ling, Merritt, Mincer, Nonken, Ompad, Quinn, Schlick, Smoke, Sternhell, Upham, Waltzman, and Zamir; Active Alternates Alter and Reiss; and Alternate Senators Branski (for Makarov), Dorsen (for Taylor), and Gunsalus.

APPROVAL OF THE MINUTES

Upon a motion duly made and seconded, the minutes of the October 24, 2019 meeting were approved unanimously.

ANNOUNCEMENT OF THE LIST OF CANDIDATES FOR T-FSC CHAIRPERSON

Nominating Committee Chair Mincer announced the candidates for the position of T-FSC Chairperson 2020-2021. The candidates include David Irving of the Tisch School of the Arts and Darcey Merritt of the Silver School of Social Work. He asked for additional nominations from the floor. No additional nominations were made.

Mincer noted the Committee discussed the eligibility for Alternates to be included on the slate. In their reading of the T-FSC Rules of Procedure, the Committee determined only Senators are able to run for Executive Committee positions. However, the Committee requests that the Governance Committee review the following statement in the T-FSC Rules of Procedure to clarify eligibility and make clear if “T-FSC members” only refers to Senators:

T-FSC members in any year of their term are eligible for election to the position of Chair, Vice Chair, or Secretary. If the Chair-elect or Vice Chair-elect or Secretary-elect is in final year of his/her Senatorial term, then his/her term will automatically be extended by one year and the school election normally scheduled for that Senator’s seat will be postponed for one year. In no event, however, may a Senator’s term be extended by more than two years under this provision.

(section II.2.e)

REPORT FROM THE CHAIRPERSON: NICK ECONOMIDES

Executive Committee (EC) Meetings with President and Provost

Economides reported at the EC meeting with the Provost that they discussed the issue of long-term faculty compensation and the decision by the Provost to address this internally rather than go to an outside consultant. At the meeting with the President, they discussed the proposed changes by the U.S. Congress to the certification process of universities. They also discussed issues surrounding DACA students. In addition, the President addressed questions regarding the new Long Island School of Medicine (LI SOM). It was noted there is a financial connection between NYU Langone and LI SOM, but they are administratively separate. Economides noted the C-FSC offered observer status to a C-faculty
representative from LI SOM, and the T-FSC might consider offering the same status to a T-faculty representative.

SPECIAL PRESENTATION: PRESIDENT HAMILTON

The Council welcomed President Hamilton. Economides read questions collected from Council members:

Question 1: What is your vision for NYU? How would NYU look in 5 or 10 years if your vision is fulfilled?

Hamilton noted NYU’s uniquely large size and scale of quality academic programming. He noted his priority to identify areas of strength and ensure NYU maintains these strengths. One area of strength is the variety of professional schools, humanities departments, and social science departments. He commented on the critical role of continued investment in faculty recruitment.

He noted the importance of identifying areas to strengthen including the physical sciences, engineering, and technology. This goal can be seen in decisions made over the past few years, including the Jay Street project to transform the building at 370 Jay Street into a hub for engineering, applied science, urban science, digital technology, and digital media arts.

He highlighted three critical issues to focus on. One is the diversity of the student body and faculty and the continuation of a community-wide conversation to enhance the diversity, sense of inclusion, and equity at NYU. The second focus is affordability. He noted NYU’s improved cost of attendance ratings over the last four years. The third focus is the continuation of NYU’s sustainability efforts as it invests in its facilities.

Question 2: What are the major risks that would impede your vision from being realized?

Hamilton noted the public debate on the cost of attendance, and the effects a focus on free tuition, debt relief, and student loan caps pose on private institutions.

He noted the global tensions that exist are particularly acute for a global university. He noted issues with China, trade wars, and visa issues all pose a specific challenge with NYU.

Washington’s focus on intellectual property theft is also an issue. He noted higher education is coming under focus in how universities protect research discoveries.

Question 3: What do you think of NYU’s financial condition, especially in view of its present multi-billion investment-program at Wash Square?

Hamilton highlighted the ways that the 181 Mercer Street project will add massive value to academic opportunities, performing arts in Steinhardt and Tisch, and cultural riches to Greenwich Village. The cost is fully projected, and the financial projections at the close of 2019 has a healthy surplus that allows us to cover these investments in our infrastructure.

Question 4: What is your vision for enhancing faculty governance and the relationship between faculty and administration in the most innovative and impactful manner towards improvement this year? Specific steps you currently considering?

Hamilton commented on the positive progress made in the last few years, particularly with instituting formalized, regular meetings with the different councils, and the Board of Trustees, different parts of the Board of Trustees and the different councils of tenured, contract, and the administrative and student councils. He stated it is a great advance in governance from the point of the Board of Trustees being able to hear the voices of faculty and the community at NYU. In relation to the connection to the
administration, he noted he routinely meets with the different councils, and faculty and chairs from different schools.

In terms of innovation, he noted online tools used to engage with members of the community. He offered the examples of engaging people in sustainability initiatives and the Being at NYU survey.

A Senator inquired on the status of the Council’s suggestion to have a faculty voice on the Board of Trustees. She noted while the Council understands the potential conflict of interest if the representative is a current member of the NYU faculty, they suggested inviting former faculty members or presidents of comparable universities to serve on the Board of Trustees.

The President noted this suggestion has been transmitted to the Board. The administration agrees that there would be value in expanding the breadth of experience in the Board of Trustees. It was noted the Board membership is on the agenda for this year.

Question 5: What are the long-term plans for the global campuses?

Hamilton commented the Global Network University is a truly distinctive part of NYU and is an important draw for recruitment. He reported NYU now has 15 sites, including the new and rapidly expanding location in Los Angeles, particularly for Tisch, Steinhardt, and Gallatin students. The program is led by Nina Sadowsky.

Mariet Westermann now serves as Vice Chancellor of NYU Abu Dhabi. He noted expansion of student numbers continues in AD, and goal is to have 2,200 undergrads in the next few years, and 300 to 400 graduate students.

In Shanghai, construction has begun on a new campus that will alleviate a great deal of the space pressure.

Hamilton noted goals in expanding student engagement in the global sites. This year 48% of students study for at least a semester abroad, and the goal is to raise this figure to 60% or 65% of students. He noted areas where expansion can occur, including London. He also noted discussions to increase the academic connection with the six sites in western Europe.

Economides opened the floor to additional questions from Council members.

A senator inquired on the challenges regarding alumni contribution at NYU, compared to other Universities such as University of Chicago or University of Pennsylvania.

Hamilton reported over the past decade, NYU’s annual fundraising levels have routinely been in the top 10 of the country. The challenge NYU faces is in alumni participation numbers. He noted the challenge of NYU’s large size. In addition, athletic programs at other Universities enhance contribution rates. It was also noted that NYU had a long history as a commuter school, and compared to other Universities, has a more recent history dedicated to building its alumni network. He noted that progress is being made to increase and develop alumni networks and contribution.

The Council thanked the President for his visit.

T-FSC COMMITTEE REPORTS

Diversity, Equity, and Inclusion

Committee Co-Chair Nonken reported the Committee met twice this year. The overall agenda for the committee is to find ways to incentivize and encourage faculty to take advantage of current resources at NYU in order to become more aware of the issues of bias, discrimination, microaggression, and racism.
She noted the Committee is working with the Office of Equal Opportunity (OEO) to more broadly offer to faculty their educational trainings regarding bias incidences. Secondly, the Committee is working with the Office of General Counsel to include language in offer letters to new faculty encouraging them to take advantage of these trainings.

**Finance & Policy Planning**

*See attached Document B.*

Committee Co-Chair Economides reported the Senate Financial Affairs Committee (SFAC) met on October 25.

Regarding the Faculty Salary Study, the Committee was informed that the contracted vendor, Charles River Associates, did not have expertise in examining long-serving faculty compensation and was hired because of its qualifications in diversity aspects of compensation, the topic that the administration decided to examine. The Committee expressed frustration that, despite earlier assurances by administration representatives at SFAC that an outside vendor would be given the task of examining compensation inversion of long-serving faculty, the task will instead be done by the administration. Since the Committee has raised this issue for the past two academic years and were assured that the work would be contracted out, they asked why it was now being done internally. During further questioning at the SFAC meeting, it emerged that there was no competitive tender process for any of this work, and there was no information provided on how procurement was conducted. Finally, they were told that there was no timeline for any of this work. The Committee communicated reservations about the absence of comparative benchmarking with regard to the issue of salary inversion that would normally be provided in a study undertaken by external consultants.

In terms of the capital budget, NYU (Washington Square plus Dental School) plans to spend $2 billion in fixed investments in the next 7 years, mostly on buildings (new and renovations). Approximately $2 billion will be new borrowing (issuing of a mix of tax free and taxable bonds) from financial markets at about 4.5% or higher. We underlined that this level of investment and borrowing are high since NYU has “profit” (margin) of only about $120 million per year and only a $3.5 billion operating budget. Currently all “profits” for the next 10 years have been earmarked to be spent on fixed investment, which will constrain academic programs. Additionally, NYU will be constrained to a level of tuition increase of about 3% for five years or longer while for over a decade it enjoyed a 5% or higher tuition increases. We underlined once again that, in this tighter fiscal environment, it is crucial to prioritize spending in research and teaching and reduce spending on other functions. Although representatives of the administration affirm their understanding of this necessity, we are concerned that the level of cost cutting in its current plans is small.

A Senator noted Arts & Science did reports of the analysis of equity for A&S Faculty, including a review of salary compression. She noted these documents are publicly posted.

**Faculty Benefits & Housing**

Co-Chair Ling reported the Committee will meet with University HR on Dec. 12.

**Global Network University**

Co-Chair Cappell reported the Committee will schedule meeting following the Thanksgiving break.

**Governance**

Co-Chair Merritt reported the Committee will meet on Dec. 12 and will add to their agenda the clarification of the rules regarding eligibility to run for seats on the Executive Committee.
**Grievance**

The Chair asked for clarification on what information the Committee could report back to the Council. The Executive Committee will clarify with the Provost Office what the Grievance Committee can report to the Council, including information on the number of current or past cases and the outcome of those decisions.

**NEW BUSINESS**

**Continuing Contract Faculty Status as Principal Investigators**

Economides reported the Vice Provost for Research, Stacie Bloom, announced the Office of the Provost revisited the University’s Policy on Continuing Contract (C) faculty serving as Principal Investigators (PI’s) of Sponsored Projects and Programs, and the policy was amended to increase access for C faculty to serve in these roles.

It was noted at some schools C-faculty are involved in research. Tandon had a tradition of PI status for C-faculty, which began the conversation on offering PI status to C-faculty.

PPTM Committee Co-Chair Frankl noted that in reviewing C-faculty policies, there are some schools that have provisions on research, but it has to be made clear in the contract whether it is an expectation or something they can choose to pursue to advance their career.

It was recommended this item be added to the agenda of the PPTM Committee to discuss.

**ADJOURNMENT**

The meeting adjourned at 2:00 PM.
MEMO TO: Andy Hamilton, President NYU
MEMO FROM: Executive Council, T-FSC
RE: Questions to consider
DATE: 11.11.19

The T-FSC is pleased to have the opportunity to engage in a dialogue with the University President. It is clear from your State of the University address at the first senate meeting of AY 2019-'20 that while NYU is doing well, there is always room for improvement. The T-FSC wants to assist in any way to ensure the positive forward trajectory of the institution.

Please consider the following questions as a starting point for a discussion on how the tenured faculty at NYU can be a significant part of the enterprise:

What is your vision for NYU?

How would NYU look in 5 or 10 years if your vision is fulfilled?

What are the major risks that would impede your vision from being realized?

What is your vision for enhancing faculty governance and the relationship between faculty and administration in the most innovative and impactful manner towards improvement this year? Specific steps you currently considering?

What are the long-term plans for the global campuses?

Are you concerned that while our international students are certain to graduate with increased mastery of English language and deeper understanding of the United States our "native" students may remain monolingual and "mono-cultural" in outlook?

Given the degenerating image of the U.S. abroad and the difficulty of obtaining visas, how are we doing in attracting international talent?

A couple of years ago, there was some consideration of reshaping our summer terms in ways that would attract more non-NYU students, and contribute structurally to the affordability challenge for our own students, by incorporating summer study purposefully to achieve better time-to-degree outcome. Is there anything to report?

Are there any aggregate data that can be shared about how our schools are doing collectively in their faculty recruitment/retention efforts with respect to our benchmarked competition? Are there any weak spots?

What do you think of NYU’s financial condition, especially in view of its present multi-billion investment-program at Wash Square?

How can the T-FSC be most helpful in steering the University towards growth and success?
Report of Financial Affairs Committee to TFSC

11/21/2019

The TFSC Financial Affairs Committee met on October 25, 2019. We discussed issues to bring up in the upcoming SFAC meeting.

The SFAC met on October 30, 2019. We expressed our frustration to the committee that, despite earlier assurances by administration representatives at SFAC that an outside vendor would be given the task of examining compensation inversion of long-serving faculty, the task will instead be done by the administration. Since we have raised this issue for the past two academic years and were assured that the work would be contracted out, we asked why it was now being done internally. We were informed that the contracted vendor (Charles River Associates) did not have expertise in examining long-serving faculty compensation and was hired because of its qualifications in diversity aspects of compensation, the topic that the administration decided to examine. We also received no explanation on why there was such a long delay in dealing with this issue.

During further questioning at the SFAC meeting, it emerged that there was no competitive tender process for any of this work, and there was no information provided on how procurement was conducted. It seems that the administration wanted a particular vendor to work on the diversity issue regardless of its inability or unwillingness to undertake the long-serving faculty compensation inversion issue. It seems the administration preferred that the long-serving faculty compensation inversion issue be dealt with internally, which essentially leaves us at the same position as two years ago. We communicated our reservations about the absence of comparative benchmarking with regard to the issue of salary inversion that would normally be provided in a study undertaken by external consultants. We will continue to press our concerns about these vitally important concerns. Additionally, we will continue to seek clarification in future discussions, but we may be hindered by a confidentiality agreement that NYU signed with the vendor. Finally, we were told that there was no timeline for any of this work.

The Administration presented the operating and capital budget of NYU. We asked for a more detailed and less aggregated budget. For example, there is no breakdown between totals for tenured and tenure-track faculty and separately for contract faculty, and separately for adjuncts. We explained that the reported numbers of “average salary” for full professor, associate professor, and assistant professor across all disciplines are meaningless since there are significant differences in salaries across disciplines and an increase in the number of faculty in one discipline vs another could alter the average salary. Additionally, comparing these averages across universities is meaningless since different universities may have a different mix of numbers and levels of faculty across disciplines.

In terms of the capital budget, NYU (Washington Square plus Dental School) plans to spend $2 billion in fixed investments in the next 7 years, mostly in buildings (new and renovations). Approximately $2 billion will be new borrowing (issuing of a mix of tax free and taxable bonds) from financial markets at about 4.5% or higher. We underlined that this level of investment and borrowing are high since NYU has “profit” (margin) of only about $120 million per year and...
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