



**Date:** February 4, 2021

**Memorandum to:** Andrew D. Hamilton, President

**From:** Darcey Merritt  
Chairperson, T-Faculty Senators Council  
A/Y 2020-2021

**Subject:** T-FSC Executive Committee response regarding the School of Medicine disciplinary process changes related to tenure

After a period of much friction about eight years ago surrounding the process of decision making on significant university policies, the principles of shared governance, as they appear in the Faculty Handbook\* were given strong support by the Faculty, Administration, and Board of Trustees of NYU. We note in particular, two important aspects of these principles:

### 3. Consultation

*Except under rare, extraordinary circumstances, the University administration will provide a reasonable length of time for T-FSC and C-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 T-FSC and/or C-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 T-FSC and C-FSC are not in session, each Council 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 each Council's provisional review committee are subject to full Council review and approval. Each Council 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 Council. The administration will then promptly convey its final decision to each Council.*

### 4. Reasoned Justification

*When the T-FSC and/or the C-FSC submits advice in writing to the University administration and the administration does not agree with or accept the Council's advice, the administration will provide its reasons for not accepting the Council's advice to the Council(s) in writing and in a timely manner.*

The details of the procedures to be followed to conform to the letter of these principles are subject to interpretation. But, until recently, the practice has been such that both the faculty and administration have found the process productive and in accord with the spirit of these principles.

In particular, though the principles do not give a specific amount of time to be allowed for faculty council review, the T-FSC has found that, with appropriate effort commitment on its part, reviews could be done without undue time pressure. When policy documents were the subject of the review, the response included the original document interspersed with comments and suggestions, in addition to general remarks as appropriate. The administration's (in all cases until last semester, the Provost's Office) response to such a review document was regularly a point by point response, either accepting each suggestion or providing reasoned justification for not doing so.

Unfortunately, this practice was not followed last semester. On more than one occasion insufficient lead time was given for the review process resulting in a heavy burden for the members of T-FSC Personnel Policies and Tenure Modifications (PPTM) Committee and making it difficult to maintain the level of diligence that review of these policies merits. In addition, for one document, the Grossman School of Medicine's modification of Tenure and Promotion guidelines, the response received was a general one that did not address the specific points made in the review.

We urge the administration to commit to a procedure that is in the spirit of the principles of shared governance of the type that has worked so well for a number of years and to provide some assurance that this will be the regular practice in the future.

\*(<https://www.nyu.edu/faculty/governance-policies-and-procedures/faculty-handbook/the-university/organization-and-administration/university-councils-and-committees.html#principles>)

**cc:** Katherine Fleming, Provost  
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