



Date: November 7, 2014

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

From: Raghu Sundaram
Chairperson, T-Faculty Senators Council
A/Y 2014-2015

Subject: T-Faculty Senators Council Recommendation regarding Faculty Handbook

At the November 6, 2014 meeting of the T-Faculty Senators Council, the attached recommendation was approved.

cc: Diane Yu, Deputy President
Carol Morrow, Senior Associate Provost/Chief of Staff to the Provost
Peter Gonzalez, Assistant Provost for Academic Appointments

Allen Mincer, T-FSC Vice Chairperson
Mitchell Kane, T-FSC Secretary and T-FSC Governance Committee Co-Chair
Ted Magder, Immediate Past Chair
Jim Uleman, T-FSC Governance Committee Co-Chair

Recommendation of the T-Faculty Senators Council in regards to the Faculty Handbook

November 6, 2014

The T-Faculty Senators Council recommends the following changes to the *Faculty Handbook, Draft September 11, 2014, version 5*:

- a. On the first page, insert “and endorsed” into the first paragraph under the titles. It used to say the Handbook was reviewed and adopted by the FSC, but Bonnie Brier (Senior VP, General Counsel and Secretary in the Office of the President) objected that only the Board of Trustees can “adopt” this document. So “endorsed” is offered to clarify the results of our review.
- b. On p. 11 under ORGANIZATION AND ADMINISTRATION (15th page of document), the FSC-GC recommends that an organizational chart of NYU should be linked to this section. We recommend that Carol Morrow undertake this task. The chart should include links to web pages that list the names of the people involved, and go from the Board of Trustees at the top down to the level of departments and programs within schools, include the portals and study-away centers, and go down to major offices, divisions, and standing and ad hoc committees within the administration and governance structure.
- c. On p. 16 (20th page in the document), the entire section on Principles of Joint Shared Governance should be moved to the next page, to follow the section on “*The Full-Time Non-Tenure Track/Contract Faculty*” and precede the section on “*The Deans Council*.”
- d. On p. 24 (28th page in the document), delete “as a matter of academic courtesy” to make this less optional. This requires a change in the Bylaw 86 too.
- e. On p. 28 (32nd page in the document), the change in wording softens this recommendation for faculty on self-identification in the media from “should clearly” to “may want to.” This is based on a recent Administrative Law Judge ruling in a case involving the NLRB. The ruling said that on social media an employee is not required to make a disclaimer that he/she does not speak for the company, but only for him/herself, when identifying as an employee of said company. If the current text applies to “Other Faculty” including the unionized adjunct faculty, as this section’s heading implies, it violates that ruling and NLRB policy. This general area of the law is in flux.
- f. On p. 35 (39th page in the document) under Housing for Faculty, “About equal...” is changed to “The next highest priority is given to existing faculty,” to clarify the priorities.