



## **Joint Meeting of the Full-time Contract Faculty Planning Committee, University Senate Executive Committee, and University Senate Committee on Organization and Governance**

Meeting date: December 9, 2013 from 11:07am-12:10pm

Location: Colloquium room; GCASL room 566

### Attendees:

- Full-time Contract Faculty Planning Committee: Randolph Mowry (co-chair); Ann Marie Mauro (co-chair); Hannah Brueckner (via phone); Martha Caprio; Fred Carl; Joseph Carter; Lawrence Chiarelli; John Halpin; Neal Herman; Jessie Keyt; Matthew Leingang; Sylvia Maier; Prashiela Manga; Brian Mooney; Vasuki Nesiah; Dina Rosenfeld; Ezra Sacks; Susan Stehlick; Benjamin Stewart; Frederic Viguier; William Wesbrooks; and Patrick Ying;
- Senate Committee on Organization and Governance: Sameer Jaywant (co-chair); Warren Jelinek (co-chair); Mason Dettloff; Anita Dwyer; Harris Inskeep-Rosenfeld; Jim Jacobs; Carol Mandel; Charlton McIlwain; Fred Schwartzbach; Kristi Schwindt Ramos; Victoria Stanhope; and James Uleman; Diane Yu
- University Senate Executive Committee: Amam Amkpa (vice chair, Faculty Senators Council); Bonnie Brier (Senior Vice President and Secretary of the University); Mariam Ehrari (Vice President of the University Senate; chair, Student Senators Council); Lynn Videka (chair, Deans Council); David Vogelsang (chair, Administrative Management Council); Diane Yu (chair pro-tem, University Senate Executive Committee)

### **1. Welcome and Introductions**

Diane Yu, in her capacity as Chair Pro-Tem of the University Senate Executive Committee, convened the meeting at 11:07am and invited each attendee to introduce him or herself.

### **2. Role of SCOG in Process for Adding Members to the Senate**

Warren Jelinek, co-chair of the University Senate Committee on Organization and Governance ("SCOG"), delivered a presentation detailing the Role of SCOG as defined by the University Senate Rules of Procedure, as well as the process by which changes can be made to the composition of the Senate. Dr. Jelinek noted that SCOG has provided counsel to the Senate on various matters of representation in the past, including recommending: the inclusion of the Administrative Management Council in 2001; adjusting the student and faculty representation as a result of the change in affiliation of the Liberal Studies Program in 2009; and the addition of senators to account for the inclusion of NYU-Poly, which will become effective in 2014.

Regarding the representation of full-time contract faculty, Dr. Jelinek indicated that SCOG has been charged by the University Senate Executive Committee to deliberate and provide a recommendation. Following the resolutions passed by the Faculty Senators Council, SCOG surveyed

full-time contract faculty about their desire to be represented and consulted with the councils of the Senate to aid in its deliberations. Concurrently, the University Senate Executive Committee determined that a Planning Committee should “provide advice and counsel to SCOG in developing a proposal that is likely to be approved by the Senate” would be helpful. The Office of the Provost then determined the constitution of the Planning Committee.

### **3. Process for Reviewing Proposed Recommendation by Planning Committee on Full-time Contract Faculty Representation in the Senate**

Going forward, Dr. Jelinek indicated that it would be ideal if SCOG could present the proposal on full-time contract faculty Senate representation for discussion at the March 4, 2014 meeting of the Senate, with the actual vote taking place at the April 17, 2014 meeting, with consideration by the Board of Trustees at its meeting on June 11, 2014. The two-meeting approach is favored to ensure that all of the Senators are familiar with the proposal and can vote in an informed fashion on April 17<sup>th</sup>—which is the last Senate meeting of the year. In anticipation of that, SCOG has asked that the Planning Committee provide its recommendations by February 10, 2014.

Chair Diane Yu indicated that if the proposal is not approved at the April 17<sup>th</sup> Senate meeting, the next opportunity to bring the proposal to the Board would be the October or December meeting of the Board in the fall of 2014. The Board has asked that the proposal be made in time for its June meeting, and this would mean missing their deadline by a half-year in terms of seating full-time contract faculty in the Senate.

A member of the Planning Committee asked if the each Senator is given one vote in the Senate or if votes are weighted by council or constituency. Ms. Yu responded by indicating that the current structure is “one senator, one vote.”

### **4. Views of the Senate Executive Committee**

Mariam Ehrari, in her capacity as Vice President of the University Senate, explained that the University Senate Executive Committee did not want to make any formal recommendations to SCOG or to the Planning Committee so as to not unduly influence the deliberations of these groups. She emphasized that the University Senate Executive Committee is available as a resource to both groups and is happy to assist as needed.

Ms. Ehrari, however, did present four guiding principles to which the members of the University Senate Executive Committee have agreed. She urged the members to take into account these principles in crafting a resolution that garners a high level of support and likelihood of passage in the University Senate and at the Board. The principles stated were as follows:

- a. The Administrative Management Council (“AMC”) and the Student Senators Council (“SSC”) should not be diluted beyond their current proportions in the Senate.
- b. When considering proportionality, faculty should be considered as one group within the Senate. This is independent of structure.
- c. No one group should have 50% or more of the Senate.
- d. We should keep the size of the Senate in mind, as well as the expected future additions of Abu Dhabi and Shanghai.

Randolph Mowry, co-chair of the Planning Committee, inquired as to the role of the University Senate Executive Committee following SCOG's formulation and submission of a recommendation. Ms. Ehrari said that the University Senate Executive Committee would not weigh in prior to the recommendation being presented to the full Senate but, as indicated by Dean's Council chair Lynn Videka, the Executive Committee could provide some additional guidance after further deliberations.

## 5. Discussion

Awam Amkpa, vice chair of the Faculty Senators Council ("FSC"), indicated that the Faculty Senators Council had been deliberating the issue of full-time contract faculty representation for some time. He affirmed the FSC's support for representation for this group and shared that there have been informal discussions about limiting the University Senate to 120 total members. He said that the FSC is eager to move past issues of representation to issues of governance. Various positions with regard to the size of the full University Senate, as well as the relationship between the principles put forth by the University Senate Executive Committee and the proportion of representation on the University Senate, were discussed by members of all three committees.

Dr. Jelinek noted that SCOG will make the ultimate recommendation on the size and composition of the University Senate and that the issue is complex and nuanced. For instance, he noted that the AMC has been limited to five voting members—one Senator short of being able to have one seat on each of the standing committees. Additionally, Dr. Jelinek mentioned that the School of Medicine has historically been limited to six Senators, well short of the 12-13 Senators it would be entitled to under a system of truly proportional representation.

A member of the Planning Committee inquired as to the methods used to calculate the representation among the various councils. Members of the University Senate Executive Committee explained that the processes vary among councils. [NB: Further detail is available at: <https://www.nyu.edu/about/leadership-university-administration/university-senate.html>] Specifically, an inquiry was made as to the process for electing the senators at large from the FSC. It was explained that the FSC membership makes nominations and the FSC Executive Committee makes final recommendations, and the full FSC ratifies the Senators.

The attendees discussed the issue of representation, including whether it was appropriate to cap the number of representatives from the School of Medicine at less than its proportionate representation or, alternatively, whether FAS should be capped so it does not dominate the FSC. A member of the Planning Committee asserted that the School of Medicine is satisfied with its current membership level. Ann Marie Mauro, co-chair of the Planning Committee, inquired as to the representation of faculty from the Institute for the Study of the Ancient World ("ISAW") and the Institute of Fine Arts ("IFA"). Ms. Yu indicated that IFA and ISAW, in consultation with the Provost, agreed that they did not need to have their own individual representative on the Planning Committee and they could participate instead in the FAS election for membership.

Dr. Mauro noted that the Planning Committee is working to formulate a term to capture the varied nature of their respective appointments. Dr. Mowry queried as to whether the number of Senators currently allocated to tenure-track faculty representatives must decrease to comply with the University Senate Executive Committee's principle to limit constituent councils to less than 50% of the overall composition. Dr. Jelinek indicated that increasing the size of the University Senate was

one way to avoid having to decrease the current levels of representation. Dr. Videka noted that the Deans Council did not make a recommendation on size.

One member of the Planning Committee asked about the reasoning behind the FSC's decision to recommend a separate council for full-time contract faculty. Dr. Amkpa indicated that it has been a long conversation and has to do with the FSC's relationship with the size of the University Senate over time. The FSC also wanted to assert support for its faculty peers, he asserted.

One member of the Planning Committee inquired as to the likelihood of passage of a resolution that did not incorporate the four guiding principles set forth by the University Senate Executive Committee. Ms. Yu emphasized the need for a resolution that could be supported by the entire Senate and the Board; she noted that the viability of a recommendation that deviated from the principles would depend largely on the soundness of the evidence and reasoning provided by the Planning Committee.

## **6. Next Steps**

Dr. Mauro reiterated the Planning Committee's appreciation for the opportunity to meet with the University Senate Executive Committee and SCOG. She reported that the Planning Committee has already had two meetings, during which it identified key questions. The Committee, she said, is still sorting through data and will do its best to come forward with a consensus proposal that adheres to the guidelines and timeline set forth.

Ms. Yu emphasized that SCOG and the University Senate Executive Committee, or a subgroup thereof, is willing to be available to the Planning Committee for further consultation if desired. She indicated that she has reached out to the relevant office in the University to assist in setting up a website for the Planning Committee.

## **7. Adjourn**

There being no further business, the meeting adjourned at 12:10 PM.

### Attachment:

- PowerPoint Presentation from Warren Jelinek, chair of SCOG

Minutes taken by: Michael Patullo

**NEW YORK UNIVERSITY  
THE UNIVERSITY SENATE  
Senate Rules of Procedure**

Organization and Governance Committee.

**Membership** The Committee shall consist of the Secretary of the University and one additional representative of the Central Administration, two members nominated by and from the Deans Council, five members nominated by and from the Faculty Senators Council, four members nominated by and from the Student Senators Council, and two members nominated by and from the Administrative Management Council, The Committee shall elect its own chairperson.

**Duties** The Committee shall review organizational policies of the University and make recommendations regarding governance.

## Historical Changes to the Composition of the University Senate

The first Bylaws to contain a description of the University Senate and an outline of its powers and duties appeared in 1899.

The Bylaws approved by the Board of Trustees on May 27, 1968, were the first to provide for multiple faculty representation according to the size of each School's Faculty.

The first Students were added to the Senate in 1971

The Administrative Management Council (AMC) was established in 1972, but not as a Council in the Senate

## The Role of SCOG in Recent Changes to the Composition of the University Senate

Before 2001	The Administrative Management Council (AMC) existed as a Council in the University but not as a Council of the Senate and was represented in the Senate as are the Officers of the University.
April 2001	<p><i>On recommendation of SCOG</i>, at the April 12, 2001 meeting of the Senate:</p> <ul style="list-style-type: none"> <li>• The AMC was seated as a Council of the Senate with 3 Senators;</li> <li>• The name of the Faculty Council was changed to The Faculty Senators Council.</li> </ul>
March 2006	<p><i>On recommendation of SCOG</i>, the AMC gained 2 Senators.</p> <p>The Faculty Senators Council (FSC) and Student Senators Council (SSC) forewent expansion of their respective Councils.</p>
Fall Semester 2006	The Liberal Studies Program (LSP - formerly known as the General Studies Program - GSP) moved from the School of Continuing and Professional Studies (SCPS) to a division in the Faculty of Arts and Sciences (FAS), losing its former representation through SCPS (LSP is not a School of the University, therefore its Students don't have the right of representation according to the algorithm by which Student Senators are elected).
April 2009	<p><i>On recommendation of SCOG</i>, at the April 23, 2009 meeting of the Senate:</p> <ul style="list-style-type: none"> <li>• The SSC gained 1 Senator-At-Large to be used to represent the Students of the LSP (total SSC Senators = 23 Senators);</li> <li>• The FSC gained 1 Senator to maintain balance of representation of the Councils in the Senate (total FSC = 36 Senators).</li> </ul>
November 2013	<p><i>On recommendation of SCOG</i>, at the November 7, 2013 meeting of the Senate, and effective when NYU Poly becomes a School of the University:</p> <ul style="list-style-type: none"> <li>• The FSC will gain 1 Senator (total FSC Senators = 37 Senators);</li> <li>• The SSC will gain 2 Senators (total SSC Senators = 25 Senators);</li> <li>• The Deans Council will gain 1 Senator (total Deans Council Senators = 16 Senators).</li> </ul>

# The Process

## An issue of Organization or Governance is brought to SCOG.

*The Faculty Senators Council passed two resolutions regarding representation of the Non-tenure Track Full time Faculty in University governance:*

***IT IS RESOLVED: That should non-tenure track full time faculty (NTTF) seek to be eligible for representation, the FSC recommends that NTTF be eligible for representation in university governance;***

***IT IS RESOLVED: That should non-tenure track full time faculty (NTTF) seek representation, the FSC recommends that NTTF form a separate contract faculty council.***

*The matter was referred to the University Senate and the Senate Executive Committee referred it to SCOG.*

## SCOG deliberates on the issue – gathers information, consults, etc.

*In two surveys, SCOG asked the Full-time Contract Faculty whether it wished representation.*

*The Senate Executive Committee asked the Schools to elect Delegates to a Planning Committee on Full-time Contract Faculty representation whose **“charge will be solely to provide advice and counsel to SCOG in developing a proposal that is likely to be approved by the Senate.”***

*SCOG consulted the Councils of the Senate and is consulting the Planning Committee.*

## SCOG makes a recommendation to the Senate by introducing a resolution on the floor of the Senate.

**The Senate debates and votes on whether to approve the resolution.**

**If adopted, the resolution is brought to the Board of Trustees.**

**If the Board of Trustees ratifies the resolution the appropriate document(s) (University Bylaws, Faculty Handbook, etc.) is/are amended accordingly.**

## Views of SCOG

*The size of the Senate is a consideration.*

How big IS **TOO BIG**?

*Balance of representation of the Councils in the Senate is a Consideration.*

There is agreement that the relative proportionality of faculty to student representation in the Senate should remain approximately equal to its current value, **meaning that the number of Student Senators would increase in proportion to the added number of Senators from a Full-time Contract Faculty Council.**

*Representation of Councils on Standing Committees of the Senate is a Consideration.*

There is agreement that one Senator position should be added to the the AMC so that each Standing Committee can include one AMC Senator.

## Models for Representation

***Representation according to the Faculty Senators Council (FSC) model:*** FTCTF representatives from each school would be elected following current formulas for numbers of faculty representatives, i.e., based on the number of FTCTF in each school. This would increase the size of the Senate by approximately 36-38 members.

***Representation that maintains the current overall proportion of faculty:*** The total number of faculty seats in the Senate would be divided proportionally between tenure/tenure-track faculty and full time contract faculty based on numbers in each school. Each would form a separate council (The FSC has recommended that the two groups not be incorporated together into the FSC).

***Representation following the Administrative Management Council (AMC) model in which a subset of elected Council members serves as Senators:*** The AMC is a university-wide body of 120 members, represented in the Senate by five elected members

***Representation following the Student Senators Council (SSC) model in which there is only one representative from most schools plus at-large members.*** The SSC also oversees a University Committee on Student Life, which has broader representation for various School-based councils and *provides input to the Council. This model maintains a school-based orientation.*

***Other model(s):*** During discussions a more preferable model(s) than those indicated in 1-4 may arise and is/are welcome for consideration.

## Allocating the Number of FSC Senators/School by the Method of Equal Proportions\*

Total Number of 2013 -2014 AY Tenured/ Tenure Track Faculty in the University = 1994	Total FSC Senators = 36
Tenured/Tenure Track Faculty at the Medical School = 501	The number of School of Medicine Senators is capped by the Bylaws = 6
	The number of FSC Senators-at-Large specified by the Bylaws = 3
Total Number of Tenured/Tenure Track Faculty in the University minus Tenured/ Tenure Track Faculty at the Medical School = 1493	Total FSC Senators minus (School of Medicine Senators plus FSC Senators-at-Large) = 27
<p>Number of Tenured/Tenure Track Faculty represented in the FSC by each Senator elected in Schools other than the Medical School, <b>with the proviso that each school will be entitled to at least one elected faculty Senator.</b></p> <p>Six School have too few Tenured/Tenure Track Faculty to merit 1 Senator by the Method of Equal Proportions, so by default they each are awarded 1 Senator, leaving 21 Senators to be divided among the remaining schools, which, together, have 1374 Tenured/Tenure Track Faculty</p> <p>Each Senator elected in Schools represents <math>1374 / 21 = 65.4</math> Tenured/Tenure Track Faculty.</p>	
<p>* “Each year, the University Secretary and General Counsel will provide the Faculty Senators Council and the secretary to the faculty or each school the number of faculty members assigned to each school for the purpose of Senate elections and will at the same time indicate the number of Senators to which each school is entitled.” – <i>NYU Bylaw 63(c)</i></p>	

## Distribution of Senators Across Schools

### What If the Number of FSC Senators from the School of Medicine Were Not Capped?

The earliest date for which we have data is for the 2005-2006 AY, a date at which the number of FSC Senators from the School of Medicine was capped at 6 Senators (We don't know in which year the capping occurred, but in the 2005-2006 AY the capping was in effect).

In the 2005-2006 AY there were 2214 Tenured/Tenure Track Faculty in the University, of which 892 were in the School of Medicine :  
 $892/2214 = 40.3\%$

### What about the Full-time Non-tenure Track Faculty at the School of Medicine?

Currently there are 2092 Full-time Non-tenure Track Faculty in the University, of which 940 are in the the School of Medicine:  
 $940/2092 = 44.9\%$

### A Consideration:

***If not capped, the number of Senators from the School of Medicine would constitute a substantial voting block in their respective Councils***