

Dear Colleagues,

In spring 2020, the Office of the Provost and the Faculty Senate Executive Committee issued a joint statement recognizing that the COVID-19 pandemic and related social-distancing requirements required flexibility around the statutory procedures governing department, area, and school meetings, especially around personnel decisions. The primary goal of these measures was to preserve the principles that underlie our statutory procedures -- protecting confidentiality, promoting robust conversation among colleagues, and ensuring the privacy of voting -- while enabling us to achieve these goals in a manner that protected the safety of the Fordham community.

During the 2021-22 academic year, we will continue to make the following adjustments to our normal ways of proceeding:

- Although under normal circumstances, the Statutes require that personnel meetings must be held with colleagues present in the same room, we recognize that under current circumstances this is not advisable. For remote meetings, the following requirements must be met:
  - All colleagues participating in a meeting, including those joining by distance means must be able, at minimum, to hear each other at the same time.
  - Colleagues participating by distance means in meetings that are held under the statutory requirement of confidentiality (e.g., personnel committee meetings) must ensure that others are not able to hear, see, or otherwise observe the proceedings.
  - Participants in personnel meetings should exercise caution in discussing candidates in the Zoom chat function. First, discussion should take place openly among all members of the committee rather than in private side conversations. Second, Zoom archives all chats, so colleagues should be aware that this could become discoverable evidence in the event of a legal dispute.
  - If secret votes are taken, all colleagues participating must have the opportunity to register their votes in a way that does not reveal how they voted. We recommend that the committee chair create a survey in Qualtrics, a program licensed by Fordham which will allow members to cast secure, anonymous votes either at the meeting location (via a laptop or smartphone) or at a remote location. For technical assistance with creating/preparing an anonymous Qualtrics survey to record your committee's votes, please see "[Reappointment/Tenure/Promotion \(RTP\) Voting Using Qualtrics](#)" or contact Shawn Hill at [shill18@fordham.edu](mailto:shill18@fordham.edu).
  - Although newer versions of Zoom also allow for creating anonymous polls, voting in these polls is visible to the host in real time. This could allow the host (often the committee chair) to see how others are voting before casting a vote. Therefore, we do not recommend using this functionality in Zoom.
  - As a reminder about the relevant statutory provision (4-05.01(3)), when calculating the number of faculty members required for the presence of a quorum, if a faculty member is not on leave, even if working remotely, s/he is

automatically included in the calculation of a quorum and is expected to participate in personnel meetings even if from a distance. As usual, faculty members who are on leave may choose to participate in the meetings of personnel committees of which they are members, in which case they count in the calculation of a quorum.

- For matters other than recommendations concerning reappointment, tenure, and promotion, departments and committees can take action without holding a meeting if everyone entitled to be present at the meeting consents in writing (including by email) to taking the action proposed without holding a meeting.
- Documents and other materials that would normally need to be signed or submitted in writing may be submitted by electronic mail. If a document (including the form specifying that a member of a personnel committee has reviewed and agrees with the personnel committee report) requires a signature, it must be submitted in an email sent from the sender's fordham.edu account, or it must be entered in a Google document in a way that indicates which user entered it.
- If a faculty member, department, or committee finds that due to circumstances related to the pandemic it will be impossible to meet a statutory deadline, an extension to the deadline may be requested by emailing provost@fordham.edu and the appropriate dean. Such requests are not guaranteed to be accepted, but will be reviewed and responded to as quickly as possible.

We hope that these adjustments will make it possible for the work of the University to move forward even despite the evolving situation that we face. We are grateful for your ongoing efforts to respond flexibly in these challenging circumstances.

Sincerely,

Dennis C. Jacobs, Provost and Senior Vice President for Academic Affairs

John Drummond, President of the Faculty Senate