NON-TENURE TRACK FULL TIME FACULTY
AT NEW YORK UNIVERSITY

FACULTY SENATORS COUNCIL

REPORT RECEIVED AND ALL RECOMMENDATIONS
APPROVED, OCTOBER 16, 2008
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I. INTRODUCTION/ FORWARD:

In response to a request from President Sexton, the Faculty Senators Council (FSC) undertook an initial study of the roles and responsibilities of non-tenure track full-time (NTTFT) faculty at New York University and derived suggestions from the results of this study as to how to better integrate these individuals into the University community.

Several major reports reviewing the status of non-tenure track faculty, which include recommendations, have recently been published. Most comprehensive are “Non-tenure track Faculty: The Landscape at US Institutions of Higher Education”, by the Center for Education of Women at the University of Michigan, and the several sections of the American Association of University Professors report, “Contingent Faculty Index 2006”. A review by the American Association of State Colleges and Universities was more narrowly focused on how to deal with these trends. Here we summarize the general findings of these reports, relate them to the current situation at NYU and give recommendations for short term and long term improvements. The recommendations given assume that number of NTT/NTTFT will be limited to 30% across the University excluding the School of Medicine, with an incremental decrease to 25% of the faculty, as recommended by the FSC in March 2004.

II. METHODS:

A web-based search was conducted for information on NTTFT faculty at other institutions. Several recent reviews, cited above, formed a base for exploration, but emphasis was placed on comparable research oriented Universities. A review of the history of NTTFT faculty at NYU was conducted. Numbers of TT and NTTFT faculty in the various schools were obtained from Faculty Records.

The FSC Governance Committee in consultation with the FSC Personnel and Affirmative Action Committee designed a brief survey, which was sent to the Deans of each school through the Provost’s Office, requesting information on the numbers of NTTFT faculty, their roles, responsibilities and participation in governance at the school and department level. A spreadsheet was made of the responses from which university wide, as well as discipline-specific, conclusions could be drawn.

The FSC Personnel and Affirmative Action Committee (PAAC) conducted interviews with NTTFT faculty solicited from the various schools via the Senators. Some of these individuals were recommended by their departments, others by colleagues. Some took part in group discussions with members of PAAC; others preferred to be interviewed confidentially as individuals.
III. OVERVIEW/BACKGROUND

A. Summary of Reviews of Faculty Trends and Status

Two comprehensive reports on the status of non-tenure track faculty appeared in 2006, one from the University of Michigan (U of M) Center for the Education of Women (CEW) and funded by the Alfred P. Sloan Foundation, the other from the AAUP. They are in many ways complementary. Although the AAUP study has more robust numerical data, the focus of the CEW report was on the terms of employment and working condition, employment policies and benefits. A third report from the American Association of State Colleges and Universities focused more on approaches to deal with this trend.

1. Non Tenure Track Faculty: the Landscape at U.S. Institutions of Higher Education, CEW at U of M, November 2006
   (http://www.cew.umich.edu/research/highered.htm):

   The CEW report from U of M was based on a random sample of 551 public and private four-year schools. They had a 36% response rate, which they considered quite good given the complexity of the survey, which was representative of the demographics of the sample taken. It is important to note that their survey focused on faculty primarily involved in teaching and excluded clinical or research faculty whose primary responsibilities were not instructional. They “defined non-tenure track instructional faculty as employees who, regardless of their title, hold position that do not lead to consideration for tenure; and who have primarily instructional responsibilities, including teaching one or more classes, or advising or supervising students’ academic activities.”

   As summarized in this survey there has been a decrease in the tenured/tenure track (TT) faculty by 15% from 1987 to 2003 and an increase in non-tenure track (NTT) faculty, such that by 2003 more than one quarter (28%) of the full-time faculty were non-tenure track (NTTFT) (AAUP report 2003, data included in Figure 1, below, p 6).

   Reasons cited in this report for the increased use of NTT faculty were increased numbers of students, the lower cost of NTT faculty, fiscal constraints that resulted in institutions becoming reluctant to make tenure commitments and the curricular flexibility that use of NTT faculty allowed.

   Along with the trend toward use of NTT faculty the report notes that there has been an increase in the unionization of the faculty, both TT and NTT, resulting in 26% of the full-time faculty being represented by some kind of collective bargaining unit.

   The report points out that NTT faculty are a varied group in terms of titles, contract lengths, salary, and the financial and resource support received, as well as in their desire for a TT appointment. Their uniform character is that the do not have the opportunities, privileges and security that tenure provides.
Twelve key findings were cited and are briefly summarized here:

1) The use of NTT faculty is fairly uniform across geographic regions and in private vs. public institutions, but less so among different institutional types and in differing degrees of urbanization.
2) Their survey of institutions indicated that use of NTT would not increase and over time would, therefore, flatten out (see discussion of AAUP report pertaining to this point).
3) Currently 43% of NTT faculty are employed FT. (see Figure 1, p 6, in discussion of AAUP report.
4) Hiring procedures for NTTPT are less formal than those for NTTFT faculty.
5) All FT and most PT NTT faculty are treated as employees, rather than as independent contractors.
6) Approximately half of the institutions sampled offer longer-term contracts to some NTT faculty.
7) The average stay at an institution for FT is 7 years, for PT is 5-1/2 years.
8) NTT faculty primarily teach undergraduates; they seldom teach graduate courses.
9) In 78% of the institutions, NTTFT faculty participate fully or partially in faculty governance at the institutional level (faculty senate); only 33% provide the same opportunity for PT NTT faculty.
10) Moves from the NTT to the TT are possible at some institutions – sometimes.
11) Benefits for NTTFT are similar to those of TT faculty (95% of the institutions sampled), but PT NTT faculty often do not receive benefits (51% of the institutions sampled).
12) Benefits are more likely to be received if the faculty are unionized and this is particularly so for the PT NTT faculty.

The CEW 2006 report is a preliminary analysis of a complex data set. Analysis by this group is ongoing and future studies will include a more detailed examination of the difference a faculty union makes, the level of institutional consideration of the lengthy list of issues associated with employment of NTT faculty, the respondents assessment of the relative importance of issues particularly salient to the NTT faculty themselves, support of and opposition to these issues from campus and external constituents, analysis of which constituencies have been most instrumental in advocating for change on behalf of NTT faculty and which have been resistant to changes and a respondent assessment of the most significant contributions that NTT faculty make to their institutions.
[See www.cew.umich.edu for further details]

2. AAUP Contingent Faculty Index, 2006
(www.aaup.org/AAUP/pubsres/academe/2006/ND/AW/ContIndex.htm):

The AAUP analysis is based on more comprehensive data and extends the analysis of the UofM CEW group. The article, ‘Consequences: An Increasingly Contingent Faculty’ is written by John W. Curtis, AAUP Director of Research and Public Policy who holds a Ph.D. in Sociology from Johns Hopkins University, and Monica F. Jacobe, Research Fellow for Contingent Faculty Issues at AAUP, a doctoral student in English who has been a contingent faculty member at a number of institutions and served
contingent faculty in departmental and university governance. Extensive data tables giving the numbers and percentages of contingent faculty at over 2,600 colleges and universities across the United States supplement the article. The source for the data is the US Department of Education IPEDS Human Resources Survey, Employees by Assigned Position, 2005. The data apply only to non-medical faculty, and do not include primarily public service faculty.

Contingent faculty as discussed in this report ‘include several categories of university teachers and researchers: part-time faculty; full-time faculty outside the tenure lines; graduate student employees; and post-doctoral fellows.’ The term tenure line includes both full-time faculty with tenure and those who are on the tenure track. We will focus here on those aspects of the report dealing with NTTFT faculty and comment on their extension to the 2005 data set.

Growth of Contingent Faculty:

Figure 1 below is derived from Figure 1 in the AAUP report, which covered presented data from 1975, 1989 and 2003. The figure legend been modified to include the 2005 data in the AAUP report appendices.

Figure 1. Trends in Faculty Status, 1975–2003
All degree-granting institutions, national totals

Source: US Department of Education, IPEDS Fall Staff Survey

Figure 1. Trends in Faculty Status, 1975 – 2005. All degree-granting institutions, national totals. In 2005 FT Tenured were 26%, FT Tenure Track were 11.9%, FT Non-Track were 15.5% and Part-time were 47%.
As shown, between 1975 and 2003 there was a decline in tenured positions from 37% of all faculty to only 24%. Corresponding to this there has been an increase in the proportion of contingent appointments: NTTFT increased from 13% to 19% of all faculty and PT NTT from 30% to 46%. Overall TT faculty decreased from 57% to 35% and NTT faculty increased from 43% to 65% of the total faculty. This is in fair agreement with the number cited by the CEW report above. Although detailed examination of the appended aggregate tables shows that there is variability in this shift among the institutions, the data confirm what has been referred to as a “seismic shift” during this period in faculty appointments at colleges and universities across the country.

Of some interest is that when the table is extended to include the corresponding data from 2005, appended to this report, this is little change from the proportions seen in 2003 (see legend for Figure 1). TT positions remain approximately one third of the faculty appointments and NTT appointments remain at two thirds. Thus the prediction of the CEW report for a flattening of the use of NTT faculty seems, at least for now, to hold true.

This is not to dismiss the problems attendant to the use of NTT faculty and the consequences of their increased numbers on the culture and quality of higher education.

When discussing the NTTFT faculty, the AAUP report notes that ‘many of these positions were originally intended to last one to three years, without being renewed; today they are being renewed with increasing frequency.’ This keeps these faculty on a contingent basis for long periods “without protections of tenure or the comprehensive peer evaluation of a tenure review.” These appointments have moved from “temporary” to become an established feature of faculty employment.

The AAUP report points out that while in terms of pay and working conditions, NTTFT faculty may be on par with TT faculty, issues questioned by the CEW report above, they face constraints on their academic freedom due to their more vulnerable position. Initial hire may involve a faculty committee, but reappointment may be at the discretion of a single individual.

In addition the career progression for NTTFT faculty is limited. The increased time they spend teaching results in decreased time for scholarship. While these faculty meet departmental needs, their career objectives are seldom considered.

The report notes that an increasing proportion of NTT faculty positions are designated as “research only”. The employment conditions are essentially the same as for faculty whose primary role is in teaching and create constraints on their academic freedom as well.
Ramifications for Higher Education:

For Students:
The AAUP report holds that the increased contingency of the faculty threatens the quality of higher education. They cite the following:

1) Contingent faculty are not in a position to develop a mentoring relationship with their students that will last beyond the initial encounter
   a. They may not be there when recommendations are required for scholarships or study abroad.
   b. Introductory courses are large, limiting personnel contact
   c. These faculty may lack office space in which to hold such conversations
   d. They are often less familiar with the overall curriculum of the university or their department

2) Contingent faculty are less likely to challenge their students because they are often reliant on student evaluations for continued employment.

For Faculty Careers:
The AAUP also holds that moving from NTT positions to TT appointments is difficult. Among current full-time faculty they cite results indicating that movement is usually among off-tenure line appointments or among tenure-line appointments. However, like the CEW report above, they find that this is not absolute. For example, in some disciplines, notably languages, serving in as NTT faculty is almost an unspoken prerequisite to obtaining a tenure-track position. According to a 2004 survey by the Modern Language Association, covering 2003–2004, about one-third of those hired into tenure-track positions came from NTTFT faculty positions. This does not hold for faculty in PT NTT positions. While NTTFT faculty have most likely served on department committees and taught a full-time teaching load, PT NTT faculty rarely have this opportunity. They are viewed as teachers for hire and valued in the classroom, but not outside.

For the Institutions:
It is often stated that faculty are the core of a college or university. They develop the instructional and research programs that are fundamental to the existence of these institutions. Increased numbers of contingent faculty impact these roles in several ways:

1) Generally contingent faculty are not involved in curriculum planning. They teach specific courses and lack the broader view of the programs within which the courses exist. As their numbers increase, there are fewer long-term faculty to oversee the development of a coherent curriculum.

2) When hired into primarily research positions the lack of institutional commitment may translate into a constraint on their academic freedom and potential innovation.

3) Contingent faculty lack the support necessary for them to function as effective mentors or to be involved in recruitments and admissions decisions.
The AAUP holds that the effects of increasing contingent faculty “describe the difference between an institution offering education and one that offers training”. They all “describe a more corporate organizational model, in which faculty are increasingly marginalized in institutional decision-making and faculty work is increasingly ‘unbundled’ into isolated tasks.” The article concludes by saying that when the faculty can be described as contingent, this comprises “a fundamental change in the nature of higher education institutions and their role in a democratic society.”

For the Future of Higher Education:
Central to the impact of increasing contingent faculty is the diminution of the faculty voice:

1) The nature of contingent appointments prevents these faculty from helping to shape the academy and the curriculum as a whole.

2) TT faculty must share the weight of service among fewer eligible individuals, yielding a weaker voice.

3) If NTT faculty participate in service the result of their lack of academic freedom and justifiable fear of losing their positions inhibits challenge of the status quo.

The AAUP holds that faculty voice may be diminished and even stifled if these trends continue. Institutions are increasingly asking teachers and researchers “to commit to them, their mission and their students, without providing an institutional commitment” in return. “This paradigm forces all faculty into a situation…where the individual must focus on the work valued by the institutions simply to remain employed.” “The scholarship or collegial participation in shared governance of these faculty members is not of concern to the institution, and if fully 65% of the current academic workforce is employed this way, the other 35% cannot be far behind.”

“Maintaining an academic workforce where faculty are valued for their contributions in and out of the classroom, and then rewarded for those contributions with the security and freedom of tenure, is fundamental to the system itself. In the end, those who benefit are not the teachers and researchers ensconced in ivory towers. The beneficiaries are the students who learn from faculty who are provided with the tools to guide, challenge, and support them through their education. Without such a faculty, higher education cannot remain the vital institution it has become in American society.”


The AASCU article had a somewhat different perspective. They focused on trends in faculty in higher education and concluded that the time is past for a “one size fits all” approach. They noted that there will be a major retirement of older faculty in the next decade, many of whom would like a phased retirement in which they continue to work part time and institutions will be turning to a new kind of faculty to fill these positions. They maintained that young faculty tend to value teaching more than their senior colleagues, dislike hypercompetitive departments, and “want to have a life”.
They cited the growth of NTT or contingent faculty and the forces driving this trend: pressure to reduce costs and the need for more flexibility, as well as the concerns about the impact of this on students, inequities among faculty and erosion of tenure, shared governance and academic freedom.

They then gave three approaches that might be taken to deal with this:

One is to work to reverse the trend. Limiting use of PT and adjunct faculty and providing incentives for hiring and retaining TT faculty. They cite the AAUP's recommendation in their 2003 report of having no more that 15 percent of total instruction in an institution and no more than 25% of the instruction in any department provided by NTT faculty.

A second is to minimize the potential drawbacks of contingent faculty. Here they cite the AFT standards for compensation, professional conditions and assuring voice for NTTFT and PT NTT faculty. An example of continuing three-year contracts at one institution following these standards was given as a positive step toward balancing flexibility with supportive policies and protections. At this institution 95% of the faculty are on such three-year contracts.

The third is to improve the tenure system. They cited as advances in this area the growth of post-tenure review and development of specialized work plans for faculty in which individual concentrate on teaching, research or service, as long as department needs are being met. It was felt that this would increase academic quality and productivity.

The use of the phrase in this section “to the extent that the tenure system itself can be improved, there may be less need to hire outside the system”, the criticism cited at the beginning of the article that “tenure and shared governance run counter to sound business practices and contribute substantially to rising college costs” and results cited of a Chronicle of Higher Education survey of four-year college presidents which showed inadequate faculty salaries as highest on the list of concerns coupled with the majority of these individuals foreseeing changes in the tenure system may be taken to indicate that this group is arguing from a perspective opposite that of the AAUP.

B. NTTFT Faculty at NYU

1. Reasons for and Contributions of NTTFT Faculty

Reasons for NTTFT Faculty

The primary function of Non-Tenure Track Full-Time (NTTFT) faculty is providing instructional services to students—instruction that is essential to the success of the University’s educational mission. While they may also be involved with administration, service, and research, instruction remains their central role. The rationale for these positions is that faculty with special experience in the fields in which they teach
bring a connection to those fields that faculty who are also expected to conduct research, provide service, and teach cannot provide.

Contributions of NTTFT Faculty

Non-tenure track full-time faculty often have practiced professionally in the areas in which they instruct and may have experience and knowledge of the problems of practice from which faculty may be distanced. Their specialized roles benefit instruction in ways tenure-track faculty cannot. They offer unique and important expertise, whether clinical, specialized, or pedagogical, to our students as an important and necessary complement to the strengths of the tenure-track faculty. Their participation, especially at the undergraduate level, helps to meet the staffing demands that tenure-track faculty alone cannot meet.

2. History of NTTFT Faculty at NYU – From FSC records

Summary of Past Discussions and Recommendations for NTTFT faculty governance:

2007-2008  Initial report on NTTFT faculty completed and submitted to FSC.
2006-2007  FSC Governance Committee and Personnel and Affirmative Action Committees address issue of NTTFT roles, responsibilities within schools and departments, as well as participation in governance. A survey of the schools was conducted and interviews of NTTFT done. An initial report was written.
2005-2006  FSC Governance Committee preoccupied with Faculty Handbook review
October 2004
Proposed statement giving decisions re NTTFT governance to schools
A survey was taken and partially completed
A vote was taken as to whether contract faculty should be represented on the FSC
Result of straw vote was NO. The other question had been:
Should contract faculty serve on FSC? This was left out of straw vote (because it was negated by the first response, i.e. if not to be represented in some manner, certainly can’t serve)

Sept 2004
Discussion of NTTFT started again

April 13, 2004
Request for legal advice from General Counsel on governance of NTTFT – no record of response
Two proposals made: (1) extend vote for senator(s) to all FT faculty, (2) tenured and tenure track faculty give contract (NTTFT) faculty the right to run for senator by majority vote of mail ballot, in one year renewable vote, limit to one NTTFT per school and require five years of FT service in order run.
March 11, 2004
Recommend that:
Number of NT/NTTFT be limited to 30% across the University excluding the
School of Med, with an incremental decrease to 25% of the faculty
Schools determine distribution across programs and depts. Submit proposals to
FSC for consideration.
Request annual updates on numbers, location, title/roles
Fundamental protections stressed
Duties and responsibilities specified in appt letter
Appointments and reappointments made in concert with Dept Personnel
Committee or other authorized committee of the faculty
Appropriate monitoring and evaluation procedures after initial appt
Access to same grievance process as tenured and tenure track faculty
Voice on issues related to curriculum and teaching practices
However: Voting privileges determined by tenured faculty
Participation on promotion and tenure committees, personnel
committees, recruitment and appointment of tenure track asst.
professors, as well as service as dept chairs should be reserved for
tenured faculty.
Discussion pts: What percentage of teaching is done by NTTFT faculty?
What percentage of teaching is done by adjunct faculty?
Are adjunct faculty becoming NTTFT faculty?

February 24, 2004
Response by Provosts Office to questions asked by FSC for definition of “contract
faculty” and current numbers of these faculty. Definition: NT appt is one for a
definite period of time, not exceeding one academic year. It automatically
terminates at the close of that period unless officially renewed (Bylaw 73). The
response to question about combining adjunct into FT contract appointments was
that it was a school decision.

[2002 ? report received from FAS]
[2000 ? report received from Dental School]
May 8, 1997  FSC recommendations:
Number of Language Lectureships in FAS and Courant Inst be increased from 3
to 6% of full-time faculty.
5 yr review of program by FAS Policy and Planning Committee and copies of
report provided to FSC
Nov 21, 1995  FSC recommendation
Endorsed college of Dentistry’s proposal to establish Full-Time Clinical
Professorial appointments contingent upon:  1) right to grievance on matters other
than tenure in a manner similar to tenure track faculty (2) status report be
forwarded to FSC after five years.
Jan  29, 1990  President Oliva responded to FSC support of FAS proposal for
establishment of full-time non-tenure track positions in FAS (See Appendix A,
p 41)
IV. Current Status of NTTFT at NYU

A. Numbers NTTFT vs. TT Faculty (See Appendix B, p 44)

In March 2004 the FSC recommended that the number of NT/NTTFT faculty be limited to 30% across the University excluding the School of Medicine, with an incremental decrease to 25% of the faculty. According to data received from Faculty Records in October 2006, four schools exceed 26%: FAS, 31.1%; Dental, 47.9%, TSOA, 65.1%, (SoM, 44.8%), and SCPS, 96.6%. These data differ only slightly from those obtained via the FSC survey, except for FAS (survey response gives 21% minus GSP, 27% including GSP) and the College of Dentistry. At the University level the average is 36%, excluding the SoM and 39% including the SoM.

B. Roles and Responsibilities of NTTFT Faculty

1. Stated in Faculty Handbook and Bylaws (see Appendix F, p 54 - 84).

The NYU Faculty Handbook is for all faculty and most sections pertain to both tenured and non-tenured faculty alike; a few delineate differences: The section on Academic Freedom and Tenure defines tenure (p 21)(Appendix F, p 54-55), tenure eligibility and titles (p 22-28, 42-43)(Appendix F, p 60-61), procedures for of tenured faculty appointment (p 29 – 31) and termination of tenured faculty for cause (p 37), while the section on Non-tenure Positions defines the terms and titles of these appointments (p 43-46)(Appendix F, p 56-58). The section on Faculty Membership and Meetings defines the membership of the voting faculty, as it pertains to each group (p 41)(Appendix F, p 59-60).

Nonetheless, most statements in the sections on Responsibilities of the Faculty Member (p 46 – 50)(Appendix F, p 64-72), Faculty Resources (p 62 – 65)(Appendix F, p 80-83) and Policies Concerning the Protection of Rights (p 68 – 141)(Appendix F, p 84), as well as the General Disciplinary Regulations (p 38-40)(Appendix F p 56-58) and Faculty Grievance Procedures (p 56 – 58)(Appendix F, p 74 – 76), apply to both groups. The few exceptions are carefully spelled out, e.g. Guidelines for Sponsored Research, 4. Principal Investigator Status (p 91): “For the special case of training grants clinical professors, clinical associate professors and clinical assistant professors are permitted to serve as Principal Investigators with the approval of the department chair and the dean. For research scientists/scholars or senior research scientists/scholars, requests for Principal Investigator status must come from the department chair and be directed to the Provost or, where appropriate, the dean of the relevant professional school.”

In some cases, however, the distinction between TT and NTTFT faculty may be blurred and/or designation of applicability of policies to both groups not spelled out. Greater clarity might be useful, e.g. Faculty Grievance Procedures, Sabbatical Leave, Leave of Absence, etc. Preparation of a guide for use of the Faculty Handbook specific for NTTFT would be useful.
2. Defined by Survey

a. Robustness of Survey and Interviews:

A questionnaire was sent to the Deans of each school requesting information on the numbers of NTTFT faculty and their roles and responsibilities at both the school and departmental level (See Appendices C, p 46-48). All of the schools responded to the survey at the school level (Law, Medicine, Dentistry and Nursing, Steinhardt, Stern, SCPS, Wagner, Social Work, TSOA; FAS, including GSP and the Courant Institute; Libraries; Gallatin). Response from the schools at the departmental level was less complete for several reasons. In schools lacking departments or in those in which departments were uniform with respect to the survey questions, an aggregate response was submitted. In some schools having departmental structure, response from the departments was incomplete, e.g., College of Dentistry. The Faculty of Arts and Sciences (FAS) as well as the School of Medicine (SoM), both of which have a considerable number of NTTFT faculty, did not submit departmental data due to “the complexity of their faculty”. Despite these deficits, we believe that the responses received are sufficiently representative to allow general conclusions to be drawn and prioritized recommendations to be made.

Fifteen individuals from various schools participated in the interviews given by PAAC. Although the number is not large and may not be completely representative the interviews revealed concerns of the NTTFT faculty that can be and should be addressed.

b. Results of Survey

i. At the School Level (See Appendix D, p 50):

The Library responded that they had no NTTFT faculty. In all of the other schools that do have NTTFT faculty, these faculty:

Attend faculty meetings in all cases.

The Law School qualified their response by saying that NTTFT faculty attended non-personnel meetings.

FAS qualified their response, noting that GSP faculty meet separately

Vote at these meetings in most cases.

The topics on which voting was allowed were qualified in some cases (Wagner, in some cases; SoM, only for Dept rep to SoM Fac. Council), and by the title of who could vote in others, e.g. Arts Professors are allowed to vote in TSOA. In FAS vote is extended to NTTFT by TT faculty. In GSP voting at faculty meetings is considered an automatic right. In Gallatin vote of NTTFT faculty is understood to be a permanent right as a part of the governance of the school

Serve on school committees in most cases.

Except for those stated in the bylaws as being for TT only, e.g. Promotion and Tenure.

In TSOA service on school committees is limited to Arts Professors.
In the Law School NTTFT faculty do not serve on school committees. In FAS NTTFT faculty do not serve on most committees. In GSP they serve on all.
Serve on elected school committees in most cases. However, most schools qualified this response.
Except those stated for TT-only in bylaws – Dentistry and Nursing
Not Promotion and Tenure – Social Work
SoM – Faculty Council, yes; Grievance and University Senate, no
TSOA – limited to Arts Professors
Stern, SCPS, Steinhardt and Gallatin gave unqualified responses.
In FAS NTTFT do not serve on most committees. In GSP they serve on all.
Follow the Faculty Handbook procedures for grievance in most cases. Dentistry sends grievances involving NTTFT faculty through the Human Resources Dept. and Wagner has a specific faculty committee.
GSP is developing its own grievance procedure.
Gallatin grievance procedure is uncertain.
May serve on the Grievance Committee of their school in some cases.
Yes – Stern, Social Work, TSOA and Nursing
(if it is a NTTFT faculty issue)
No- Law, Steinhardt, SoM, Wagner, FAS
Gallatin – see above
Have the right to vote granted yearly in many cases, with interesting exceptions
Law – NTTFT faculty do not vote
Are granted right to vote in Stern, Wagner, Social Work, Dental, Steinhardt, TSOA and SoM, FAS
Are not granted the right to vote, but do vote – SCPS & Nursing. Nursing replied that “It is a given”. Gallatin replied NTTFT faculty are treated as equals.
In GSP NTTFT faculty automatically have the right to vote.
Do not vote for Senator in most cases (SoM, TSOA, SCPS, Law, Wagner, FAS), but do vote for Senators in some cases (Stern, Social Work, Dental, Nursing, Steinhardt, Gallatin). GSP has no representation on the FSC or Senate.

Clearly with regard to the last two there is a significant difference between what the Faculty Handbook stipulates (must be granted right to vote, but cannot vote for Senator) and current practice in some schools (SCPS, Dentistry and Nursing, Stern, Social Work, Steinhardt and Gallatin) on one or both counts.

ii. At the Departmental Level (See Appendix E, p 52):

Only three schools provided responses by individual departments, Tisch, Steinhardt and SCPS. Neither Gallatin nor Nursing has departments per se and they responded to all departmental questions as a whole. All of the other schools gave an aggregate response, which they felt reflected the status of the departments as a whole, except FAS and Medicine in which departments apparently differ considerably.
From the data received, it is clear that NTTFT faculty comprise a portion of the faculty in all of the departments in all of the various schools responding to the FSC survey, with the exception of the Library. However, there was tremendous variability in the numbers from school to school and between departments of each school, ranging from one to 42, in those schools reporting numbers per department. There was also wide variability in the ratio of NTTFT to TT faculty within the departments, with some departments having no TT faculty. The latter was true of all but one department in SCPS and of all departments in GSP.

The most frequently used title set was Clinical Asst, Assoc or Full Professor. This set is used in all schools except four. Law, which uses the titles Acting Assist. Prof Law and Tax Prof Clinical Law; Tisch, where the titles Asst, Assoc and Full Arts Professor are designated; Gallatin and GSP, where Teacher and Master Teacher are solely employed. The Teacher, Master Teacher titles are also used in FAS, Tisch, Steinhardt and SCPS. The title Language Lecturer, the oldest of NTTFT titles (see letter from President Oliva, Appendix A, P 42,) is used in FAS and SCPS. A few other titles are school or institute specific, as in Law and Tisch (see above). Wagner uses Professor of Practice and Senior Fellow, Courant uses Collegian Professor (as well as Language Lecturer), FAS has Faculty Fellows and Steinhardt has Urban Master Teachers. The title set Research Asst, Assoc, Full Professor seems to be almost unique to the School of Medicine, except for Wagner.

In most cases while qualifications/credentials related to the titles employed, specific duties did not. In Gallatin the teaching loads differ between Teach and Master Teacher, because the latter are more active in leadership roles and administration. In the SoM Clinical title faculty are primarily involved in patient care, with some teaching responsibilities and some research and service expected, while Research title faculty are primarily involved in research with some education and service responsibilities.

In all cases appointments are renewable, with contracts ranging from one to five years, with no apparent limit on renewing. The Law School is an exception; one-year contracts are renewable annually, but not to exceed five years of service. In only one case was it specified that a year contract was reviewed annually. Since the Faculty Handbook clearly states that NTTFT appointments are to be for one year only, some realignment of prescription with practice is required.

Most schools appear to have guidelines for appointment, promotion and tenure in practice; it is not clear in some cases that these are transparent to the faculty and posted where easily accessible.

NTTFT faculty teach at a variety of levels depending on the department and program. Some only teach undergraduates, some only graduates, a few only electives. In most cases the general course content is not decided upon by the NTTFT faculty member by his/her self, but is decided by TT faculty, Program director, Dept Head, Dept and/or School Curriculum Committee or Dean, usually with, but sometimes without, consultation with the NTTFT faculty member. In some cases national professional
organization directives are determinative. NTTFT faculty seem to have more leeway in deciding general content in Gallatin and Tisch. However, in most cases decision on the details of the course content fall into the purview of the NTTFT faculty member, with or without consultation with the individuals/groups listed above. Supervision by TT faculty ranges from nominal to collaborative to active in departments having TT. In some cases NTTFT faculty have full control of the detailed course content.

Contributions by NTTFT faculty to academic decisions occur at the informal level in all departments of all schools and in most cases they serve on some departmental committees. Input into major departmental committees is variable across schools and within schools. In most cases, except GSP, Gallatin and some departments in Tisch, participation in Promotion and Tenure Committees is excluded. In the Law School and Stern School of Business participation of NTTFT in major committees is not allowed in any department and in Steinhardt it is not allowed in one department. In the SoM it was noted that departments differed in NTTFT faculty participation in decision making at all levels.

In almost all cases NTTFT faculty were allowed to vote on non-personnel issues at departmental meetings, except for the Law School and two departments in Tisch. In SCPS two departments noted that they discussed issues, but did not vote. Voting on all issues was more restricted. Departments in Law, Stern and Wagner do not allow voting on all issues. Three departments in Tisch and one in SCPS do not allow voting on all issues. Voting is allowed on all but Promotion and Tenure decisions in the Silver School of Social Work and FAS. Unrestricted voting on all issues is allowed in Nursing, GSP, Gallatin, Steinhardt and most departments in Tisch and SCPS.

Despite the firm stipulation in the bylaws that TT faculty vote on granting NTTFT faculty the right to vote on a yearly basis and that NTTFT faculty may only vote on issues pertaining to them, there was considerable variability at the department level in this. The right to vote was not granted by the Law School or Wagner, consistent with the fact that NTTFT faculty do not vote on any issues in Law and vote only on non-personnel issues in Wagner. In Stern, the Silver School of Social Work, FAS, six of the eleven departments in Steinhardt and one department in SCPS the right to vote is granted by the TT faculty, but vote is limited to non-personnel issues in Stern and excludes, appropriately, the right to vote on promotion policies in Social Work and FAS. In SoM the right to vote is extended only for purposes of election of departmental representatives to the SoM Faculty Council.

However, in many cases the right to vote was not extended and NTTFT faculty were allowed to vote: Nursing, Gallatin, most departments in Tisch, five of the departments in Steinhardt, all of GSP and most of SCPS. The reasons given were interesting: “No, it is a given” (Nursing); “NTTFT vote automatically” (GSP); “No, understood as a permanent right as part of governance” (Gallatin); “Don’t ask TT”, lack TT, “Assumed equal to TT” (Tisch, with one citing department bylaws and TSOA organization); ‘Right is historically based and not recently discussed’, ‘Vote is a condition of employment’, ‘Not formally’ (Steinhardt); N/A or no TT faculty (SCPS). The lapse in having TT faculty extend the
right to vote to NTTFT faculty on a yearly basis was not always related to the ratio of NTTFT to TT faculty. It is evident from the variety of responses that the written policy requires clarification.

V. CONCERNS OF NTTFT FACULTY

A. Results of Interviews – Report from FSC Personnel and Affirmative Action Committee (PAAC)

PAAC spent much of its meeting time in 2006-2007 talking with contract faculty members. Some such faculty members met with the committee; others, out of fear, preferred to meet with the Chair of PAAC privately to discuss their situation, and wished to remain unnamed, invisible. One person who had planned to send a report on his situation after the interview decided not to do so, apparently from fear of reprisal. Another person whom we interviewed did send in a follow-up letter (See below, p 19).

These conversations were an eye-opening—and disturbing—experience for all of the members of PAAC. Among the serious issues that arose are the following:

- Many contract faculty members say they have no clear understanding of what their contract situation is, or how things work. Some do not understand when they are supposed to be reviewed, and feel that they are reviewed too often.
- Some live in fear of losing their position from one year to the next—and without understanding why.
- They say that the guidelines for promotion for them are unclear, or entirely absent.
- Though many of them do much of the work in their department—e.g., the bulk of undergraduate teaching and even administration—they are sometimes excluded from important departmental discussions, such as those bearing on curriculum.
- Some are unhappy that they are excluded from upper level undergraduate courses and can only teach the most basic courses.
- There are apparently no clear policies on the roles and responsibilities—or rights—of such faculty members. This is the case not just across schools (e.g. FAS vs. Tisch vs. Steinhardt), but these differ in different departments within the same school.
- These faculty members are frequently made to feel like second-class citizens by their tenure-track colleagues.
- They have noted that they have no role in university governance, and are excluded from the Faculty Council and Senate. Some appear not to care about this issue, but others are very much bothered by it.
- University housing is not available to them (though a few, who came in the past, are in faculty housing).
- Several members have noted, with bitterness, that their salaries are very low in comparison with tenure-track faculty.
These are serious problems. They are virtually structural to NYU as it currently functions. The question is: What can be done to improve the situation of these faculty members? There are many important issues here. Some are well beyond the purview of this committee—such as the question of representation on the University Senate. But one thing that we can certainly recommend is increased transparency. Contract faculty members need to have a much clearer understanding of their situation: their contract, the grounds for termination of contract, their rights within their department, criteria for promotion, and the like.

One thing is clear: this is a major problem for NYU! Steps need to be made to improve the situation of these members of the University community, or we can anticipate serious problems down the line—and perhaps not very far! For example, these faculty members, who strongly feel like second-class citizens, are apt to be very open to the appeal of unionization—and who can blame them?

One NTTFT faculty member’s summary of one group discussion (name withheld by FSC)(In this note NTTFT faculty are referred to as clinical professors):

“Below is a quick note based on the meeting on Tuesday. I assume your takeaway was the same, but I thought it might be handy if I wrote this up as well. There did seem to be some fair agreement in many areas. I thought I would highlight some areas where it seemed clear that some practical guidelines or advice that might be formulated (or acknowledge from the clinical perspective areas where there probably could not be). Nothing sensitive or information that probably did not occur to you guys already, but FYI.

I just wanted to follow-up on our meeting regarding the role of clinical/contract professors at NYU. I had five basic points.

1. The clear consensus seemed to be that clinical professors were focused on improving the transparency of the rehiring process.

Issues like housing assistance are secondary factors that the university would be unable to address in any case. Similarly, issues like the movement between tenured and non-tenured positions are uncommon and also idiosyncratic to the individual departments. The level of integration and collegiality into their departments did not seem to be an issue for most clinical faculty.

2. On transparency, it would seem clear and workable guidelines/advice to schools and programs could first focus on communicating the timeline for the reappointment process. There are probably massive differences within the NYU community on the process, but asking for this to be clear and transparent within departments should be simple (one e-mail or memo a year on the timeline). I think it would actually make things easier for department administrators and chairs in any case by avoiding e-mails and office visits from anxious clinical professor.
One IMPORTANT point was the rules requiring notification for a decision not to renew. It appears that most long-term appoints require at least one year’s notice on a decision not to renew. This did NOT appear to be common knowledge among chairs or clinical/contract faculty. (Note added: This was a misconception. It refers to notification of tenure-eligible faculty, not yet tenured, rather than to non-tenure track faculty)

Communicating this is likely to ease a common clinical concern in many situations. Moreover, failing to communicate this could be far worse for a department. In the rare case where someone was not reappointed and was not informed of this, I could easily imagine a lawsuit. Under NY state law, the faculty manual is a de facto employment contract to which the university is legally bound.

Or a department may be forced to reinstate someone at the last minute when the administration or the clinical professor realized the rules are being broken. You would have a very awkward situation where they are re-allocating teaching loads, office space and budgeting after having planned out the next year. Since a department is legally bound to rehire someone in any case, one might as well spell out.

Departments already face slightly awkward situations whenever they deny someone tenure and also typically give them extra year of employment, so it is not a new situation. With clinical faculty where real performance or budgetary issues exist, we might as well let them know as early as possible.

3. It did not come up in the meeting as much, but I am certain that the clear communication of the criterion for re-appointment is also concern for many clinical faculty members. This is very tough to deal with as it will vary widely by department, can involve more subjective factors or may be driven by economic considerations. Naturally, part of the attraction of the clinical faculty is the flexibility that comes with them.

Nevertheless, I have to assume more could be done to communicate the expectations of clinical faculty. It may be impossible for the university to develop meaningful and substantive advice for departments, however.

4. Speeding up the process of reappointment to earlier in the year is attractive to clinical professors. I am sure departments value the flexibility of later decisions. I also fear it may be problematic as many departments probably look at clinical reappointments at the same time they look at tenure track faculty issues and you would normally like to see the fall semester teaching evaluations. A related consideration for reappointment is the economic needs and teaching demands of the department.

While many departments probably put off clinical reappointment decisions (and
offer shorter appointments) to maximize flexibility in case of supply/demand changes, I assume most programs face little year-to-year change and overestimate the costs of earlier commitment. They could probably afford to speed up the process.

5. The variance in the length of contracts is also potentially an issue, but with no easy answer. In particular, I would be most concerned on differences between clinical contracts within an actual department as this is easiest to address. Big differences could lead some clinical faculty to wonder if different appointment lengths signal their own relative value or future. For example, if the standard is 3 years and someone gets a 2 year contract, do they wonder if the department trying to “send a message” of some sort?

I might proffer advice/guidelines that suggest departments/schools adopt their own individual policies, which are in turn more uniform within their own organizations (e.g. typical contract lengths except for new faculty or clinical professors where there are concerns, who would receive a 1 year contract.) This clearly communicates a concern where there are problems, without sending the wrong message to those performing well.

I again assume that reappointment is the norm and that departments are most likely overestimating potential problems down the road that would not really be solved by shorter contracts. They are just adding to the administrative burdens of chairs by reviewing people more frequently. It just means more visits by anxious clinical professors to sound out department heads or senior faculty, writing more recommendations and paperwork for the Dean’s office for re-appointment and other resource wasting activities with less tangible gain.

As a final point, I understand by necessity that contract lengths vary just as workloads and salaries do within NYU. However, wide publication of these differences could be a future source of conflict and I would not publicize it.

Some schools/departments routinely use 5 year contracts where I get the sense other departments are still using 1 and 2 year contracts even with veteran staffers. This is not widely known but came up in the meeting prior to the entrance of faculty members.

I believe my own school falls on the conservative side of the spectrum given its changing programmatic needs. I do not mind and personally accept that. However, a veteran and well regarded clinical on a two year appointment might look at routine 5 year contracts elsewhere at NYU and feel upset.

There is nothing you can do as even many of us clinical professors would grant that 5 years would be a very long and potentially burdensome for many departments. But I would definitely not advertise the issue.”
B. Efforts at the School Level to Address NTTFT Faculty Concerns

In several schools some efforts are being made to address NTTFT concerns.

**FAS:** Information regarding FAS was obtained as a part of their response to the FSC questionnaire and off the FAS website ([http://as.nyu.edu/page/policiesprocedures](http://as.nyu.edu/page/policiesprocedures)). Within the past year or so FAS has written procedures for reappointment of NTTFT faculty that clarify the review process. In addition there are on the FAS website a set of fairly comprehensive guidelines for recruitment of new faculty, including those to be hired in the Language Lecturer and Clinical non-tenure tracks, which specify the titles and qualifications, terms of appointment, responsibilities, governance, authorization for recruitment and appointment and procedures for reappointment and/or promotion.

**Steinhardt:** Information regarding Steinhardt was obtained during a meeting of the FSC PAAC committee and a Clinical Associate Professor serving on a committee of Steinhardt faculty and administrators that has been meeting over the past year to regularize the appointment and reappointment process for NTTFT faculty, specifically concerning faculty in the “Clinical” ranks. The committee has proposed forms and processes and is meeting with Departments to assess their work and how it addresses the needs of the very diverse population of faculty and Departments within the School. The committee hopes to begin implementation of the more transparent and consistent process soon.

In the meeting with PAAC some comparisons of Steinhardt with FAS were made. One topic of particular interest was the effort to move to contracts of progressively longer lengths of time (1, 3, 5 years in succession was mentioned). While initial contracts of a year in duration seemed appropriate, the benefits of multi-year contracts for reappointed faculty members (increased security), and for the Departments (greater consistency in staffing) seemed well worth working toward. It was noted that the current Faculty Handbook has no provision for such multi-year appointments for NTTFT faculty, but the practice exists in some Departments and Schools. Making such a provision is one of the recommendations in the Steinhardt Committee’s proposals.

Since the work of NTTFT faculty is often different from TT faculty, especially as regards research and publication expectations, and they are not obliged to apply for promotion, the Steinhardt committee decided to concentrate on the appointment and reappointment process, which affects all faculty in these ranks. As the relations of these faculty with the Schools and Departments become more regularized, however, it was noted that the issue of promotion will also need attention, and the Committee does include guidelines for this process in its report.
VI. CONCERNS OF T-TT FACULTY

The concerns of the T-TT faculty revolve around three basic issues at the University level (academic freedom, quality of education, and shared governance), as well as several concerns regarding the status and treatment of NTTFT. Two specific responses will serve to provide some perspective on these concerns:

Response A (abstract thereof):

The lack of generally accepted concise terms for the two groups of faculty named above have made discussion of this (and other) issues very difficult. And while there is as yet no consensus on which shorter terms to use, I shall, in the sequel speak of tenure track and contract faculty. These are imprecise terms whose only benefit is brevity.

The creation of a large group of contract faculty at NYU is de facto creation of a two-tier faculty. While in some circumstances contract faculty are entirely appropriate, such as clinical faculty and similar appointments, in fact many contract faculty perform teaching jobs previously done by tenure track faculty.

Since contract faculty are most often hired to teach undergraduates while tenure track faculty teach both undergraduates and graduates, it is clear that contract faculty are often highly concentrated in undergraduate schools. In many instances a part of the undergraduate curriculum in a given department is in the hands of contract faculty. Yet, traditionally certain academic decisions have rested completely or in large measure with the then uniform in structure TT faculty, e.g., academic policy, educational policy, the recommendation of departmental chairmen, the election of faculty representatives on school committees and the academic senate, etc. Most important was the production of undergraduate curricula in the various majors, imposition of academic discipline, and the very important link between research activities and undergraduate teaching.

Thus NTTFT faculty may teach the courses, yet often they have no say in the setting of the syllabus for that course. That lies in the hands of tenure track faculty who, in fact, may not recently have taught the course or courses in question. This same dichotomy applies across the board in all the areas listed above. Most schools have an Undergraduate Curriculum Committee or some similar faculty group. Yet, contract faculty usually do not serve on such a committee. This seriously reduces both the status and authority of the contract faculty and can and sometimes does make communication between contract faculty and the tenure track faculty difficult.

While this is obviously a point of grievance for the contract faculty, it also diminishes the stature of the tenure track faculty, which is no longer the sole owner of the educational aspect of a college education, but instead has to share the actual education with the contract faculty. The more contract faculty is given voice on various departmental, college, and university stages, the less voice the tenure track faculty has.
It is clear that the nature of what it means to be a tenured or tenure-track faculty member at a major institution is changed by the presence of any large number of contract faculty. This is a point of tension for the tenure track faculty.

Response B:

Rightly or wrongly, the faculty perceives a subtle but persistent pressure to apply a corporate model to the organization of universities in general, and to NYU in particular. Conversion of the faculty into a salaried “middle management” (MM), subject to normal business hiring and firing practices, would be a significant step in this direction. Although “contract faculty” are probably better protected than MM in most organizations, they are much more liable to dismissal at the will of the administration than are the unionized labor force, or the tenured faculty. Growth in the proportion of faculty governed by time-limited contracts, rather than by the rules of tenure, is seen by TT faculty as a slippery slope leading towards corporatization. Most TT faculty would probably agree that the existence of a body of contract faculty allows for flexibility in the University’s faculty workforce, and also brings in a valuable body of colleagues whose skills in teaching and administration complement the research emphasis among the regular faculty. They also appreciate, however, the dangers unlimited growth in NTTFT faculty can pose to academic freedom, and, perhaps even more important, to the policy-making function of the collective faculty. The latter includes control of both short-term, intra-departmental matters of curriculum, and also issues of longer term planning to do with academic direction and balance among areas of scholarship above the departmental level, within schools and the university as a whole. Paradoxically, the more that “contract” faculty are entrusted with these planning roles, the less traction the faculty as a whole will have in putting forward ideas contrary to those espoused by administrators at the departmental, school and university levels. TT faculty are therefore concerned that the proportion of NTTFT faculty to total faculty should be strictly contained, and that the functions of such faculty be precisely defined.

A second area of concern involves providing, for NTTFT faculty, rights and protection that are not merely symbolic, but are commensurate with their contribution to the University. In discussion, TT faculty invariably express appreciation for the role that NTT colleagues, as individuals, play in particular programs. Concern about uncontrolled growth of the NTTFT faculty, as a phenomenon, should thus not to be perceived as belittling existing NTTFT faculty roles, or the persons carrying them out. In fact, another major concern among TT faculty is that NTTFT faculty not be subject to arbitrary termination, should have access to adequate grievance procedures, and should be fairly recompensed. As past resolutions of the FSC make clear, however, in pressing for these reforms, the “regular” (TT) faculty is not condoning or encouraging the practice of expanding the numbers and role of NTTFT faculty in the University.
VII. GOVERNANCE AT OTHER INSTITUTIONS – INCLUDING PARTICIPATION OF NTTFT AND AFFILIATED INSTITUTIONS

Statutes of Harvard University (revised 8/02/2004)
http://www.hsph.harvard.edu/facultyhandbook/org&gov4.html

Harvard University apparently has no working University Senate. Although there is reference to a University Council, this Council is described as being “composed of the President, Professors, Associate Professors, and Assistant Professors or the University and such other University officials as the Corporation with the consent of the Overseers may appoint members of the Council. Its function was “to consider questions which concern more than one Faculty, and questions of University policy. Historically, Harvard also had an Academic Council that consisted of “all the professors of all the faculties”, which served as an advisory board for appointments. This body was revised over time to consist of the President, as chair, the Provost and the Deans of the several faculties. Both bodies as originally defined would be unwieldy with the current faculty size (9000 in the School of Medicine and 2,500 in the other schools combined) and the description of the 1997 Academic Council is hardly representative of the University-wide body in some other schools.

Currently, several of the individual schools have Faculty Councils, e.g. the School of Public Health (http://www.hsph.harvard.edu/administrative-offices/faculty-affairs/faculty-appointments/faculty-committees/index.html#fc) and the Medical School (http://www.hms.harvard.edu/fa/standcomm/facco.html).

In the Faculty of Arts and Sciences (http://www.fas.harvard.edu/harv-reaccred-report97/report-three.html), an elected Faculty Council “was formed in 1969 to act as a Dean’s cabinet and steering committee of the Faculty, advising on various programs, priorities, and committee appointments, and reviewing and shaping all legislation to be considered by the full Faculty. The Faculty Council includes four tenured and two non-tenured faculty members from each of the three broad divisions, the humanities, the social sciences, and the natural sciences. The Faculty Council is chaired by the Dean and meets about twice a month.

The Council meetings are reported in the Harvard University Gazette online (http://www.news.harvard.edu/gazette/2008/05.15/02-faccouncil.html). This body did act in the case of Lawrence Summers, giving a vote of no confidence. However, there was no mechanism in place for the rest of the University to express itself. Discussion is underway as to how to establish a system of governance appropriate for the 21st century.

Yale University – http://www.yale.edu/provost/handbook/yfhtoc.html

Yale University, as Harvard, appears to have no University Senate as such. In each school the full professors, with Dean, President and Provost serving ex officio, comprise the governing body of the school and primarily act on appointments.
At Johns Hopkins University, as in Harvard and Yale, there appears to be no University Senate or Faculty Council. There is an assembly of the Homewood schools, which includes the Faculty of Arts and Sciences and the Engineering School. All faculty with full-time appointments are part of the assembly. The School of Medicine has a Council in which full-time and part-time assistant, associate and full-professors serve as representatives proportioned among the departments. The membership also includes in addition 2 part time instructors, 2 members of the house staff, 1 graduate student, 2 post-doctoral fellows, 1 member from the clinical faculty of each department and 1 member-at-large from the clinical faculty. The council has a total of 100 members!


The Council of the Princeton University Community has 57 members, including faculty, staff, students and alumni. The 15 faculty members include 2 members from each division and 4 non-tenured faculty members. There are 12 undergraduate students, 7 graduate students (1 from each division, 4 alumni, and 1 each from the library, administrative staff, research staff, professional technical staff and office staff as well as 2 staff members from the University that do not fall into these categories.

Columbia University – http://www.columbia.edu/cu/senate

Columbia University has a long standing University Senate, which consists solely of the faculty, but is more complex than that of Princeton University. Its membership consists of both tenured (42 tenured ‘officers of instruction’) and non-tenured (21; 15 ‘officers of instruction with stated term’, as well as 6 ‘officers of research’), faculty from affiliated institutions (Barnard -2, Teachers College – 2, Union Theological –1). Each of these groups represent and is elected by their constituents. In elections of non-tenured faculty, all non-tenured faculty whether full or part-time may vote. The ‘officers of research’ include …… and voting members extend deep into these levels, including post-doctoral fellows and staff associates.

It appears that at Columbia U. non-tenured ‘officers of instruction with stated term’ are considered to be faculty and to be separate from ‘officers of research’. At NYU both are considered faculty; postdoctoral fellows and staff associates are not considered to be faculty.
There are separate caucuses for tenured faculty, non-tenured faculty and students. These seem to correspond to the separate Councils at NYU. Non-tenured faculty sit on all Senate Committees in lesser numbers that tenured faculty, including the Faculty Affairs, Appointment and Tenure Committee, while the Research Officers have their own committee.

Cornell University (http://theuniversityfaculty.cornell.edu/governance/gov_main.html)

University Faculty

The Dean of the University Faculty - The Dean is the Faculty's chief administrative officer and its liaison on all matters in which the concerns of the Faculty relate to the President, the Trustees, or other segments of the University community. The Dean, however, is not a member or agent of the University administration. The Dean must be selected from among the tenured voting members of the Faculty and shall maintain such status. The Dean is elected by the University Faculty for a three-year term from a slate of three or more candidates put forth by the Nominations and Elections Committee with nominations and opinion solicited from the Faculty. Subject to confirmation by the Board of Trustees, the individual with the majority of the vote becomes the Dean.

Faculty Senate - There is an established Faculty Senate (sometimes referred to herein as the "Senate") consisting of not less than 75 or more than 150 voting members. Any voting member of the University Faculty tenured or non-tenured is eligible for membership in the Senate.

President, Dean and Secretary are ex officio. Voting members, nine members of the University Faculty (three of whom must be non-tenured) elected at large by the University Faculty, and constituency members as described below total within the limits specified above (75 – 100). The term "constituency" means the schools of Hotel Administration, Industrial and Labor Relations, Management, and Law, and the academic departments (or sections in the Division of Biological Sciences) within the other colleges in Ithaca or Geneva. (N.B. The Medical School appears to have a separate governance system – need to check on this).

1. Each constituency has at least one seat on the Senate, except that constituencies with fewer than five voting faculty members may combine with another constituency (with the agreement of both constituencies) to establish a joint seat. Constituencies with more than 25 voting faculty members have a second Senate seat.

2. There is a reapportionment of seats at least every three years.
3. All decisions on apportionment are made, and all questions and disputes concerning the same are resolved, by the Committee on Nominations and Elections.

4. Within the limits specified in Section A above, and subject to the approval of the University Faculty, the Senate may designate its own future size.

University Faculty Committee - There is a standing University Faculty Committee. The University Faculty Committee provides liaison between the Faculty Senate and the President, Provost, and other senior University administrators. Whenever either the Provost or the President wishes to consult with the University Faculty on major policy issues, she or he looks to the University Faculty Committee to provide that consultation. Additionally, the University Faculty Committee acts as an executive committee for the Senate and the University Faculty, and performs any other duties assigned to it either by the Senate, the University Faculty, or elsewhere in this document. The University Faculty Committee has the responsibility to inform and consult the Senate on a regular and frequent basis.

The University Faculty Committee consists of the Dean (selected as indicated above) and the Secretary, ex officio, and nine members of the Faculty Senate elected at large by the Faculty. The Secretary is elected by the faculty in a manner similar to the election of the Dean for a three-year term. Elected members serve a complete term on the University Faculty Committee even if their Senate term expires prior to the end of their University Faculty Committee term. No person serves more than two complete consecutive terms on the University Faculty Committee. The Dean serves as chair of the committee.

In preparing slates of candidates for the University Faculty Committee and the Nominations and Elections Committee, the committee is mindful of the importance of spanning all parts of the campus, the ethnic and gender diversity of the faculty, and the major scholarly disciplines of Biological Sciences, Creative Arts, Humanities, Physical Sciences, Professional Schools, and Social Sciences.

Stanford University –

Stanford Faculty by the number -
http://www.stanford.edu/home/stanford/facts/faculty.html

University policies – Faculty Handbook (http://facultyhandbook.stanford.edu) and the Department Chair’s Resource Guide (requires ID)

Academic Council – all members of the professoriate, tenured and non-tenured

Advisory Board of the Academic Council - The Advisory Board of the Academic Council is composed of seven full professors, one from each of the seven
Advisory Board Electoral Groups as designated below, for three-year terms, staggered among the Electoral Groups. All recommendations for appointments, promotions, reappointments, and for the creation and dissolution of departments, etc., must be submitted by the President to the Advisory Board. The Advisory Board is also authorized to make such recommendations to the President regarding policy as it may decide by vote to be expedient, but no recommendations for appointments, promotions, or dismissals may originate with the Advisory Board.

The role of the Advisory Board in conducting faculty discipline hearings is described in the Statement on Faculty Discipline. The role of the Advisory Board in handling appeals relating to academic freedom is described in the Statement on Academic Freedom. The role of the Advisory Board in certain other faculty appeals is described in the Statement of Faculty Appeal Procedures.

The Faculty Senate - [http:// facultysenate.stanford.edu/](http://facultysenate.stanford.edu/). The Faculty Senate also referred to as the Senate of the Academic Council consists of 55 members from the professoriate, tenured and non-tenured. The Senate exercises the deliberative and legislative functions of the Academic Council, which, in general, has the power and responsibility for the academic administration of the University subject to limitations by the Board of Trustees. The Faculty Senate meets twice a month, on Thursday. If interim meetings are required (seldom) these occur on the intervening Thursday. Terms are two years, with staggered elections among the constituent bodies.

University academic structure:

Programs of instruction in the University are organized primarily in the seven schools. Each school is administered by the dean and staff. Deans of schools are responsible, both academically and administratively, to the Provost. The Graduate School of Business, the School of Education, and the Law School act as single units. The Schools of Earth Sciences, Engineering, Humanities and Sciences, and Medicine are organized into departments and programs, the chairs of which are responsible to their respective deans.


The Professoriate

Conforming to 1989 and 1990 actions of the Senate of the Academic Council on the recommendations of the Second Committee on the Professoriate, the Professoriate consists of the following categories of professorial appointments:
Tenure Line faculty
Assistant Professor
Associate Professor
Professor

Non-Tenure Line faculty
Assistant Professor (Research)
Associate Professor (Performance, Teaching, Research)
Professor (Applied Research, Clinical, Performance, Teaching, Research)

Medical Center Line faculty
Assistant Professor (MCL)
Associate Professor (MCL)
Professor (MCL)

Other faculty designations
Assistant Professor (Subject to Ph.D.)
Senior Fellow at designated policy centers and institutes
(defined in Section 2.3.B of this handbook)
Center Fellow at designated policy centers and institutes
(defined in Section 2.3.B of this handbook)

The Academic Council

The powers and authority of the Academic Council are set forth in the Articles of Organization of the Academic Council, originally adopted in 1904 and subsequently amended, and in the Charter of the Senate of the Academic Council, originally adopted in 1968 and subsequently amended. The powers of the Academic Council are exercised through the actions of the Academic Council itself, the Senate, the Academic Council Committees, the Advisory Board, and the Academic Council Professoriate. The Academic Council is vested with the authority to discuss and decide upon matters of policy within the province of the Professoriate, subject to the power of disapproval of the Board of Trustees. The Articles of Organization of the Academic Council and the Charter of the Senate of the Academic Council are available from the Academic Secretary, or online at http://facultysenate.stanford.edu.

The Academic Council Professoriate consists of:

Tenure Line faculty
Assistant Professor
Associate Professor
Professor

Non-Tenure Line faculty
Assistant Professor (Research)
Associate Professor (Applied Research, Clinical, Performance, Teaching, Research)
Professor (Research, Clinical, Performance, Teaching, Research)
Senior Fellows at designated policy centers and institutes

The Academic Council consists of all members of the Academic Council Professoriate and the academic administrative officers currently designated in the Articles of Organization of the Academic Council as members of the Academic Council.

Twenty percent of the membership of the Academic Council constitutes a quorum. Professors Emeriti are Senior Members of the Academic Council with privileges of the floor and of service on committees but not with the right to vote or hold office.

The Academic Council holds one regularly scheduled meeting annually when reports are received from the President of the University and concerning the discussions and decisions of the Senate. Special meetings of the Academic Council may be held at the call of the President or by action of the Academic Council. In addition, special meetings of the Academic Council may be called by the Academic Secretary under provisions of the Charter of the Senate. Agendas, minutes, committee rosters, committee reports and other materials related to the Academic Council Senate are available from the Academic Secretary or on-line at http://facultysenate.stanford.edu/.

The Advisory Board of the Academic Council

The Advisory Board of the Academic Council is composed of seven full professors, one from each of the seven Advisory Board Electoral Groups as designated below. All recommendations for appointments, promotions, reappointments, and for the creation and dissolution of departments, etc., must be submitted by the President to the Advisory Board. The Advisory Board is also authorized to make such recommendations to the President regarding policy as it may decide by vote to be expedient, but no recommendations for appointments, promotions, or dismissals may originate with the Advisory Board. The powers and functions of the Advisory Board are described in the Articles of Organization of the Academic Council.

The role of the Advisory Board in conducting faculty discipline hearings is described in the Statement on Faculty Discipline. The role of the Advisory Board in handling appeals relating to academic freedom is described in the Statement on Academic Freedom. The role of the Advisory Board in certain other faculty appeals is described in the Statement of Faculty Appeal Procedures. These three statements are found in Chapter 4 of this handbook.

For the purpose of elections to the Advisory Board, the members of the Academic Council are divided into seven Advisory Board Electoral Groups, which represent a rearrangement of Senate Electoral Units:

I Graduate School of Business, School of Education, Law School
II School of Engineering
III School of Humanities and Sciences (Sciences)
Terms of office are three years, beginning on September 1 following election. The pattern of elections is based on cycles of three years. In the first year of a given cycle, members are elected from Electoral Groups IV, V, and VII; in the second year, members are elected from Electoral Groups II and VI; and in the third year, members are elected from Electoral Groups I and III. Consecutive service is limited to two terms (or fractions thereof), but a person is eligible for reelection at the third annual election after the expiration of any period of service.

Major administrative officers such as the following are not eligible to serve on the Advisory Board: the President, the Provost, School Deans, others delineated in the Articles of Organization as officers of Academic Administration; and other members of the Academic Council who are determined by the Senate to hold appointments of similar character in the University administration.

The Senate of the Academic Council

The Senate of the Academic Council was established by the Charter of the Senate, approved by the Academic Council on April 11, 1968 and ratified by the Board of Trustees on May 16, 1968, with subsequent amendments. The Senate exercises the deliberative and legislative functions of the Academic Council, which, in general, has the power and responsibility for the academic administration of the University subject to limitations by the Board of Trustees. For more information refer to the Articles of Organization of the Academic Council, Chapter IV. Since 1993 the Senate has been composed of fifty-five members of the Academic Council apportioned as follows:

Graduate School of Business 3
Earth Sciences 2
Education 2
Engineering 11
Humanities and Sciences 24
Law 2
Medicine 9
SLAC 1
Special Administrative Group 1

Members of the Senate serve a two-year staggered term. The Charter of the Senate of the Academic Council also provides for 15 ex officio members without the right to vote. The Rules of the Senate of the Academic Council (available from the Academic Secretary or on-line at http://facultysenate.stanford.edu/archive/handbook/103939/103939.html
provide for three standing guests from the Associated Students of Stanford University. Student guests, like ex officio members, have the right to speak, but not the right to vote.

For any given academic year, the Senate elects a Chair and six other members to serve with the President or a designee of the President (usually the Provost) as the Steering Committee of the Senate. The first duty of the Steering Committee-elect is to appoint, from the members of the Senate-elect, a Chair and six other members to serve as the Committee on Committees of the Senate.

The Steering Committee of the Senate receives reports from Academic Council Committees and plans subjects for study and discussion by the Senate. The Committee on Committees performs several functions — nominating and appointing Academic Council members to serve on committees, as well as recommending the establishment of new committees and the discontinuance of existing ones.

The Senate refrains from taking action on any matter that is properly the concern of one of the Committees of the Academic Council. Only after the matter has been considered and reported on by the appropriate Academic Council Committee does the Senate take action — generally by acting on a recommendation from that committee. For the enactment of legislation governing the scholarly and teaching work of the University, the Senate of the Academic Council is the authorized body, but there are extensive provisions whereby any decision of the Senate can be challenged and made the subject for review and referendum by the Academic Council.

The Charter of the Senate of the Academic Council provides that meetings of the Senate shall be open to all members of the Academic Council, and that all decisions of each Senate meeting and the votes by which the decisions were taken shall be reported in writing to every member of the Academic Council within seven days after the meeting. The issue of Stanford Report published in the week following a Senate meeting always includes that Senate report.

**The University of Pennsylvania**

Summary: The University of Pennsylvania has a University Council with representation from various parts of the University community, including faculty, students, administration and staff. This body is similar to NYU’s University Senate. There is a separate Faculty Senate, comprised of the larger faculty, whose Executive Committee, which is analogous to NYU’s Faculty Senators Council, feed into the University Council. It appears as though the NTTFT faculty have two-tiered representation. Faculty-clinician educators who are professors, associate professor or assistant professors may be members of the Faculty Senate and University Council, in unspecified numbers, but cannot vote on matters pertaining to tenure. Full-time lecturers and research faculty are allotted one elected representative apiece in the University Council, but these groups are not represented in the Faculty Senate.
Details:

Faculty Senate (http://www.upenn.edu/faculty_senate/index.html)

The Faculty Senate consists of all members of the standing faculty and of the standing faculty-clinician educators holding the rank of professor, associate professor, or assistant professor. On issues directly related to tenure, or on issues involving the compensation of tenured faculty, voting is exclusive of standing faculty-clinician educators. The Senate Chair, with the advice of the Senate Executive Committee, shall identify issues subject to this rule. Emeritus members of the faculties are non-voting members of the Senate.

The officers of the Senate shall consist of a Chair, a Past Chair, a Chair-elect, a Secretary, and a Secretary-elect. The officers are chosen from members of the Senate (i.e. the faculty as defined above) other than those holding administrative positions in the University at the level of dean or above. The Chair-elect shall be a full professor.

The Executive Committee of the Senate has a composition somewhat similar to NYU’s FSC and functions in a similar manner. It consists of the officers of the Senate for the current year, the Chair and Secretary of the preceding year, the Chair-elect and the Secretary-elect, fifty-one members of the Senate elected as indicated below and one non-voting representative from the Penn Association of Senior and Emeritus Faculty (PASEF). The Chair of the Senate shall preside over meetings of the Executive Committee.

Thirty-six members of the Executive Committee are elected by members of non-overlapping constituencies. The various constituencies are specified in an appendix to the rules (not available on line). Approximately one-half of the representatives of the constituencies are elected each year not later than the first week of April.

Twelve members of the Executive Committee are selected from the faculty at large. Each year members of the Senate may vote for up to four candidates. The four persons receiving the greatest number of votes are declared elected. Tie votes are resolved by lot. (N.B., see below, these individuals do not serve on the University Council)

Three assistant professor members of the Executive Committee are selected by the faculty at large from among assistant professors who have held faculty appointment at the University for less than six years. Two are elected one year and one the following year.

There is Senate Consultation Subcommittee, which is similar in composition and function to NYU’s FSC Executive Committee. It consists of the Chair, the Chair-elect, and the Past Chair of the Senate and meets regularly with the president and provost to discuss matters that concern the faculty. It also constitutes the faculty component of the University Committee on Consultation.

The Chair, the Chair-Elect, Past-Chair, Secretary, Secretary-Elect, Past-Secretary, the three Assistant Professor members, and the thirty-six Constituency Representative members shall serve as members of the University Council. It shall be the responsibility of members of the Executive Committee to report to their constituencies on the work of
the University Council and the Executive Committee.

*The faculties of the individual schools may also have their own deliberative procedures for the consideration of matters of an intra-school nature. Other University-wide deliberative bodies are: the University Council, which in addition to members of the faculty contains representatives of students and staff members; the Undergraduate Assembly, the Graduate and Professional Student Assembly, the Penn Professional Staff Assembly and the A-3 Assembly.

U Penn University Council (http://www.upenn.edu/secretary/council/)

The University Council, which is composed of administrative officers and elected representatives of the faculty, students, and staff, is similar to NYU’s University Senate.

The faculty component is comprised of forty-five members of the Executive Committee of the Faculty Senate, as defined above. The Faculty Senate insures that each faculty is represented and that at least three assistant professors serve on the Council.

In addition, one full-time lecturer and one full-time member of the research faculty are selected to serve two-year terms by vote of the full-time lecturers and research faculty, respectively, from a slate consisting of the five lecturers, and the five members of the research faculty receiving the largest number of nominations by lecturers and members of the research faculty. This vote is facilitated by the Office of the Secretary in consultation with the Steering Committee of the University Council. If the Steering Committee receives fewer than five nominations for either group, additional nominations shall be solicited from the constituency representatives of the Senate Executive Committee.

Eleven administrative officers serve on the Council, including the president, the provost, and nine members of the administration. These are appointed annually by the president. At least five are deans of faculties.

Both graduate and undergraduate students are represented. Fifteen graduate and professional students elected as members of the Graduate and Professional Student Assembly serve who are chose in accordance with the Assembly’s rules. The Graduate and Professional Student Assembly insures that, to the extent possible, each school is represented.

Fifteen undergraduate students elected as members of the Undergraduate Assembly serve who are chosen in accordance with the rules of the Undergraduate Assembly. The Undergraduate Assembly shall insure that, to the extent possible, each undergraduate school is represented. (f) Two elected representatives of the Penn Professional Staff Assembly.

Additional members include: one elected representative of the Librarians Assembly, two elected representatives of the Weekly-Paid Professional Staff Assembly, one elected representative of the United Minorities Council.
VIII. RECOMMENDATIONS:

1) Improve transparency of the hiring/ reappointment and promotions process, including duration
   a. Clarify timeline of reappointment process
   b. Clarify timeline of notification not to renew
   c. Clarify review process
   d. Clarify guidelines for promotion

Clarification of timelines for reappointment and notification to renew as well as general guidelines for review and promotion should be University-wide, while the details of these should be left to the Schools and Department, as long as they conform with University-wide guidelines, which are to be reviewed by the FSC.

Currently the Faculty Handbook states that all non-tenure track positions are limited to one year and are to be considered as terminated unless a notice of renewal is received. This seems to place the emphasis on the negative, leaves the NTTFT faculty in an awkward position, unable to plan their lives, especially given the fact that letters of appointment often do not come out in a timely fashion. Furthermore, it is inconsistent with the practice in several schools of offering 2, 3 or 5 year contracts to their NTTFT faculty, presumably through the loophole, ‘

It would be more transparent and fair if something along the lines of the following were substituted in the Faculty Handbook and Bylaws:

Full-time NTTFT appointments will usually be for no more than one year, with the possibility to renew, according to school guidelines. In some cases where full-time service has been provided for a number of consecutive years such faculty may be offered a 2, 3, or 5-year rolling contract.

Notification of reappointment or non-reappointment shall be made no later than three months prior to the end of the appointment period for NTTFT faculty having served one to two years, six months prior to the end of the appointment period for faculty having served two to five years and one year prior to the end of the appointment period for faculty having served longer than five years.

The Departmental promotions committee should review NTTFT faculty for reappointment and promotion on a regular basis. Criteria for promotion established and published within each School and Department. NTTFT faculty may be considered for TT positions if they meet the University and School/Departmental criteria only if they have not previously been on the TT at NYU. If an individual moved from NTTFT to TT they may not reenter the NTTFT faculty pool.

APPROVED AS AMENDED, MAY 22, 2008
2) Require each school to clarify the roles and responsibilities of NTTFT faculty, to
distinguish them from those of TT faculty in departments having both NTTFT and TT
faculty and to make this information readily available to all faculty.

APPROVED AS AMENDED, MAY 22, 2008

3) Look into clarifying and regularizing the titles of NTTFT faculty.

Currently, the Faculty Handbook section on titles for NTTFT faculty (see Appendix
F, p 62, 63), is contradicted by practice at many schools, particularly with regard to
the use of the Clinical title.

a. Uphold the use of Clinical titles by the School of Medicine and Dental
College (see Appendix F, p 62 and 63) and create a new title to be used
uniformly across other schools for individuals currently using these titles – or

b. Rewrite the definition of Clinical titles (see Appendix F, p 63) and regularize
others, eg, Teacher, Master Teacher, etc which are used in more than one
school.

For example in the School of Medicine, NTTFT are entitled Asst., Assoc., or
Full Professor (Clinical) or (Research) (see footnote on p 62, Appendix F).
This designation might be useful in other schools as well.

c. Retain the titles used in the Law School and Tisch. The title used in the Law
School (Acting Asst, Assoc, Full Professor) should be in the Faculty
Handbook, as are those for Tisch.

d. Ensure that any changes in titles are vetted by the FSC Tenure Modification
Committee and that they are reviewed for incorporation into the Faculty
Handbook by the FSC Governance Committee.

APPROVED AS AMENDED, SEPTEMBER 18, 2008

4) Clarify the rights of NTTFT faculty

a. Include in each letter of hire and reappointment reference to the Faculty
Handbook sections that pertain to NTTFT faculty, as well as to published
school and departmental guidelines for review, reappointment and promotion.

b. Clearly state in the Faculty Handbook that NTTFT faculty can avail themselves
of the same grievance procedures as TT faculty, with the exception of a right to
grieve about their tenure status.

APPROVED AS WRITTEN, MAY 22, 2008
5) Better incorporate NTTFT faculty into the fabric of the University and improve relationships between TT faculty and NTTFT.

NTTFT faculty make important contributions to the University academic enterprises and should be included in policy making that pertains directly to their roles and responsibilities as well as to their rank:

a. Representation in committees regarding curriculum at the departmental and school levels. This is already done in schools with large numbers of NTTFT faculty such as Tisch and SoM

b. Representation on promotion and grievance committees where NTTFT faculty are being discussed. The details of this would be worked out at the departmental and school level.


6) Examine the salary structure for NTTFT faculty

If these individuals are important to the University, they should be paid and promoted within their rank, particularly if the University has the intent of keeping them in an untenured, ‘temporary’ status. This will enhance the morale of the NTTFT faculty, provide a monetary underpinning and commitment to the University’s statements, found throughout the Faculty Handbook and public discourse, that the quality of teaching is of paramount importance, without creating the long-term commitment due to TT faculty.

APPROVED AS AMENDED, MAY 22, 2008.

7) Recognizing that the TT faculty represent the governance body of the faculty and in order to protect participation in shared governance from the limitations of susceptibility/vulnerability of NTTFT faculty that may interfere with academic freedom,

a. Reaffirm statements in the Faculty Handbook that TT faculty of each school should on a yearly basis vote on granting NTTFT the right to vote on school or departmental issues that concern them.

b. Reaffirm, as stated in the Faculty Handbook, that only TT faculty may vote in election of Senators and serve as Senators.

APPROVED AS AMENDED, OCTOBER 16, 2008
8) Facilitate development of ‘voice’ for NTTFT faculty:

Recognizing that the major voice of NTTFT faculty is within the schools and believing that University-wide voice for NTTFT faculty will be best developed from the bottom up, it is recommended that the FSC set up a committee, as a subcommittee of its Personnel and Affirmative Action Committee, to help NTTFT faculty collaborate across schools in development of an appropriate mechanism for ‘voice’ and to help facilitate resolution of issues pertaining to NTTFT faculty that cross school boundaries. Such a subcommittee could evolve into a more permanent mechanism for ‘voice’ for the NTTFT.

Selection of representatives by each school for such a committee will require some degree of organization of NTTFT faculty within the schools. At present, only GSP/LSP, Steinhardt, the SoM and Tisch appear to have a foundation for doing so.

APPROVED AS AMENDED, OCTOBER 16, 2008
APPENDIX FOR:
REPORT ON
NON-TENURE TRACK FULL TIME FACULTY
AT NEW YORK UNIVERSITY
MAY 2008
APPENDIX A.
MEMORANDUM TO: Professor Salah Al-Askari, Chairperson Faculty Council
FROM: L. Jay Oliva
RE: FAS Proposal Regarding Establishment of Full-Time Nontenure Track Language Lectureship

I appreciated receiving your memorandum of December 19, 1989 informing me of the December 14, 1989 vote by the Faculty Council to support the establishment of full-time nontenure track language lectureships in FAS. By copy of this memorandum I am informing Dean Rice that the FAS proposal, which was sanctioned by his faculty on March 7, 1989, will be presented to the University's Board of Trustees, with a proviso that the new positions be re-evaluated in 1994-95, as recommended by the Faculty Council.

As I share some of the concerns expressed by the Faculty Council, I want to assure you that it is my intention to have the new program administered in such a manner that the establishment of Language Lecturers will not serve to create a trend toward dual faculties, one tenured and one untenured, or as a basis for a general erosion of the tenure system. I will, as I have committed myself to do, continue to consult with Faculty Council on issues affecting faculty appointments and tenure and continue to require compelling justification for departures from standard practices.

We are planning to issue in the near future a definition of the new titles for insertion in the Faculty Handbook. Please be assured that I plan to take the necessary administrative steps to ensure that Language Lecturers and Senior Language Lecturers will be eligible for the same benefits as other full-time faculty at New York University.

In closing, let me express my gratitude to the Faculty Council for its thoughtful consideration of the complexities which the FAS proposal presented, and for the timely manner in which its work was completed.

LJO:pa

cc: Dean C. Duncan Rice
    Vice President S. Andrew Schaffer
APPENDIX B.
### Tenure-Track Faculty by Rank

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<td>2</td>
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<td>5</td>
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<td>140</td>
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</table>

| TT | 82 | 111 | 44 | 541 | 20 | 18 | 28 | 3 | 93 | 28 | 171 | 163 | 75 | 1359 | 627 | 2004 |
| Total Faculty | 106 | 213 | 45 | 786 | 24 | 18 | 32 | 88 | 120 | 38 | 232 | 193 | 215 | 2092 | 1192 | 3302 |
| %NTT | 22.6 | 47.9 | 2.22 | 31.2 | 16.7 | 0 | 12.6 | 96.6 | 22.5 | 26.3 | 26.3 | 15.5 | 65.1 | 34.7 | 47.3 | 39 |

**Date of Data: 10/16/06**
APPENDIX C.
April 19, 2007

Dear Dean,

The Faculty Senators Council has been asked by President Sexton to clarify the roles and responsibilities of full-time non-tenure track faculty in all of the schools of NYU and to make suggestions as to how to better integrate these individuals into the University community. We have designed the appended questionnaires to aid in this endeavor. One is directed toward the schools and we would appreciate your response. The other is directed toward individual departments and programs and we would appreciate your passing this on to the appropriate individuals.

We have tried to make the questionnaire concise in order to save time and effort on the part of the respondents. Please note that the questions apply only to non-tenure track faculty giving full-time service (abbreviated NTTFT on the questionnaire).

The departments and programs can return the questionnaire directly or through your office, as you wish. Please be sure to put the name of the school, department or program in the space provided at the top of the page.

All responses should be returned to:
The Office of the Faculty Senators Council (FSC)
194 Mercer, 4th floor
or
faculty.senators.council@nyu.edu

We would appreciate receiving this information by May 4, 2007.

Thank you very much for your help and cooperation in this endeavor.

Sincerely,
Virginia H. Black
FSC Chair, 2006-2007
Faculty Senators Council

April, 2007

Questionnaire Regarding Non-tenure Track Full-time Faculty (NTTFT)

Questions For Departments & Programs: Name of Department or Program:

1) Do you have NTTFT in your department?

2) How many?

3) How many full-time tenure-track (TT) faculty are in your department?

4) What titles do you use for NTTFT?
   a) Does each title go with a specific duty or job description?
   b) If so, please indicate what duties are attendant to each title?

5) Can NTTFT appointments be renewed and, if so, what are the guidelines for review and renewal?

6) In practice, which types of courses do the NTTFT teach? (Categories are not exclusive.)
   a) Required freshman-sophomore level courses?
   b) Required junior-senior level courses?
   c) Elective undergraduate courses?
   d) Graduate courses?

7) In practice, who decides the general course content for these courses?

8) In practice, who decides the detailed course content?

9) If the answers to (6) thru (8) involve regular tenure-track (TT) faculty, is this supervision nominal or active?

10) In practice, to what extent are NTTFT involved in academic decision making in your department? (Again, categories are not exclusive.)
   a) Informal input
   b) Serve on some departmental committees.
   c) Serve on major departmental committees such as search committees, tenure committees, or promotion committees?
   d) Vote on non-personnel matters in departmental faculty meetings.
   e) Vote on all issues in departmental faculty meetings.
   f) If voting, is this right granted by the TT faculty on a yearly basis?
Questions For Schools:  Name of School:

1) How many full-time faculty are there in your school?

2) How many NTTFT are in your school?

3) Does your school allow NTTFT to attend meetings of the school faculty?

4) Does your school allow NTTFT to vote at meetings of the school faculty?

5) Does your school allow NTTFT to serve on appointed school committees?

6) Does your school allow NTTFT to be elected to school committees?

7) What are the grievance procedures for NTTFT? (A reference to on-line documentation would be a sufficient answer.)

8) May NTTFT serve on the school Grievance Committee (if any?)

9) In practice, are NTTFT allowed to vote for school senators?

10) If voting, is this right granted by the TT faculty on a yearly basis?
APPENDIX D.
<table>
<thead>
<tr>
<th>School</th>
<th>FT faculty</th>
<th>NTTFT</th>
<th>Fac meet att</th>
<th>Vote at meet</th>
<th>Sch comm's</th>
<th>of'd sch comm</th>
<th>Grievance</th>
<th>Griev comm</th>
<th>Vote senator</th>
<th>Vote grt yrly</th>
<th>NNTFT</th>
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<td>28</td>
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<td>yes</td>
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<td>yes</td>
<td>yes</td>
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<td>95</td>
<td>yes</td>
<td>yes</td>
<td>except those bylaws state for FT only</td>
<td>except those bylaws state for TT only</td>
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<td>yes</td>
<td>yes, except for those bylaws exclude</td>
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<td>yes, except Prom and ten</td>
<td>yes</td>
<td>as per Fac Hdbk (same TT)</td>
<td>yes, if issue involves NTT</td>
<td>yes</td>
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<td>yes</td>
<td>no, it is a given</td>
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<td>85</td>
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<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>use Univ proc</td>
<td>yes</td>
<td>no</td>
<td>no</td>
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<td>yes, gtd'd on yearly basis for dept rep FC</td>
<td>yes</td>
<td>yes dept rep</td>
<td>Som FC no Senator no Grievance</td>
<td>same as TT</td>
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<td>FAS</td>
<td>967</td>
<td>261</td>
<td>Yes, but GSP meets sep'ly</td>
<td>FAS-TT ext GSP auto rt</td>
<td>FAS-most no GSP-all</td>
<td>FAS-most no GSP-all</td>
<td>same as TT</td>
<td>FAS-No GSP-devel. procedure</td>
<td>no-as per bylaws GSP no rep</td>
<td>no-as per bylaws GSP no rep</td>
<td>27% incl GSP 21% -GSP</td>
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APPENDIX E.
Yes
1 - 4 yrs
Stu eval &
TT oversight

GSP-Assoc
Area Hd&Chr
Comm
5 yr contract
Grad and
Comm has
201
Indiv faculty
GSP-Assoc&
MT 9 mo,
NTTFT with

Yes - most
No TT faculty
Yes
Most - N/A, No,

Inst, Clin Asst,
patient care
Clin Asst,
1- 3 yr
No
1 to 28
Yes, all
most - No
on NYU fac
Yes - all
Grad + elec-1
32
1, 3, and 5yr
active in
degrees per
year

TT Supervision

Yes
1 - No
dep't

Yes
1 - No
dep't

Yes
5 yr

Yes - all

Yes
Elec only - 1
times UG - 1
yes, see
3 - 5 yr
Both have full
and

Grad
Departmental  Committees
122
1 - No

cited Dept

Dept Hd &TT
then longer
committees
ditto
N/A-no TT,

All time

Yes, comm.
appointed by Chr
with TT

Yes, N/A

No
2 - discuss,
ditto+Grad - 3
Dept of Sch
for NTTFT
Faculty
same as for

Yes
No
No

No

Yes - most
No TT

Yes - all

Yes - all

Yes - most
No

Yes - most

Yes
Yes

Yes

Yes

No - 2
No votes, but
opinions - 1
No in most

Yes - most

Yes - most

Yes

No

Yes - all

Yes

Yes

Academic
Rankings

Yes
Yes

Academic
Rankings

Yes - most

Yes

Yes - most

Yes

Academic
Rankings

Yes - most

Yes

Academic
Rankings

Yes - most

Yes

Academic
Rankings

Yes - most

Yes

Academic
Rankings

Yes
The Faculty

(This part of the Faculty Handbook, The Faculty, begins under the heading Academic Freedom and Tenure with Titles I-IV of the University’s formal rules of tenure and related provisions. It’s followed on page 41 by Other Faculty Policies, with policies, procedures and conventions in the form of Bylaws, rules adopted by the Senate, and policy summaries. Individual schools may have additional, but not substitute, bylaws, policies and procedures relevant to faculty positions. It should be noted that other important policies can be found, beginning on page 68 in Selected University Policies.)

ACADEMIC FREEDOM AND TENURE

Title I: Statement in Regard to Academic Freedom and Tenure

(Titles I and II were adopted by the University Board of Trustees on October 24, 1960, and have been amended through December 2, 1996)

a) Authorization by the Board of Trustees

The Board of Trustees of New York University has authorized the following statement in regard to academic freedom and tenure at New York University. It reserves the right to amend this statement at its discretion, but no amendment shall take away a status of permanent or continuous tenure acquired before such amendment.

b) The Case for Academic Freedom

Academic freedom is essential to the free search for truth and its free expression. Freedom in research is fundamental to the advancement of truth. Freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student in learning. Academic freedom imposes distinct obligations on the teacher such as those mentioned hereinafter.

c) The Case for Academic Tenure

Academic tenure is a means to certain ends, specifically: (1) freedom of teaching and research; and (2) a sufficient degree of economic security to make the profession of teaching attractive to men and women of ability.

d) Academic Freedom

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties, but outside occupations and research for pecuniary gain, except in the case of sporadic and wholly unrelated engagements, should be based upon an understanding with the

1 The reference to the Bylaws and a number of bracketed sectional headings have been added.
administration of the University.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should not introduce into their teaching controversial matter that has no relation to their subject.

Teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but this special position in the community imposes special obligations. As men and women of learning and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they at all times should be accurate, should exercise appropriate restraint, should show respect for the opinions of others and for the established policy of their institution, and while properly identifying themselves to outside audiences as associated with the University should clearly indicate that they are not institutional spokespersons unless specifically commissioned to serve in such a capacity.

e) Academic Tenure

1. [Part-time positions and other positions] A distinction is made between part-time and full-time members of the teaching staff. Unless their notices of appointment explicitly state that they are appointed for full-time teaching service, officers of instruction, of whatever rank, are considered part-time members of the teaching staff. The full-time members of the teaching staff are those teachers who give full-time service to the University and whose notices of appointment explicitly so indicate.

All part-time appointees to the University staff, irrespective of title, rank, or cumulative length of service, are entitled to no right of tenure, and their appointments are limited strictly to the periods stipulated in the official notices thereof. Likewise, all instructors, and all those receiving appointment in such temporary capacities as fellow, assistant, associate, lecturer, or as acting, adjunct, clinical, and visiting officers of instruction in the several ranks, whether rendering full- or part-time service, are ineligible for tenure on the basis of such service and are restricted in the duration of their connection with the University to the period stipulated in the official notices of appointment. The same stipulation applies to personnel appointed with professorial or other titles, whether on full- or part-time service, on subsidized assignments such as sponsored research, or in teaching programs where expense of the program is dependent upon a subsidy of limited duration. [Cf. Bylaw 73.]

2. [Tenure described] The general policy of the University with respect to probation and tenure for full-time assistant professors, associate professors, and professors is given below. After expiration of the stipulated probationary periods, full-time associate professors and professors are considered to have permanent or continuous tenure, and their services are to be terminated only for adequate cause, except in the case of retirement, or under extraordinary circumstances because of financial exigencies, or because of the discontinuance of a considerable part of the University, such as a college, school, or division or a department in a college, school, or division. It is understood that the University has the right to reduce the length of the probationary period in specific cases.
Title IV: General Disciplinary Regulations Applicable to Both Tenured and Non-Tenured Faculty Members

1. [General obligations] Quite apart from any question of tenure or the termination for cause of the service of a faculty member with tenure, all faculty members have an obligation to comply with the rules and regulations of the University and its schools, colleges, and departments. These rules protect the rights and freedoms of all members of the academic community.

2. [Particular obligation] In particular, the faculty member is obligated to live up to the standards of academic freedom as outlined in this statement. Disciplinary action may also follow when the faculty member engages in other conduct unbecoming a member of the faculty, such as violation of the New York University Rules for the Maintenance of Public Order, any action which interferes with the regular operations of the University or the rights of others, any serious violation of the law, or any other conduct prejudicial to the teaching, research, or welfare of the University, and so forth.

Disciplinary Procedures

A. The following procedure is applicable where a question arises concerning an alleged violation by any member of the faculty of a rule or regulation of the University, with the exception of the proceedings brought by the appropriate official to terminate the services of a faculty member with tenure.

B. Initiation of Disciplinary Proceedings

1. [Who may file a complaint] Any officer of the University, any member of the faculty or staff, or any student may file a complaint against a member of the faculty for conduct prohibited by the rules and regulations of the University, or its schools, colleges, and departments.

2. [Summary suspension] Summary suspension pending investigation and hearing is an extraordinary remedy, but nothing in this statement shall be interpreted as precluding such action by the President or the Chancellor of the University and Executive Vice President for Academic Affairs, or the dean of the college, school, or division involved with the assent of the President or Chancellor of the University and Executive Vice President for Academic Affairs, whenever, in the judgment of either, suspension is necessary in the interest of the University community.

3. [Where to file a complaint] The complaint shall be filed with the dean of the faculty member’s school, except that a complaint against a dean shall be filed with the Chancellor of the University and Executive Vice President for Academic Affairs. Complaints must be filed within a reasonable time after an alleged violation.
4. [Informal resolution at school level] When a complaint is filed against a member of the faculty, an effort shall be made to resolve the matter informally under the direction of the dean of the member’s school at the departmental level or with a committee of the faculty of that school. Where the charge is against the dean as a faculty member, the informal effort shall be under the direction of the Chancellor of the University and Executive Vice President for Academic Affairs. Where the matter cannot be resolved in this manner, disciplinary proceedings shall proceed.

5. [Hearing committee for the non-tenured] Where the faculty member does not have continuous or permanent tenure, the matter shall be referred, with all pertinent information, to the Chairperson of the Faculty Council, who shall appoint a special committee of the faculty, either members of the Council or not, to hear the matter. The majority of the committee members shall be from the school in which the faculty member holds primary appointment. The Chairperson of the Faculty Council shall appoint the chairperson of the committee.

6. [Procedures and authority under Item 5] The special hearing committee shall adopt its own rules of procedure and shall have authority to impose any of the penalties, other than dismissal, listed in paragraph B.9 and to recommend dismissal. Decisions shall be by majority vote. A recommendation for dismissal must be approved by the dean (except where he or she is the subject of the charge) and the Chancellor of the University and Executive Vice President for Academic Affairs.

7. [Hearing committee for the tenured] Where the faculty member has continuous or permanent tenure, and the proceeding or charge was not brought by the President, the Chancellor of the University and Executive Vice President for Academic Affairs, or the dean of the member’s school or college, specifically in order to terminate service (Title III), the matter shall be referred to the chairperson of the Faculty Tenure Committee, who shall appoint a special hearing committee and chairperson from the membership of the Faculty Tenure Committee. One member of the hearing committee shall be from the college or school in which the faculty member holds primary appointment.

8. [Procedures and authority under Item 7] The special hearing committee of the Faculty Tenure Committee shall adopt its own rules of procedure and shall have authority by majority vote to impose any of the penalties, other than dismissal, listed in paragraph B.9. If the possibility of dismissal should be at any time involved, the procedure must follow that in Title III.

9. [List of penalties] Penalties for violations of the rules and regulations of the University, or its schools, colleges, and departments shall include, but are not limited to, the following:

   10. Reprimand
   11. Censure
   12. Removal of privileges
   13. Suspension
   14. Dismissal
15. [Appeal] A faculty member may appeal the decision by the hearing committee to impose a penalty. Appeal shall be to the Chancellor of the University. Grounds for an appeal shall be that the decision was not supported by substantial evidence in the record taken as a whole or that the proceedings were not conducted in substantial compliance with the principles enumerated herein. In cases involving scientific misconduct, substantial deviance from procedures set out for fact-finding within the affected school shall also be grounds for appeal. Any such appeal must be made to the Chancellor within fifteen calendar days after receipt of notice of the decision of the hearing committee. The Chancellor may seek the advice of such individuals or groups as he or she deems appropriate.

In deciding the appeal the Chancellor may affirm or reverse the decision of the hearing committee, may remand the case for a new or further investigation by the same or a different committee, or may increase or decrease the sanction imposed as the interests of substantial justice appear to him or her to require. Where scientific misconduct is at issue, the Chancellor may also remand the case to the dean of the appropriate school with a request for a new or further fact-finding by the same or a new committee, appointed in accordance with the provisions of the rules governing such cases.
OTHER FACULTY POLICIES

Faculty Membership and Meetings

The Bylaws of the University are explicit on the matter of who is a faculty member and on how voting rights are allotted; the relevant texts are reproduced here.

Faculty Membership [Bylaw 64]

a) The voting members of each faculty shall consist of the President, the Chancellor of the University and Executive Vice President for Academic Affairs, the dean of the faculty, and the professors, associate professors, and assistant professors (or in the Division of the Libraries, the curators, associate curators, and assistant curators), who serve on a full-time basis. In addition, the Executive Vice President for Health Affairs shall be ex officio a voting member of the faculty of the School of Medicine, of the Post-Graduate Medical School, and of the College of Dentistry; and each vice president or deputy provost or vice provost who has academic responsibilities shall be ex officio a voting member of the faculty of each school in his or her purview.

b) In addition, professors emeriti/emeritae, adjunct and clinical and visiting professors of each grade and research professors without tenure of each grade, instructors, library associates, lecturers, senior language lecturers, language lecturers, master teachers, teachers, master artists, and artists-in-residence, whether they teach on a full-time or part-time basis, are entitled, subject to faculty regulations, to attend faculty meetings, but they shall not have the right to vote at such meetings, except as provided below. Every year, each faculty through affirmative action of its voting members as specified in paragraph 64(a) may in its discretion, and according to its own qualifications, grant voting privileges to all or some of the individuals described above on matters affecting that faculty only, and excepting matters directly or indirectly affecting the individual’s candidacy for a degree or his or her status on the faculty at New York University, and the election of members of the Faculty Senators Council or University commissions.

c) An officer of instruction serving on a full-time basis in the University shall be a full-time member of the faculty of each school in which he or she gives instruction regularly, but shall have voting rights in the election of members of the Faculty Senators Council only in the school of his or her principal assignment as determined for this purpose by the President.

d) The roster of faculty members entitled to voting rights in each faculty under paragraphs (a), (b), and (c) shall be prepared and maintained on a current basis by the dean of the faculty, shall be submitted to the Secretary of the University for verification and filing in the official records, and shall be available for reference at each faculty meeting.
Faculty Meetings [Bylaw 65]

Each faculty shall hold at least four meetings each year, at such times and places and under such rules of procedure, consistent with these bylaws, as it may determine. Copies of the minutes of such meetings shall be sent to the President and the Chancellor of the University and Executive Vice President for Academic Affairs.

Faculty Titles

In 1960, the Board of Trustees issued a comprehensive statement on the subject of permanent or continuous tenure. It appears in a section headed “Statement in Regard to Academic Freedom and Tenure” (see page 21). The Bylaws in effect at that time gave only brief descriptions of faculty titles; new Bylaws adopted since then give more ample descriptions. The text of Bylaws 71, 72, and 73, approved May 27, 1968, as amended through May 5, 1980, is found below. In the event of conflict between earlier and later statements by the Board of Trustees, the most recent statement governs.

Since 1974, by action of the Board of Trustees, the professional librarians of New York University have had full faculty status. Their titles of rank are equated with those of the teaching ranks.

Professors and Associate Professors; Curators and Associate Curators [Bylaw 71]

a) Professors and associate professors are usually appointed to serve on a full-time basis, and only full-time professors and associate professors may achieve permanent or continuous tenure at the University. Unless otherwise specified, professors and associate professors are appointed for one year only, but they may be appointed for a longer period or without limit of time, subject to such rules respecting tenure as the Board may adopt.

b) Curators and associate curators in the Division of the Libraries are granted tenure rights under conditions similar to those applicable to professors and associate professors.

Assistant Professors; Assistant Curators [Bylaw 72]

a) Assistant professors are usually appointed for one year only, but full-time service in this rank may be counted, to the extent permitted under the rules of the Board of Trustees, toward the attainment of tenure by assistant professors that are promoted to the rank of associate professor or professor.

b) A full-time assistant professor in any school, college, division, or department except the School of Medicine and its departments, and the College of Dentistry, its College of Nursing and their departments, and the Leonard N. Stern School of Business and its departments, who is not promoted at the expiration of seven years as a full-time assistant professor shall be ineligible for further full-time appointment in the University. A full-time assistant professor in the School of Medicine, the College of Dentistry and its College of
Nursing or any of their departments who is not promoted at the expiration of ten years as a full-time assistant professor shall be ineligible for further full-time appointment in the University. A full-time assistant professor in the Leonard N. Stern School of Business or any of its departments, who is not promoted as the expiration of nine years as a full-time assistant professor shall be ineligible for further full-time appointment in the University.

c) The appropriate dean or departmental chairperson shall as a matter of academic courtesy give notice of these rules to full-time assistant professors in any school, college, division, or department except the School of Medicine and its departments, the College of Dentistry, its College of Nursing and their departments, and the Leonard N. Stern School of Business and its departments, in the sixth year of service as assistant professor, or, in the School of Medicine or any of its departments and the College of Dentistry, its College of Nursing and their departments, in the ninth year of service as assistant professor, or in the Leonard N. Stern School of Business or any of its departments, in the eighth year of service as an assistant professor, but no assistant professor or instructor shall be promoted or acquire tenure rights on the ground that he or she did not receive a notice or reminder of this section of the bylaws.

d) Assistant curators in the Division of the Libraries (including assistant curators in the School of Medicine) are appointed on the same terms and conditions as assistant professors at New York University, without extension of probationary period as provided for assistant professors in the School of Medicine, and are subject to the same prohibition on further full-time appointment if not promoted at the end of the specified periods. An exception is made, under special administrative arrangements approved by the President, for assistant curators appointed prior to October 1, 1972.

Non-Tenure Positions [Bylaw 73]

a) Instruction or research service shall be without tenure implications of any kind, regardless of rank or title, if rendered in a part-time capacity, or in a temporary position, or in a program having a subsidy of limited duration. Appointment to a non-tenure position shall be for a definite period of time, not exceeding one academic year unless otherwise specified, and shall automatically terminate at the close of that period unless there is an official notice of renewal. Non-tenure positions include the following:

• instructor;

• research professor, research associate professor, research assistant professor (except when the title of research professor is conferred as a distinction upon a person already having tenure at New York University);\(^5\)

• adjunct professor, adjunct associate professor, adjunct assistant professor;
• clinical professor, clinical associate professor, clinical assistant professor;\(^2\)

• visiting professor, visiting associate professor, visiting assistant professor;

• senior research scientist, research scientist, associate research scientist, assistant research scientist;

• senior research scholar, research scholar, associate research scholar, assistant research scholar;

• senior language lecturer and language lecturer;

• lecturer, master teacher, teacher, master artist, artist-in-residence;

• teaching fellow, teaching associate, teaching assistant;

• associate, research associate, assistant, clinical assistant, graduate assistant, research assistant.

Any position designated by a title not specified in this chapter shall be a non-tenure position unless the Board of Trustees determines otherwise.

b) In the Tisch School of the Arts

• arts professor, associate arts professor, assistant arts professor;

• visiting arts professor, visiting associate arts professor, visiting assistant arts professor.

c) A full-time instructor is usually appointed for one year only, but if not promoted at the expiration of three years as an instructor shall be ineligible for further full-time appointment in the University. Full-time service in the rank of Instructor may not be counted towards the attainment of tenure by instructors who are promoted to the rank of Associate Professor or Professor. Library Associates are appointed on the same terms and conditions as Instructors.

Further Information on Selected Non-Tenure Track Position Titles

The title instructor is ordinarily applicable to an appointee as an officer of instruction who has not completed the Ph.D. or equivalent degree necessary for entry into the rank of assistant professor, but whose academic preparation is sufficiently advanced to indicate the likelihood of completing that degree and who otherwise gives evidence of character, productive scholarship, and ability to teach.

\(^2\) In the School of Medicine, these designations denote part-time status. For full-time service appointments, the designations “Professor (Research or Clinical)”, “Associate Professor (Research or Clinical)”, and “Assistant Professor (Research or Clinical)” are used.
The title *acting professor* (or *acting associate professor* or *acting assistant professor*) is applicable to a temporary appointee of appropriate caliber who may succeed to unqualified appointment to the rank thus tentatively occupied, but who ordinarily has no assurance of such succession. Occasions for such temporary appointment are rare and are employed only when other designations fail to satisfy the circumstances.

The title *visiting professor* (or *visiting associate professor* or *visiting assistant professor*) is ordinarily applicable to an appointee who is a member of the teaching staff on leave of absence as a full-time teacher of corresponding professorial rank from another institution, but may be applicable to an appointee who does not have a home institution. The duration of the appointment of a visiting professor is normally one year, but shall not exceed three years. In the event of subsequent appointment to the tenure track, the time as visitor will count as part of the probationary timetable.

The title *research professor* (or *research associate professor* or *research assistant professor*) may be employed as a courtesy title without tenure implications, for part-time or full-time service or visiting individuals whose primary activities are in the area of research.

The title *research scientist* or *research scholar* (senior, associate or assistant) may be used for those temporarily serving on year-to-year appointments under research contracts, without tenure implications.

The title *clinical professor* (or *clinical associate professor* or *clinical assistant professor*) is applicable in the medical, dental, and certain other divisions to appointees whose professional attainments are comparable to those required for the regular professorial grades but whose teaching service is part-time or whose qualifications and responsibilities are fundamentally distinguishable from those of appointees in the tenure-earning ranks.

The title *language lecturer* (or *senior language lecturer*) is applicable in the Faculty of Arts and Science and in the School of Continuing and Professional Studies to an appointee whose professional attainments are in the area of language instruction and whose qualifications and responsibilities are fundamentally distinguishable from those of appointees in the tenure-earning ranks.

The title *adjunct professor* (or *adjunct associate professor* or *adjunct assistant professor*) is applicable to an appointee whose academic preparation and professional attainments are such as to meet the qualifications for the regular professorial grades as set forth in the tenure statement (see page 21) but who usually does not have a current professorial connection with any other institution and is appointed to teach, usually a part-time program, in New York University on a purely temporary basis. Appointment in these ranks is made on a year-to-year or semester-to-semester basis.

The title *lecturer* is applicable to an appointee who is an individual of distinction in a professional field, who is not otherwise on the teaching staff of the University, and who is engaged to give a series of lectures or to teach on a part-time basis during a specified semester or year.

The title *teaching assistant* is applicable to a graduate student pursuing a prescribed course of study at this institution who, because of outstanding qualifications, is appointed to part-time
duties concurrent with his or her academic program. The duties of a teaching assistant are ordinarily related to the field or discipline of a student’s degree studies at NYU and are primarily focused on the development and exercise of teaching skills. Generally, such appointments entail stipend support and tuition remission.

The title graduate assistant is applicable to a graduate student pursuing a prescribed course of study at this institution who, because of outstanding qualifications, is appointed to part-time duties concurrent with his or her academic program. The duties of a graduate assistant are ordinarily related to the field or discipline of a student’s degree studies at NYU and are primarily focused on the development and exercise of a variety of professional and technical skills. Generally, such appointments entail stipend support and tuition remission.

The title research assistant is applicable to a graduate student pursuing a prescribed course of study at this institution who, because of outstanding qualifications, is appointed to part-time duties concurrent with his or her academic program. The duties of a research assistant are related to the field or discipline of a student’s degree at NYU and are primarily focused on the development and exercise of a variety of research-related skills. Generally, such appointments entail stipend support and tuition remission.

The designations instructor, lecturer, associate teacher, master teacher, master artist, artist-in-residence, teaching fellow, graduate assistant, research assistant and teaching assistant, and any positions designated or not designated by a title cited in this chapter, whether gained at New York University or elsewhere, do not fall within the academic hierarchy (i.e., assistant professor, associate professor, professor) that may lead to tenure at New York University, and service in such capacities, irrespective of its duration or where it was rendered, whether full-time or part-time, is not creditable toward tenure requirements at New York University.

Responsibilities of the Faculty Member

Members of the faculty are expected to meet their professional and institutional commitments at the University on a regular basis throughout the academic year. These commitments include time spent on teaching, research, student advising, clinical activities and various kinds of University or outside professional service on committees and in administrative or advisory roles.

All officers of instruction are expected to handle their teaching assignments with professional skill. They should familiarize themselves with the overall organization of the University, and especially with the operations of the school or college in which they serve, and with its requirements and regulations, with which they will scrupulously comply. They should strive to be good citizens of the academic community, cooperative and efficient in meeting deadlines, submitting grades, and returning students’ work with appropriate comments. They should be active participants as committee members, student advisers, or in whatever other capacity they can render the best service in the affairs of the department and the school. Ideally, they should also maintain interest in the current activities and problems of the larger community and in how the community and the University can benefit each other.

Tenure and tenure-track faculty should aim at the steady enlargement of knowledge in their special fields—by enlarging their own knowledge through continuing study and by enlarging
the knowledge of others through making scholarly contributions. All faculty should keep abreast of publications about new developments in their subject area, and attend and actively participate in the meetings of appropriate learned societies. (Financial assistance in attending professional meetings may be available, according to the rules of the several schools and colleges.)

General criteria for promotion and tenure for tenure and tenure-track faculty are cited in Title I, Section V of the Statement in Regard to Academic Freedom and Tenure on pages 22-26. Some schools and colleges also have written statements on faculty appointment policies and procedures, particularly those concerned with promotion and tenure.

Section XI of the Tenure Statement cites important information regarding yearly notification of nontenured faculty concerning tenure prospects, including a formalized early review for certain junior faculty during their third year of service and, in the School of Medicine and the Stern School, also in their sixth year of service (see page 30).

Teaching and Research Assignments

As regards full-time faculty members, long-standing University policy limits regular teaching assignments to the usual fall and spring terms (approximately early September to mid-May) or equivalent. The summer months are generally expected to be spent partly in scholarly activity for professional growth and partly in rest and recreation. Faculty on such nine-month appointments may accept teaching, research or other employment during the three summer months, either at NYU or at another academic institution, or from another employer. In addition, with permission of the Dean or Chair, faculty may be released from some teaching responsibilities in order to conduct research. Assignments at NYU outside of the usual pattern as a part of the regular teaching load are normally made only as the result of a specific agreement with an individual faculty member. In the School of Medicine and the College of Dentistry, the teaching and research assignments are September through August and September through July, respectively.

Full-time teaching loads are determined administratively under guidelines approved by the Office of the Provost for a particular school or department. No additional compensation by reason of teaching overload may be paid to a full-time faculty member during the period of a regular teaching assignment, except in emergency circumstances duly approved in advance by the Office of the Provost. As an exception, teaching in the School of Continuing and Professional Studies or in a regularly established off-campus program for additional compensation to the extent of one course per semester (in addition to a faculty member’s regular assignment) will be permitted with the approval of the dean of the school in which the teacher’s principal services are rendered, but such arrangements are subject to review and renewed approval from year to year. Exceptions for additional compensation by reason of teaching overload may also be made for teaching in the Gallatin School of Individualized Study and in experimental programs.

A full-time faculty member whose regular teaching assignments are limited to the fall and spring terms (approximately early September to mid-May) may accept teaching or research assignments at times outside his or her regular schedule (e.g., during the summer) at New York University or elsewhere, provided such additional undertakings do not unduly interfere with the teacher’s efficiency and serviceability to the department. Summer teaching
assignments at New York University are normally made to full-time faculty members only with the consent of the teacher concerned.

Meeting Classes

The regulations of the University require all officers of instruction to be present for teaching duty and ancillary activities (e.g., committee work and student advisement) during the academic sessions to which they have been assigned. In addition, unless special arrangements have been made through the department or school, all officers of instruction are duty-bound to meet all their assigned classes at the place and hour scheduled. The length of the various academic sessions and the number of class meetings per session are set conformably to the requirements of the State Education Department for the different programs offered by the University, and may not be varied arbitrarily by individual teachers.

In case of illness necessitating absence from class, the teacher should communicate with the proper departmental officer or, if the latter is not available, with the dean. The department head or dean will determine what arrangements, if any, shall be made to provide a substitute instructor or to make up the work of the class at a later date.

Calendar

The fiscal years for New York University extend from September 1 through August 31. In most divisions (except certain professional schools, where slightly different schedules obtain) the regular teaching year consists of two terms, beginning in early September and mid-January, respectively. The summer sessions conducted by the various divisions extend for the most part from May to August. The calendars published in the University-wide and individual school bulletins will cite specific dates conforming to local variations. This information is also available online (http://www.nyu.edu). The annual Commencement exercises are ordinarily held in May.

Bulletins

Each school and college of the University, under the direction of its dean, issues its own bulletin or bulletins describing entrance and degree requirements, programs of study, and the like. Because this is the official publication of the school’s or college’s requirements and programs, it must be as accurate and up-to-date as possible.

It is incumbent upon the individual faculty member whose particular courses are described therein to inform the departmental executive officer of all essential changes that may necessitate a revision of the course description in the bulletin.

Restriction on Outside Employment

All faculty members compensated on a full-time basis are expected to devote their major energies to teaching, research, service, student counseling, and related activities at New York University. This implies a limit on outside activities, particularly those that involve the rendering of service for extra compensation.
No one appointed to a tenure or tenure-track faculty position at NYU may simultaneously hold a tenure or tenure-track position elsewhere. Teaching service at other institutions during the academic year must be approved in advance by the Dean.

For tenure or tenure-track faculty, extramural activities that are consistent with the individual’s overriding obligation to the University, including consulting and other gainful employment, must be consistent with the principles outlined above and may not require on the average more than one day per week in any academic semester or in any summer month in which the faculty member is receiving compensation for full-time employment at the University.

Circumstances thought to merit exceptional treatment should be referred in writing to the appropriate dean and the Office of the Provost.

All faculty members shall on a yearly basis report to their deans on (i) teaching outside the University; if the course taught is the same or similar to a course s/he teaches at the University, an outline of the curriculum taught at both institutions must be provided, (ii) other compensated activities outside the University and (iii) significant financial interest in entities having a relationship to the University (see Statement of Policy on Faculty Responsibility to the University, p 79)

It is the responsibility of departmental chairpersons or heads and of the deans of the various schools to protect the interest of the University in the full-time service of its full-time faculty, professional research and library staffs, and administration.

*Limitation on Degree Candidacy*

Special attention is called to Bylaw 63(c), which reads as follows:

No officer of instruction holding professorial rank in the University, that is, rank above the grade of instructor, shall be permitted to enroll as a candidate for a degree or be recommended for a degree in course. A degree candidate who accepts appointment to professorial rank must thereupon relinquish such candidacy.

While the rule does not prohibit a teacher of professorial rank, whether on temporary or permanent appointment, from taking courses at this institution for credit to be applied elsewhere toward a degree, it does prohibit such an appointee from pursuing a course to be credited toward a degree at New York University. In applying the rule, the prohibition has been extended to all holders of professorial titles, including visiting, research, adjunct, and clinical professors of each grade, and to administrators of policy-making rank. The holder of any professional librarian’s rank may pursue graduate work and be a degree candidate at the University.

*New York State Oath Requirement*

Section 3002 of the Education Law of the State of New York, as amended, requires in part that any United States citizen employed within the state as a teacher in a tax-supported or tax-exempt institution sign an oath or affirmation to support the Constitutions of the United States and of the State of New York.
This oath or affirmation must be executed by every newly appointed teacher before the first class session and returned for filing with the records of the institution.

The requisite form for complying with the law is available from the Faculty Records Office of the University and in the offices of the deans of the schools and colleges (see the NYU Public Directory for contact information). Foreign nationals, of course, are not subject to this requirement.

**Compensation**

The salary of a full-time officer of instruction who teaches in the school’s regular fall and spring terms, or a full-time faculty member, teaching assistant, and graduate assistant, in the School of Medicine and College of Dentistry who serves the entire academic year, is paid by monthly check in equal installments over the entire calendar year, beginning on the first day of the month following the effective date of appointment, with the exception that a teaching associate, teaching assistant, teaching fellow, or graduate assistant on duty from September through May receives his or her salary in 17 biweekly payments, starting in September and ending in May.

Salary payments to a part-time member of the instructional staff are payable four times each term, on the first of October, November, December, and January for the fall term, and on the first of March, April, May, and June for the spring term, with the exception that a part-time faculty member appointed for the entire academic year (September through May) will receive his or her salary in nine equal payments starting October 1 and ending June 1. Salary payments of a part-time faculty member in the School of Medicine are paid according to the same schedule as a full-time faculty member in that school.

Salary payments to a visiting faculty member normally follow the same schedule as full-time faculty with the exception that a visitor whose appointment does not extend through the summer months may be paid on the same schedule as a part-time faculty member.

**Payment for Summer Months**

In addition to the academic year salary, faculty members appointed on a nine-month basis may receive up to three additional months of summer compensation from NYU-administered sources (e.g. from federal on non-federal research grants). The maximum monthly salary from such sources is one-ninth of the academic year salary.

Payment for teaching in the summer intersession, whether paid as additional compensation to regular full-time officers of instruction or to visiting or part-time personnel, is normally made on one or more of the following dates, depending on the duration of the assignment: July 1, August 1, September 1.

**Deductions From Salary**

Deductions from the salary check are made by the Controller’s Division for federal, New York State, and New York City income taxes; Federal Insurance Contributions Act (FICA) tax as specified by law; and annuity, group insurance, disability income protection plan,
dental plan, and hospitalization and surgical-medical insurance premiums in accordance with individual requirements. Part-time members of the instructional staff, and such essentially temporary appointees as teaching fellows, graduate assistants, and the like, are ordinarily ineligible for annuity, group insurance, or hospitalization benefits. Cases to the contrary are subject to review and decision by the administration.

The University cooperates with the United States Treasury in arranging for the regular purchase of savings bonds under the Payroll Deduction Plan.

**Sabbatical Leave**

*Purpose*

A sabbatical leave, as distinguished from a terminal leave, a leave without compensation, or a leave for reasons of health, is defined as a leave for the purpose of encouraging faculty members (including administrative officers who hold faculty rank) to engage in scholarly research or other activities that will increase their scholarly achievement or their capacity for service to the University. A sabbatical leave will not be granted for the purpose of taking regular academic or other employment of pecuniary advantage elsewhere. (A partial exception to this policy, applicable to certain kinds of research grants, is explained below.)

*Eligibility*

Eligibility for a sabbatical leave is limited to full-time members of the faculty who have achieved tenure rights and who have completed six years of full-time service as members of the faculty at New York University. In general, at least six years must elapse between consecutive sabbaticals.

It is stipulated that at the conclusion of a sabbatical leave the faculty member will forward to the department chairperson and the dean copies of a report on activities undertaken during the period of the leave.

*Term and Compensation of the Sabbatical*

In general, a sabbatical leave is granted to the eligible faculty member, starting September 1, for the usual teaching terms (i.e., September to June inclusive) of one academic year, at three quarters of annual base salary. However, as an alternative, a faculty member who has qualified for a full year of sabbatical leave at three-quarters salary may apply for such sabbatical to be divided into two terms falling within a seven-year period, each such term representing a seventh semester at three-quarters of the base salary applicable thereto. As another alternative, a faculty member who is qualified for a full year’s sabbatical leave at three-quarters salary may elect, in lieu thereof, to apply for only one semester of sabbatical leave during the sabbatical year, at the full base salary for that semester. Appropriate variations apply in units, such as the College of Dentistry, the School of Medicine and the Libraries, in which active service is rendered on an 11- or 12-month basis rather than a 9-month basis.
The cost of replacing a faculty member during sabbatical leave will be kept as low as possible by arrangements such as rotating (“bracketing”) courses, employing part-time faculty members, and making internal adjustments in the departments concerned.

**Procedure for Granting a Sabbatical Leave**

Application for a sabbatical leave should be made in writing by the faculty member and submitted to the department chairperson no later than December 1 preceding the academic year for which the leave is sought. Because of the impact of a leave on departmental planning, early application is recommended.

The department chairperson must forward the application with an accompanying recommendation to the appropriate dean on or before the following December 15. The recommendation shall include a statement of the proposed method of handling the normal duties of the faculty member while on leave.

The dean must forward each application and the accompanying recommendation of the department chairperson, together with the dean’s own recommendation, to the Office of the Provost on or before January 15. The Office of the Provost, after such additional consultation with the dean as may be desirable, will announce the determination.

**Sabbatical Leave and Sponsored Research and Related Activities**

All sabbatical leave arrangements approved by the University carry the restriction that the faculty member is not permitted to engage in any form of regular academic or other employment to supplement the sabbatical salary. However, a member of the faculty is entitled to supplement the salary provided by the University during the period of leave with funding provided by an external sponsor for research and related activities, in an amount approved by the sponsor, so long as the total compensation is no more than the full base salary and the leave otherwise comports with the terms and conditions of the award. The faculty member must take the initiative to report plans for sabbatical leave to the sponsor and identify the salary supplementation explicitly in the proposal whenever possible, and must make known to the department chairpersons and dean at the time of request for sabbatical leave that such funding is being, or will be, sought from the sponsor.

**Benefits During Sabbatical Leave of Absence**

During a leave of absence, benefits may be affected. The Benefits Office should be contacted for details regarding how to continue benefit coverages and the length of time for which benefits may be continued.

It is a faculty member’s responsibility to contact the Benefits Office to arrange for continuation of benefits. More information is available in the benefits booklets or at the Benefits Office (see the NYU Public Directory for contact information).

**Leave of Absence (paid and unpaid)**
Applications for leave of absence of not more than seven days should be made to the proper dean. Leave of absence for more than seven days requires the approval of the Office of the Provost.

A leave of absence may not be granted to a faculty member who has accepted a tenured appointment elsewhere.

**Illness/Disability Leave and Maternity Leave**

The salary of a full-time faculty member (Code 102) may be continued for up to six months at the discretion of the dean, for absence caused by illness or disability, subject to approval by the Office of the Provost.

Legally, an absence caused by inability to work because of pregnancy, childbirth, or related medical conditions must be treated at least as favorably as an absence caused by illness or disability for all employment-related purposes. At the time a faculty member gives birth, she is entitled to an aggregate of six consecutive weeks of paid maternity leave preceding and following the date of birth.

A physician’s statement certifying that the faculty member is unable to work because of illness or disability and the date on which it is anticipated that he or she can return to work may be required. The University, in addition, may require that the faculty member be examined by a physician designated by the University at no cost to the faculty member. In cases of childbirth, no certification will be required unless the request for leave extends beyond six weeks.

A full-time faculty member who is totally disabled for more than six consecutive calendar months may claim benefits under New York University’s long-term disability insurance if a participant.

**Personal Leave**

Personal leave without pay may be granted at the discretion of the dean for a variety of reasons, including those cited below. Faculty members may be granted one or more full semesters of leave without pay for compelling personal reasons, such as care of a seriously ill child, parent, spouse, or registered same-sex domestic partner. Leave by either parent for the purpose of taking care of a child or related activities, as distinguished from inability to work because of pregnancy or childbirth, is treated as personal leave.

Faculty members are entitled to all provisions of the federal Family and Medical Leave Act of 1993 that are not specifically provided for herein. (A copy of “Your Rights under the Family and Medical Leave Act of 1993” is available at the Benefits Office; see the NYU Public Directory for contact information.)

**Workload Relief Policy (Approved by the University Senate March 1, 2007)**

In order to provide relief to faculty members faced with the additional demands of being the primary care-giver to a newborn child, newly adopted child, new foster care or guardianship placement, or newly-established legal custodial care, New York University’s workload relief...
policy grants one (1) semester of workload relief from classroom teaching and administrative committee work or two (2) semesters of half relief from such duties based on the individual’s normal yearly workload at full salary. Workload relief is not considered a leave as faculty members are expected to make themselves available to the extent reasonable and practicable for their customary responsibilities of research, student consultation and advising.

The faculty member’s School shall remain financially responsible for the faculty member’s salary during the workload relief period. Financial support for workload relief of classroom teaching, necessitated by having to hire appropriate replacements, is to be borne by a University workload relief fund. Please see the Workload Relief Form for details.

Individuals eligible for workload relief benefits include all full-time (code 102) faculty. To qualify for workload relief, the faculty member must be the parent primarily responsible for the care of a newborn child, newly adopted child, new foster care or guardianship placement, or newly-established legal custodial care. In all circumstances, only one (1) parent may be considered primarily responsible for the care of the child. If both parents could be eligible under this policy because they are both code 102 faculty, each such eligible faculty member could qualify sequentially for a half semester if the designation of primary responsible parent changed, but the total amount of workload relief would not increase.

Normally the first semester of workload relief will be the semester in which the temporary disability leave for childbirth is completed, the semester in which the adoption, foster care or guardianship takes place, or the semester in which the birth takes place. If the primary caregiver taking workload relief is the non-birth parent, only the latter two (2) situations are relevant. If these events occur between semesters when classes are not in session, the first semester of the workload relief typically will be the following semester.

In the case of childbirth, at least five (5) months before the start of the first semester of relief, a faculty member wishing to utilize workload relief for parenting under this plan should inform his or her Department Chair by filling out a Workload Relief Form, certifying that she/he is the primary caregiver and stating her/his intentions to take one (1) full semester or two (2) half semesters of relief. The form should be submitted to the person responsible at his/her School for processing the request as listed on the Workload Relief contact sheet. Details of the workload relief arrangement must be decided in consultation with the Department Chair or, in Schools without departmental organization, with the Dean. In the case of adoption, foster care or guardianship, the faculty member should alert the Department Chair or Dean as early as possible. Tenure clock stoppage will be granted for a cumulative maximum of two semesters during the probationary period to a faculty member who is the primary caregiver of a child whether or not the faculty member avails herself or himself of workload relief. The one (1) full semester of relief or two half semesters of relief will count as credit toward a faculty member’s sabbatical leave.

This policy is not intended to replace leave available to faculty members who are eligible for leave for the birth a child, an adoption, or foster care placement under the Family and Medical Leave Act of 1993 (“FMLA”). FMLA shall run concurrently with workload relief as either intermittent or reduced workload leave. An FMLA certification must be completed and submitted with the Workload Relief Form to determine FMLA eligibility. Eligible faculty members may still elect to take unpaid FMLA leave if they wish to provide no service.
while providing care for their newborn child, newly adopted child, or foster care or guardianship placement.

_Tenure Clock Stoppage for Personal Reasons (Approved by the University Senate March 1, 2007)_

Tenure clock stoppage may be granted automatically for a maximum of two semesters during the probationary period for any one of, or combination of, the following personal reasons:

1. Tenure clock stoppage may be authorized during a period of full service to faculty members who are primary caregivers of a child; and to primary caregivers of a parent, a spouse, or a domestic partner in a health crisis of extended duration. A domestic partner qualifies if he or she is registered with the University for benefits purposes.

   “Primary care” means day-to-day responsibility for the care of a child, parent, spouse, or registered domestic partner for a substantial portion of the period.

2. Tenure clock stoppage may be authorized to a faculty member who is granted one or more full semesters of leave for any one of, or combination of, illness/disability leave, maternity leave, or personal leave.

Tenure clock stoppage for up to two semesters will be granted automatically in the case of a parent primarily responsible for the care of a newborn child, newly adopted child, new foster care or guardianship placement, or newly-established legal custodial care, upon notification to the Chair of the Department or, in the case of Schools without departmental organization, the Dean. In other cases, a request for tenure clock stoppage normally will require advance approval by the Dean and the Office of the Provost. Requests should be made as early as possible, and when feasible, approvals should be in place no later than the onset of the semester preceding the period of tenure clock stoppage.

Note: The granting of tenure clock stoppage does not influence granting of tenure in the future.

_Benefits During Leave of Absence_

During a leave of absence, benefits may be affected. The Benefits Office should be contacted for details regarding how to continue benefit coverages and the length of time for which benefits may be continued.

It is a faculty member’s responsibility to contact the Benefits Office to arrange for continuation of benefits. More information is available in the benefits booklets or at the Benefits Office (see the NYU Public Directory for contact information).
Faculty Grievance Procedures

(Arrived by the University Senate May 10, 1973, approved by the Board of Trustees May 21, 1973)

The purpose of these regulations is to establish University procedures by means of which faculty members can seek redress of their grievances. A grievant must be a faculty member of New York University when he or she initiates the appellate grievance procedure under B, infra.

A. **Faculty Grievances, General**

Faculty grievances are classified into two main types:

1. Those connected with appointment, reappointment, promotion, or tenure.

2. Those concerned with other matters, such as duties, salaries, perquisites, and working conditions.

Although it may be preferable to treat all grievances as uniformly as possible, whatever the issue, those stemming from appointment decisions must be dealt with in a manner that conforms to the general appointment procedures. The initial protection for the faculty member is in the “Statement in Regard to Academic Freedom and Tenure” (see page 21) and the regulations and procedures on “Appointment and Notification of Appointment” (see page 29). It is expected that most grievance cases, particularly those concerned with matters such as duties, salaries, perquisites, and working conditions, will be settled within each school or faculty. The schools and faculties have wide latitude in establishing procedures to meet their needs.

3. In the case of all grievances, attempts shall be made to settle the dispute by informal discussions between the concerned parties, possibly with the assistance of mediators.

4. Each school or faculty shall establish a faculty committee to hear grievance cases in order to advise the dean. This grievance committee shall be elected by the voting members of the faculty and shall be a standing committee of the school or faculty. A majority of the committee shall be tenured members of the faculty. It shall not include departmental chairpersons or departmental heads or any faculty member whose primary assignment is administrative.

5. If a faculty member’s grievance is not settled informally at a level below the dean, or by the dean himself or herself, the faculty member may appeal to the dean to convocate the grievance committee of the school or faculty. The dean shall do so within 15 working days\(^3\). After obtaining the recommendation of the grievance committee, the dean shall decide the case and in writing shall

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\(^3\) EXPLANATORY NOTE: In any instance in which the dean has not convened the school’s grievance committee within the mandated 15 working days, the faculty member has the right to bring it to the attention of the Office of the Chancellor.
notify the concerned parties and the grievance committee of his or her decision, together with reasons therefor, and information on the procedure for appeal.

6. If a faculty member has no grievance at a level below the dean but the dean makes a decision against the faculty member, the latter may request the dean for a hearing before the grievance committee of the school or faculty. The dean shall convocate the grievance committee within 15 working days. After receiving the recommendation of the committee, the dean shall then make his or her final decision and shall notify as in A-5.

B. Appeal from a Dean’s Decision on Appointment, Reappointment, Promotion, or Tenure

1. Appeals from such decisions can be made only on the following grounds:

   a) That the procedures used to reach the decision were improper, or that the case received inadequate consideration;

   b) That the decisions violated the academic freedom of the person in question, in which case the burden of proof is on that person.

2. A faculty member intending to make an appeal shall indicate such intention in writing to the Chancellor of the University and Executive Vice President for Academic Affairs within 15 days after receiving written notification of the dean’s decision. An exception to this may be made only with the consent of the grievant, the dean, and the Chancellor of the University and Executive Vice President for Academic Affairs.

3. Where such an appeal is made, the dean shall transmit to the Chancellor of the University and Executive Vice President for Academic Affairs a report of the proceedings in the case at its earlier stages. The Chancellor of the University and Executive Vice President for Academic Affairs shall in each case obtain the advice of a standing committee of no less than three tenured faculty members selected by the Faculty Council but not necessarily members of that body. This committee shall be called the Faculty Council Grievance Committee.

4. The Faculty Council Grievance Committee shall hold a hearing and shall complete its deliberations and notify the Chancellor of the University and Executive Vice President for Academic Affairs of its recommendations, preferably within 30 days of the close of the hearing, but in any case within 60 days.

5. The Committee shall not judge professional merits, but only ascertain whether procedural safeguards have been observed. Evidence that a decision appealed from is so arbitrary that it has no rational foundation may be considered on the issue of “inadequate consideration” (B-1-a above).

(*) See footnote on page 56
6. The Committee shall at all times follow the requisites of a fair and equitable hearing, but it is not to be restricted by the technical rules of evidence or the formality of the adversary proceeding as in a court trial. In each case the Committee shall determine its own procedure, adapting the requirements of the particular case to the equity of the situation. This shall include, for example, the question of a record of the hearing, the examination of witnesses, the schedule and public nature of meetings, etc. The grievant, however, may determine whether he or she shall have the aid of an advisor or counsel.

7. After receiving the advice of the Faculty Council Committee, the President and the Chancellor of the University and Executive Vice President for Academic Affairs shall decide the case and notify the grievant, the dean, and the Chairperson of the Faculty Council Committee. If the advice of the latter is not followed, the reasons shall be reported with the decision.

8. If the dean’s decision is favorable to the faculty member and hence is not appealed and the Office of the Chancellor of the University and Executive Vice President for Academic Affairs reverses that decision without seeking the advice of the Faculty Council Grievance Committee as described in B-1 through 7, the faculty member may then invoke the appeal procedure.

C. Appeal from a Dean’s Decision on Matters Such as Duties, Salaries, Perquisites, and Working Conditions (A-2 above)

Where such an appeal is desired by a faculty member and the Chancellor of the University and Executive Vice President for Academic Affairs is so informed within 15 days after the member is notified of the decision, the Central Administration shall make informal procedures available.

Appeal from the dean’s decision can be made only on the same grounds as in B-1 above.

D. Copies of the Grievance Procedures

A copy of the school’s grievance procedure and of this appellate procedure should be given to each full-time faculty member.
Retirement

In order to foster an ongoing relationship with the University’s retirees, a number of perquisites are available through Central Administration and the individual schools. Faculty members may contact their Dean’s Office for details.

To determine eligibility for benefits after retirement, the Benefits Office or the Dean’s Office should be consulted. See the NYU Public Directory for contact information.

Special attention is called to Bylaws 75 and 55, which read as follows.

Retirement [Bylaw 75]

The tenure rights of officers of instruction and librarians shall cease August 31 of the academic year, September 1 to August 31, in which they give notice of their intention to retire from active service, unless an alternative effective date is agreed upon, and there shall be no presumption of reappointment thereafter.

Term of Administrative Appointments [Bylaw 55]

Appointment to an administrative office, including but not limited to the office of executive dean, dean, vice dean, associate dean, assistant dean, director, secretary, department head, and department chairperson, shall be without limit of time, unless otherwise specified, but may be terminated at any time by the President, or the Executive Committee, or the Board of Trustees without prejudice to any rights of the officer as holder of a professorship. To the extent permitted by law, the active service of officers of administration shall be terminated on August 31 following their attainment of age sixty-five, unless action is taken by the Board of Trustees to the contrary.

Professor Emerita; Professor Emeritus

The titles of Professor Emerita and Professor Emeritus are given only to full professors who have served New York University with academic distinction for a long enough time prior to retirement to have become identified historically in the profession as New York University professors. This title is given only upon formal retirement from active service, or at least from full-time active service. It is not automatic; it must be recommended by a department and approved through the normal procedures applicable to other academic titles. Comparable principles apply to the use of the designation Emerita and Emeritus for administrative personnel.

University Benefits

Benefit Plans and Services

The Benefits Office of the Human Resources Division provides information about the benefit plans and services available to faculty members, members of the professional research staffs,
and administrative and professional staff members. All requests for information and questions concerning benefits and related matters should be addressed to the New York University Benefits Office located at Washington Square. See the NYU Public Directory for contact information, and further information can be found online at http://www.nyu.edu/hr.

(School of Medicine faculty should contact their Benefits Office; see the NYU Medical Center Telephone Directory for contact information).

**Housing for Faculty**

University-owned housing is allocated to faculty and staff in order to enhance the academic life at New York University. Nearby housing helps to create a feeling of campus by bringing faculty, staff, and students together. It supports the academic mission of the University by increasing accessibility of faculty members to their students, their colleagues, and their research tools.

Specific University policies govern the allocation of housing. Any questions should be addressed through the individual school Dean’s Offices.

**Service Recognition Awards**

Faculty will receive service recognition gifts upon completion of 10, 15, 20, 25, 30, and 35 years of full-time service to the University. The University will also present a certificate to every member of the faculty who has given 25 years of full- and/or part-time service to the University.

**Travel Policies**

Information about University policies and guidelines concerning travel and reimbursement rates can be obtained from the Office of the Controller (see the NYU Public Directory for contact information).

**Releasing Employment Information**

Faculty members wishing to have information about their status at the University officially transmitted to persons or institutions outside the University should apply to the Faculty Records Office, in order to execute the required consent form (see the NYU Public Directory for contact information).

**Legal Matters**

**Signing of Contracts; Service of Legal Papers**

The handling of all legal matters arising from or pertaining to the operations of the University is the responsibility of the General Counsel of the University.

Administrators and faculty members should not sign contracts, leases, or other agreements without proper written authorization, as well as required legal and financial reviews, and
should not reply to communications received from attorneys concerning University business, whether telephone messages, faxes, e-mail or letters. Responses to such communications must be prepared in consultation between the Office of the General Counsel and the faculty member or administrator concerned. Similarly, under no circumstances should anyone not an officer of the University accept service of legal papers, such as subpoenas, citations, court summonses, or violation notices. Anyone who wishes to serve such papers on the University should be referred to the Office of the General Counsel, which will accept them officially on behalf of the University.

Refusal by a faculty member or administrator to accept service is not illegal; it is in fact the proper procedure and in the best interests of the University. If a process server refuses to be cooperative and insists upon leaving the papers, immediately call the Office of the General Counsel, and ask for instructions.

The Office of the General Counsel is responsible only for official University business and is not staffed to provide personal legal assistance except in the special instances described in “Selected Policies Concerning the Protection of Rights and Other Matters” under the heading of “Legal Protection for Faculty Members” (see page 84). In exceptional cases, however, the office will, upon request suggest legal organizations or other counsel to University personnel in need of such assistance.
SELECTED UNIVERSITY RESOURCES FOR FACULTY

Office of Faculty Resources

The Office of Faculty Resources, which is based in the Office of the Provost, helps faculty navigate all the services that NYU has to offer them. Faculty can find information on programs and departments that assist in the pursuit of teaching, research, funding, or simply living and working in New York City. To visit the Office of Faculty Resources see www.nyu.edu/faculty/

The Administration of Sponsored Research and Training

As part of its activities as a major research institution, New York University provides services to the academic community in support of research, training, and related activities carried out with funding from public, private not-for-profit, and voluntary health agencies. The Office of Sponsored Programs (OSP) serves New York University faculty, excluding the School of Medicine, and the Office of Grants Administration and Research Services (OGARS) serves the School of Medicine faculty.

Office of Sponsored Programs—Washington Square Campus

OSP is staffed by Projects Officers knowledgeable about funding opportunities in a wide range of academic fields and experienced in working with external sponsors. They assist in the following areas:

• Identify appropriate sponsors and interpret guidelines;
• Develop budgets and fulfill application requirements;
• Review for consistency with institutional and sponsor guidelines;
• Act as liaison between investigators and governmental agencies in the negotiation of awards; and
• Provide guidance to investigators in managing projects administration.

OSP also functions as the University’s research compliance office by:

• Identifying new regulatory requirements;
• Negotiating federal assurances and staffing institutional review committees;
• Developing institutional policy and procedures for the protection of human subjects, conflict of interest, and misconduct in science; and
• Supporting the University’s obligations under its Assurance covering the use of animals in research.
OSP manages two institutionally-funded research programs:

- New York University Research Challenge Fund, an annual competitive program; and
- University Scientific Instrumentation Costsharing Fund, which offers costsharing for proposals to external research equipment programs requiring it.

To keep the University community informed, OSP maintains a web site (http://www.nyu.edu/pages/osp) which contains:

- News and developments of interest to researchers;
- A deadline calendar (also distributed in hard copy);
- Guidelines for NYU’s internal research competitions;
- Principal Investigator’s Guide to Preparing and Submitting Proposals;
- Human Subjects’ Review Information; and
- Links to funding agencies and online application forms.

OSP also publishes an Award Listing to assist potential sponsors in identifying other faculty members working in compatible areas of interest, and detailed announcements of specific program opportunities. The office maintains a library of sponsor guidelines and application materials as well as guides to proposal development. For additional guidance in the process of applying for externally sponsored programs, OSP has available an overview of University policies and procedures regarding the generation and operation of funded programs by members of the University community, as well as specific information on personnel policies applicable to sponsored research and training personnel.

See the NYU Public Directory for contact information.

_Sponsored Programs Administration – Medical Center_

Sponsored Programs Administration (SPA) provides specialized services for the scientific community at the New York University School of Medicine. SPA provides individual consultation to assist faculty in obtaining funding for research, public service, and training activities at the School of Medicine.

SPA staff members utilize web-based tools to help faculty find funding, and prepare and submit applications. Faculty can work with experienced SPA staff to perform specialized searches for funding using online databases. NYU School of Medicine faculty have access to electronic research administration via the SPA Home Page (http://www.med.nyu.edu/spa/). The home page features announcements of new funding opportunities from both federal and non-federal agencies, comprehensive deadline calendars, links to federal and non-federal sponsors, online NYU School of Medicine grant forms, and application forms for external sponsors.
Sponsored Programs Administration coordinates four internal research grant programs. The Research Bridging Support Program provides support to faculty who experience a hiatus in extramural support. The Scholars Program identifies prominent award programs, and works closely with selected candidates to submit competitive applications. The R01/R21 Incentive Program considers support for unsuccessful new (rather than competing continuation) applications for these NIH grant mechanisms that have received favorable critiques but were never funded. The program provides funds for the completion of necessary experiments, the collection of essential data, or the maintenance of essential laboratory infrastructure deemed necessary to address application critiques and move unfunded grant applications into the fundable range on subsequent submissions. A fourth initiative supports efforts to develop research teams that will be competitive in applying for large (over $700,000 direct costs per year), multi-investigator research grants such as Program Projects, Center Grants, and SPORES.

Sponsored Programs Administration is responsible for confirming compliance with the requirements of regulatory agencies and sponsors as well as serving as liaison to funding agencies in negotiating awards and contracts. The Senior Associate Dean for Research Administration oversees the review and institutional approval of applications submitted on behalf of the NYU School of Medicine.

See the Sponsored Programs Administration Home Page for contact information.

**Faculty Resource Network**

The Faculty Resource Network (FRN) at New York University was established in 1984 to address the challenge faced by small liberal arts institutions in providing their faculty members with professional development opportunities in the face of limited human and financial resources. Today, the Network is an award-winning, nationally recognized faculty development initiative involving over 16,000 faculty members who teach more than 200,000 undergraduate students at a broad cross-section of colleges and universities across the country. Member institutions include NYU and 41 liberal arts colleges and universities spanning 18 states, from New York to Louisiana to Hawaii, as well as the Commonwealth of Puerto Rico. Among these members are 15 historically black colleges and universities and 3 Hispanic-serving institutions, including the University of Puerto Rico system. The FRN also is linked closely with the Leadership Alliance consortium, based at Brown University.

All of the Network's programs are value-added: built into each program are sessions on curriculum and course development, as well as dissemination activities. Thus, faculty participants not only work on their own projects and acquire new knowledge and skills while participating in Network residencies, seminars, workshop programs, and symposia, but also are expected to develop new, practical and effective curricula and course modules for implementation at their home institutions, and to disseminate information about new research and pedagogical techniques and tools among their colleagues and students.

New York University faculty members may participate in Network programs in a variety of ways. For further information, check the website at [www.nyu.edu/frn](http://www.nyu.edu/frn) or contact the Faculty Resource Network offices at (212) 998-2090 or by email at frn@nyu.edu.
The Center for Teaching Excellence

The Center for Teaching Excellence began in 1992 as a presidential commission dedicated to Enhancing the Quality of Undergraduate Academic Life (EQUAL). This commission was created by the Office of the President in response to University Senate recommendations endorsing a University-wide effort to improve faculty-student relations and promote teaching effectiveness. For further information, faculty members may contact the Center at 998-2200 or through its website at www.nyu.edu/cte

Visiting Scholars Program

The program for visiting scholars, visiting research professors, and visiting exchange professors extends specified courtesy titles and privileges to scholars of distinction who visit New York University in order to engage in research and scholarship, and in general scholarly and cultural interaction with New York University’s faculty and students. The courtesy titles may not be granted for the purpose of providing free courses or other privileges to graduate or post-graduate students, or for the sole purpose of providing library privileges.

Visiting scholars, visiting research professors, and visiting exchange professors are considered guests of the University who may visit for a temporary period of up to one year (renewable). As non-employees, they have no teaching or other responsibilities and are not entitled to salary or housing. Visiting scholars, visiting research professors, and visiting exchange professors covered by this program may not in any way perform in the role of an employee at New York University. For further information, faculty members may contact their Dean’s Office (see the NYU Public Directory for contact information).
Selected University Policies

SELECTED POLICIES CONCERNING THE PROTECTION OF RIGHTS AND OTHER MATTERS

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Affirmative Action Policy (6/19/72) 72
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New York University Supplemental Guidelines for Disclosure and Review of Conflicts of Interest in Research (2/9/95) 81
Legal Protection for Faculty Members (12/14/81) 84
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Policy on the Employment of Members of the Same Family (long standing) 88
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