MINUTES OF THE T-FACULTY SENATORS COUNCIL MEETING OF MAY 4, 2017

The New York University Tenured/Tenure Track Faculty Senators Council (T-FSC) met at noon on Thursday, May 4, 2017 in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Colloquium Room.

In attendance were Senators Amkpa, Duncombe, Figlewski, Frankl, Iampolski, Jacobs, Lapiner, Ling, Merritt, Mincer, Porfiri, Shapley, Tranchina, Uleman, Van Devanter, Watson, Weinberg, Weslake, and Zagzag; Active Alternate Bello and Kallenbach; Alternate Senators Alter, Dasanayake (for Kamer), Davis (for Davila), Murphy (for Upham), Ompad (for Parekh), Ospina (for Smoke), Regaignon (for Jamieson), Reiss (for Appiah), Seeman, and Tannenbaum. Former Member Moskowitz attended as a guest.

APPROVAL OF THE MINUTES OF THE MEETING HELD APRIL 13, 2017

Upon a motion duly made and seconded, the minutes of the April 13, 2017 meeting were approved unanimously.

REPORT FROM THE CHAIRPERSON: ALLEN MINCER

Chairperson Mincer stated the Council, by vote, agreed to allow a visitor to the meeting. Erika Hansson from Chalmers Institute of Technology joined the meeting as a guest.

NYU Abu Dhabi and Tamkeen issued a joint statement on remediation payments to those workers who did not fall under the compliance program.

To-date 8,600 workers have been identified; of these 6,600 have been paid, and 2,000 are eligible to be paid pending further contact details. The vast majority of the 2,000 are believed to have returned to their home countries, and NYU is contacting those for whom they have mailing addresses, which is approximately 1,500 individuals.


- Summary of research projects funded by NYUAD as part of "REALM" (Research and Empirical Analysis of Labor Migration) - note, Peter Bearman, at Columbia, is the PI for the overall initiative, thus the fact that this information is housed on a Columbia website: http://www.incite.columbia.edu/realm/current-projects

Mincer stated the Executive Committee will be sending out the end of spring T-FSC Report to all faculty.

He asked Senators interested in serving on a Summer Committee, in case any issues arise in June-August, to contact Karyn Ridder.

Mincer reminded the Council of the Year End Dinner on Tuesday, May 9, 2017 at Battery Gardens Restaurant.
T-FSC COMMITTEE REPORTS

Personnel Policies & Tenure Modifications (PPTM): Co-Chairs Neville Kallenbach & Nancy Van Devanter

Review of Faculty of Arts & Science (FAS) Continuing Contract Faculty Policy

See attached Document A: FAS Clinical Review

Senator Van Devaner noted given the end of year deadline, the T-FSC did not pursue a joint review with the Continuing Contract Faculty Senators Council (C-FSC).

A Senator inquired if there were any special issues regarding the document.

Van Devanter stated the Committee did not find any significant issues. She noted one of the Committee members is a faculty member at FAS. She recommended always incorporating on the Committee a faculty member from the school with the policies under review.

The recommendations were approved by vote of the Council.

Chairperson Mincer stated the procedure for these recommendations is the school first sends the document to the Provost’s Office, the Provost sends to the T-FSC and C-FSC for their review, and the Councils send their recommendations back to Provost Office. The Provost’s Office then takes this into consideration and has any further discussions with the schools and acts upon it. The Provost Office then informs the Councils which of the items they have accepted. For any they have not accepted, according to the governance principles, they will offer justification for not accepting.

Van Devanter noted the Committee’s agenda over this academic year included review of five school policies, review and approval of the NYU policy on consensual intimate relationships, and review of materials on the tenure clock stoppage policies that exist currently at NYU and at 19 peer institutions.

Mincer noted the activity of the PPTM Committee and thanked them for their hard work.

Governance: Co-Chair Stephen Duncombe

Report from academic year

Senator Duncombe noted the Committee’s agenda items from the academic year including requests to review the School of Medicine’s nomination procedures and the bylaws regarding council function.

He noted the Committee presented a resolution to include faculty members in the Board of Trustees. This will be brought to the Senate in the fall, when the Student Senators Council (SSC) and possibly the C-FSC will be presenting resolutions.

The Committee also created a survey on the application of principles of shared governance, which is co-sponsored by the C-FSC and will be sent next week. The purpose is to provide information on the application of these principles at the schools and also to publicize the principles of shared governance.
Faculty Benefits & Housing: Co-Chairs Angela Kamer & Wen Ling

_Report from academic year_

Senator Ling noted the substantial interaction between the Committee and the University Administration on various benefits issues this academic year. This included a meeting in June of last year regarding the increase of health insurance premium for faculty, a meeting with United Health representatives, and a meeting with a representative from TIAA-CREF and their NYU service team. This included an explanation about services provided and special one-on-one counseling that is provided to the NYU community.

In addition, one representative from T-FSC, one representative from C-FSC, and one representative from the Administration Management Council were invited to attend a university retirement fund meeting in early spring. This followed the lawsuit regarding NYU’s management of faculty and administrators’ retirement funds.

Ling reported on the housing survey of spring 2015. The Committee found a contact person in the current administration to present the findings to and will do so. She noted the C-FSC has a different set of recommendations. Chairperson Mincer noted, as was decided in the original joint T-FSC and C-FSC committee that the two Councils would come together on joint recommendations, etc. or pursue separate recommendations at the decision of the committees.

A Senator commented that he learned that any communications having to do with benefits must be approved by HR. For instance a faculty senator cannot send an email to their school’s faculty regarding benefits.

Chairperson Mincer re-stated the principles of shared governance. He noted if the administration wishes to introduce an announcement in a particular way it might best to present accordingly, but senators do have the right to communicate with all the faculty in their school.

A Senator suggested there are too many choices in the retirement funds and suggested the University offer a narrower set of investment possibilities.

A Senator asked about the rule stating loans and hardship distributions from the NYU Retirement Plan are not allowed. Ling clarified this is a NYU rule, not a TIAA rule.

It was noted employees are permitted to borrow from their TIAA account under the Supplemental Tax-Deferred Annuity (STDA) Plan.

Educational Policies & Faculty/Student Relations: Co-Chairs Robert Lapiner & Sharon Weinberg

_Report from academic year_

Senator Lapiner reported the Committee was asked in the fall to examine the issue of the University’s willingness to consider candidates who may have had some criminal record in their past. In the fall, the Committee invited the Director of undergraduate admissions and Vice President Linda Mills to a Council meeting to discuss.

This year, the Committee also examined the University’s programs for first generation undergraduate students. He reported approximately 19% of all incoming students to NYU are first generation. The College of Arts and Science (CAS), Tandon School of Engineering, and the Wasserman Center have programs to support this group of students. Lapiner and Co-Chair Sharon Weinberg met with Marc Wais, Senior Vice President for Student Affairs to discuss ways to involve faculty in these programs. The Committee also learned the officers of NYU’s program Proud to be First are connected to a national network of student affairs personnel who are interested in this area and there is considerable research in this regard.
Chairperson Mincer commented on the importance of representatives serving on University Committees to report back to the Council. He suggested creating a better mechanism for this communication.

Inclusion, Equity, & Diversity: Co-Chairs Arlene Davila & Darcey Merritt

Report from academic year

Senator Merritt reported this year the Committee worked in tandem with the Faculty of Color Caucus around developing the sanctuary campus resolution.

An announcement should be made shortly regarding the Chief Diversity Officer. The Committee plans to meet with him or her to gain an understanding of the infrastructure that will be put in place. In the coming academic year, the Committee expects to examine the report by the Equity, Diversity, and Inclusion Task Force.

Global Network University: Chair Awam Amkpa

Report from academic year

Senator Amkpa noted the importance of the communication and relationship of the GNU Committee and the university-wide advisory committee on GNU. He recommended a GNU committee member should serve on the university committee. He noted the example of their joint work on the GNU professorship and the incorporating language on the Global Network into the faculty handbook.

The Committee worked on clarifying the various hiring procedures between the portals. Concerns regarding the facility of the global network professorships in both Abu Dhabi and Shanghai were discussed with the Provost Office.

Amkpa noted the Faculty Working Group on Global Learning Outcomes will be circulating a document that examines the history, structure of their curriculum, and the flow of faculty and students in the NYU global network system.

A Senator commented on the importance of continuing to examine the structure of faculty governance in the GNU and faculty hiring.

Finance and Policy Planning: Co-Chairs Maurizio Porfiri & David Zagzag (spring)

Report from academic year

Senator Porfiri reported the Committee sent their budget recommendations for 2017-2018 and are waiting for a response from the President.

He noted the C-FSC’s recommendations focused more on a formal review of total compensation and benefits for the continuing contract faculty and suggested perhaps next year the T-FSC might focus the recommendations in a similar manner.

Porfiri noted the Committee’s recommendations outlined ways the University might save money and cut costs through re-examining the existing organization chart and identifying possibilities for a leaner, less costly administrative structure. In addition, the Committee recommended new revenue avenues, such as certificate programs, which could mitigate reduction in revenue streams. The administration should consider clarifying and increasing the incentives for faculty and/or departments to initiate new teaching and sponsored research programs.
Porfiri noted the Committee asked for and received information from the administration on plans for capital spending. The Committee also discussed the impact of political changes such as the New York State subsidy for students and the impacts on international students.

Senator Porfiri reminded Council members of the budget template created by the Committee in spring 2016 intended for acquiring information from the administration in a consistent way across schools. This template is to be used by Senators in formatting the conversation with their school’s administration in gathering useful financial data. He noted his school, Tandon, uses the template and it has been useful.

Chairperson Mincer noted the previous discussion on AMI and its connection to equity. He suggested the Finance and Policy Planning and the Inclusion, Equity, & Diversity work together to examine this issue.

UNIVERSITY SENATE COMMITTEE REPORTS

Senate Committee on Organization & Governance (SCOG): Sylvain Cappell

Edits to University Bylaws regarding Council Function

See attached Document B: University Bylaws marked with SCOG Changes

Senator Cappell reported SCOG was asked to re-examine the Council’s function, as described in Sections 65-69 of the University Bylaws. SCOG recommended a change to Section 65. The Tenured/Tenure Track Faculty Senators Council, Section (a) Functions. The suggested change is as follows for the final sentence:

Original: It will perform such other educational functions as requested of it by the President and Chancellor, or by the Board.

Suggested: It may perform such other functions as are requested of it by the President and Chancellor, by the Board, or by the Senate.

This recommendation was approved by vote of the Council:

NEW BUSINESS

Senator Ling, on behalf of the Council and as the incoming Chair of the Council, thanked Senators Mincer, Amkpa, and Rajagopal for their service on the Executive Committee for the past two years.

SPECIAL GUEST: PRESIDENT ANDREW HAMILTON

Chairperson Mincer welcomed President Andrew Hamilton to the Council meeting. The Council asked for an overview of President Hamilton’s short and long term goals for NYU and of the challenges the University is facing.

Hamilton highlighted the principle issues.

He noted the continued focus on academic excellence and the need to identify areas for improvement including science and engineering. He commented on the continued investment in new space, including new space for physics around the square, engineering at MetroTech in Brooklyn, cross-disciplinary interactions at 370 Jay Street in Brooklyn, data science and computer science in the Forbes building, Langone Medical Center, and the Kimmel Pavilion for Research Activities.
Hamilton highlighted innovation and technology. He noted significant activities in biomedicine, biotech, computer science, and at Courant, Tandon School of Engineering, and Stern School of Business. He noted the importance of bringing these together in a more focused and connected way.

He noted the success in the creation of new start-up companies as a direct result of NYU technology and the further expansion of incubator spaces for faculty, students, and non-NYU individuals to come and be part of those incubator spaces that link to the strengthening academic excellence in those areas of connection in innovation. He noted the Bloomberg Applied Science Initiative, that led to the 370 Jay Street project. He commented innovation is also connected with new forms of teaching, particularly an emphasis on how can online learning find its best expression in the academic landscape of NYU. He noted the emphasis on online teaching in NYU Shanghai, particularly in strengthening the potential online involvement of Chinese students. He noted the person leading this at NYU Shanghai will be coming back to New York and will become the Vice Provost for Technology Enhanced Learning in the Provost Office.

Hamilton noted the task force for Equity, Diversity, and Inclusion gave its final report at the University Senate meeting. The report offered a number of major recommendations, several of which have already been implemented. The recommendations include an institutional climate assessment, the bias response line, and the establishment of the senior level position of Chief Diversity Officer. He reported Dr. Lisa Coleman will be arriving in September to become NYU’s first Chief Diversity Officer. Dr. Coleman comes to NYU from Harvard, where she has served as the inaugural Chief Diversity Officer and Special Assistant to the President.

Hamilton highlighted the importance of affordability. He reported the Affordability Task Force offered an interim report, which included ideas on new ways of thinking about student accommodation, room and board costs, textbooks, and time to graduation. The task is to examine innovative ways of lowering the cost for students, without sacrificing academic excellence.

Hamilton commented that NYU’s true distinction is this establishment of a network of global sites. NYU is presenting an international university that offers its students the opportunity to gain skills to participate in a global landscape.

His last point focused on the continued issue of sustainability and constantly revising how NYU carries out its operations and search for ways to reduce energy consumption, in the face of an expanding campus. He noted the new position of Chief Sustainability Officer, who will lead the university in new initiatives and forging new sustainability priorities around the campus.

He noted the continued monitoring of political changes including the free flow of scholars and students through the executive orders, threats to research funding, and implications of tax reforms.

He reported NYU’s new Moody’s rating went from Aa3 with a positive outlook to Aa2 with a neutral outlook. In addition NYU received sixty-seven thousand applications, six percent up, for undergraduate study, with an admittance rate of twenty-seven percent of those students. Average SAT is 1374 up from 1356 last year. Underrepresented minorities make-up twenty-three percent in this class up from nineteen percent last year, and international students make-up twenty-three percent in this class up from twenty-two percent last year. Pell and first-generation have stayed constant at eighteen percent and nineteen percent respectively.

A Senator recommended that part of the charge to the new Chief Diversity Officer be to focus on a need assessment for each school. She stated her school would appreciate support in bolstering an infrastructure to carry out these initiatives. Hamilton responded the Chief Diversity Officer will make a serious effort to understand the individual schools and understand their approaches.

A Senator asked regarding the number of new hires at the administration level and if the administration is growing or if there is an effort to reduce its size.
Hamilton responded this is a constant issue that needs attention. The University will be pursuing in the coming months a look at the structure of the administration across the university, with focus on efficiencies, needs, and improvements.

A Senator asked for an update on the construction of the new building on Mercer Street. Hamilton reported the former Coles building has been demolished. He stated the new building will include the athletic facility, facilities for teaching for FAS, Steinhardt, and Tisch, and student and faculty housing. He noted construction will take about four years.

President Hamilton thanked outgoing Chairperson Mincer.

**ADJOURNMENT**

The meeting adjourned at 2:00 PM.
Recommendations of
The Tenured/Tenure Track Faculty Senators Council
In regard to:

Faculty of Arts and Sciences
Proposed: Policies and procedures for Continuing Contract Faculty Appointment, Reappointment, Promotion and Grievance Procedures, and Voting Rights

FAS Policies and Procedures

Recruitment of New Faculty

1.7 Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor

This document supplements NYU policies applicable to full-time continuing contract faculty. If any part of this document is inconsistent with NYU policies, the NYU policies then in effect will control. As with all NYU and FAS policies, this document is subject to change, and the policies in effect at the time of an action will apply to that action.

Introduction

Clinical faculty are full-time continuing contract faculty positions that provide coordination, continuity, and consistency in instruction and/or administration. Appointees must be experienced in their particular fields and, where relevant, have had experience in curriculum development and supervision of laboratory facilities and teaching assistants. Appointees should possess relevant advanced degree or scholarly or professional credentials, which may vary by discipline and department, as developed in consultation with the Divisional Dean.

Clinical appointments are primarily teaching positions, and often include some administrative and/or supervisory responsibilities. Research is not part of the clinical faculty’s formal obligations.

1. Recommendation: Suggest adding “though each contract is individually negotiated and in some cases research may be a an expectation.”

Although clinical appointments are without tenure, they are typically multi-year appointments. Clinical faculty members are protected by academic freedom. They receive the same health, retirement and tuition remission benefits as tenured and tenure track faculty. Clinical faculty are ineligible for NYU faculty housing and sabbaticals.

Titles and Qualifications

- **Clinical Assistant Professor** - Teaching experience, minimum of M.A. in the field of expertise, or other appropriate advanced degree.
- **Clinical Associate Professor** – At least six years of relevant teaching and professional experience at NYU or elsewhere; evidence of supervisory experience
Recommendations of Personal Practices Tenure Modification Committee

March 30, 2017

(where relevant); superior contributions to the teaching program; as well as recognition for excellence in the professional field and innovation in the area of instruction. Minimum of M.A. in the field of expertise or other appropriate advanced degree.

- **Clinical Professor** - A minimum of 12 years of teaching and related professional experience at NYU or elsewhere, evidence of extraordinary contribution to the NYU teaching program, and evidence of recognition for leadership and innovation in the field or in teaching in the field. Minimum of M.A. in the field of expertise or other appropriate advanced degree.

2. **Recommendation: Change M.A. to Masters’ Degree.**

“All but degree” doctoral candidates currently enrolled at NYU are not eligible to be considered for clinical positions.

Continuing Contract Faculty also include Language Lecturers and Senior Language Lecturers, who are addressed separately under {LINK}

3. **Recommendation: Suggest deleting this sentence as it seems to violate NYU Bylaws and practices.**

**Areas of Responsibilities** – Responsibilities include some, but not necessarily all of the following, and need not be restricted to them:

- **Teaching** - The normal course load for clinical faculty is three courses per term. This load may be reduced depending on other assigned duties or responsibilities. With the approval of the relevant Divisional and School deans, administrative and professional duties and other professional activities that serve FAS may, if comparable in time demands to one or more courses, substitute for such courses.

- **Service** - Participation on departmental committees is expected. Clinical faculty are also expected to be available to provide advice to the department Chair or Director of Undergraduate Studies or Director of Graduate Studies regarding curriculum, teaching assignments, and any other matters related to their area of instruction.

- **Research** – Although there is no obligation to conduct research, clinical faculty may be eligible to be principal investigators on curriculum grants, training and teaching grants and other non-research grants in accordance with University policy. Approval to serve as principal investigator on research-related grants will be considered on a case by case basis in accordance with University policy.

4. **Recommendation: Suggest clinical faculty be allowed to be PIs as there are in other schools at NYU.**

- **Administration** – In some cases, clinical faculty will have program-related administrative duties, including but not limited to: curriculum development, selection of textbooks and instructional methodologies, implementation of technologies, class schedules, student advisement, supervision of laboratories (if
Terms of Appointment

- Unless stipulated otherwise in an appointment letter, clinical faculty are appointed for the academic year (September to May) and paid over twelve months (starting October 1). If appointed mid-year, the term of the appointment should be aligned to include the partial year and subsequent full academic year (i.e., the initial appointment would be for at least 1.5 years).
- Summer teaching appointments are optional and are made, subject to curricular needs and the faculty member’s desire to teach, with additional compensation. Administrative duties that carry over beyond the nine-month academic year and require service during the summer may carry additional summer compensation.
- For Clinical Assistant Professors, the initial appointment can be made for one to three years. Subsequent reappointment can be made for one to three years.

5. **Recommendation:** FAS uses the term one year visiting professor for 1 year appointments and otherwise uses 2-3 year contracts. Suggest changing the statement above to “two to three years”

For Clinical Associate Professors and Clinical Professors, the initial appointment is also for one to three years.

- Candidates are eligible for five-year reappointment contracts at all ranks only if they have been at NYU for at least six years and have had at least one prior contract renewal at NYU.
- One-year appointments are typically reserved to address temporary programmatic needs (e.g., a leave or resignation). There is no expectation of renewal, though appointments may be renewed on an annual basis on the recommendation of the Chair or Director.
- In rare instances, a one-semester appointment as a Clinical Assistant Professor may be made to meet an immediate short-term gap in teaching coverage. In these instances there is no expectation of renewal.

6. **Recommendation:** Delete as FAS one year appointments are not used for clinical faculty. 

- There is no limit to the number of terms that a clinical faculty member at any rank can be reappointed.
- Appointments automatically terminate at the close of the period of time stipulated in the contract, unless there is an official notice of renewal.

Annual Review

- Clinical faculty are subject to the annual merit increase (AMI) review, conducted for all full-time faculty members by the department chair or program director, with input from the appropriate faculty committee, as per department or program procedure. Clinical Faculty will submit an Annual Faculty Personnel
Record Supplement, usually in January of each academic year, to report on their teaching and service. This report will be used in the annual merit review, which typically considers the faculty member’s teaching performance, contribution to the effectiveness of the program or department, and relevant administrative performance. Note that additional weight will be given to the performance of administrative duties for faculty whose duties are primarily administrative.

7. Recommendation: Add evaluation of research to the Annual Faculty Evaluation.

Governance

Full Faculty meeting attendance and voting rights can be found under University Bylaw 82 (c). FAS practice is to hold joint full faculty meetings inclusive of continuing contract faculty, including clinical faculty, and tenure/tenure track faculty. Clinical faculty are also eligible to participate and vote in the FAS Faculty Assembly.

At the department level, continuing contract faculty, including clinical faculty, may participate as members of the department faculty in department governance, with the exclusion of matters related to promotion, tenure, and hiring of tenured and tenure-track faculty, and matters directly or indirectly affecting the individual’s candidacy for a degree, or matters affecting his or her status on the faculty of NYU.

8. Recommendation: Please clarify this statement.

Procedures for Recruitment and Appointment

As part of the Annual Planning Report, each Chair/Director forwards to the Divisional Dean a Faculty Staffing Plan outlining requests for new faculty hiring. In particular, the request should include a justification that there is an important teaching need, and that this need can best be met with a continuing contract faculty appointment, including a clinical faculty appointment, rather than a tenured or tenure-track faculty member. Detailed procedures for recruitment of new full time faculty, including clinical faculty, are available online at http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment.

9. Recommendation: Suggest deleting as it is not directly relevant to personnel policy for clinical faculty.

Appointment letters specifying the terms and length of employment are issued by the Divisional Dean.


Procedures for Reappointment

General Considerations:

Appointment processes for Continuing Contract Faculty, including clinical faculty, shall reflect the University’s overriding commitment to enhance academic excellence and to provide students with the best available educational experience. Thus, each Continuing
Contract Faculty appointment and reappointment shall be evaluated in the light of the contribution it makes to the distinct excellence of the school, including its educational and training programs, and shall exemplify the University’s commitment to appoint and retain the best faculty in all disciplines.

Reappointment is based on departmental criteria of overall performance as a teacher, and, if applicable, as an administrator or researcher. In addition, reappointment is subject to the academic and curricular needs of FAS and the University; thus, review for reappointment and promotion shall consider curricular or structural changes and improvements in academic programs. Even in those cases in which a candidate satisfies the appropriate standards of achievement, the decision to reappoint or promote may be impacted by curricular and structural changes and improvement in academic programs. In this case, the basis for non-reappointment will be clearly stated in the notice given to the faculty member.

11. Recommendation: Suggest adding specific time frames for evaluation and notification of continuation per Provost guidelines either here or below.

Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion

University guidelines require Continuing Contract Faculty, including clinical faculty, to be reviewed in the penultimate year of a multi-year contract. Penultimate year reviews must be submitted by the department or program to the appropriate Divisional Dean by March 15. If the department has any concerns that a clinical faculty member is not fulfilling the requirements of the position or that the position may not be needed to fulfill the teaching mission of the department or program, these should be clearly outlined in the report submitted to the Divisional Dean. Any reservations must be shared in writing and in person with the faculty member, who is obliged to acknowledge receipt of this information by countersigning the report on a summary of the report, so that he or she is under no misunderstanding regarding the expectations for him or her. The Chair or Director must submit a written report to the Divisional Dean that includes the substance of the review and a recommendation for reappointment, promotion or termination. In the event of a decision to reappoint the faculty member shall complete the remainder of his/her term and shall be reappointed, normally, for another multi-year term.

Following a review, if the decision is not to offer a reappointment, the faculty member shall be notified of the decision no later than August 31st of the penultimate year, and shall continue to be under contract for the final year.

Upon request, the timing of a review may be delayed by stopping the contract clock for reasonable cause that has been approved by the Divisional Dean, e.g., medical, personal, as primary caregiver for child, spouse, parent, same sex domestic partner, or by contractual stipulation or negotiation.

When a position is to be eliminated at the end of the contract term and there is no similar position open, there is no reappointment process; however, the faculty member may request a
For faculty whose responsibilities are primarily administrative, greater weight will be
given to performance in both multi-year appointments and recommendations for
promotion.

12. Recommendation: Clarify rationale for this statement or delete

Reappointment for Continuous Service on One-Year or Two-Year Contracts

13. Recommendation: Suggest delete one year.

In addition to contracts of three years or more, clinical faculty may be recommended by
the Department Chair or Director to a series of one-year or two-year full time contracts.
Notification of reappointment decisions should be made to the Divisional Dean by
March 15th. In the third year of continuous appointments, the faculty member shall be
subject to formal review comparable to those to which faculty members on longer multi-
year contracts are subject.

14. Recommendation: Provost guidelines suggest continuous single year contracts should be
discouraged.

Formal Review Processes

The review, whether for renewal and/or promotion is undertaken by a committee
appointed by the department Chair or Director, consisting of three to five full-time
faculty, with a minimum of two tenured or tenure-track faculty and at least one clinical
faculty member. In the case of promotion to Clinical Associate Professor, Clinical
Assistant Professors are not eligible to serve. In the case of promotion to Clinical
Professor, Clinical Assistant Professors and Clinical Associate Professors are not
eligible to serve. In any event, the committee shall not include a clinical faculty member
under review for reappointment that year. Any deviation from this configuration of the
committee must be approved by the Divisional Dean.

15. Recommendation: Consider election of committee members in larger departments

16. Recommendation: For last sentence in the above paragraph clarify circumstances in
which this might occur.

1.  PROMOTION

If the review packet is for promotion, it also must describe how the candidate meets the
qualifications for Clinical Associate Professor or Clinical Professor as prescribed by the
“Titles and Qualifications” section of this document. Furthermore, the candidate must
have been in his or her current rank for a minimum of three years and had at least one
prior reappointment at the current rank to be eligible for promotion in rank.

In addition to the consideration of teaching, administration, and service activities, and research
(if appropriate), recommendations regarding promotion also may be based on a prognosis of the
clinical faculty member’s future achievements based on dependability, growth, potential, and versatility of the faculty member as he or she will contribute to the evolving mission of FAS.

Candidates may request promotion during their second review in rank and any year after.

II. DEPARTMENT

The candidate should submit a personal statement, curriculum vitae, course syllabi, and teaching evaluations to the Chair or Director of the Department; for candidates on multi-year appointments, this should be submitted on or before February 1 of the penultimate year of their current appointment. These materials are to be made available to the review committee for their evaluation. The review committee should prepare a report of their evaluation and recommendation, which has been read, approved, and signed by all committee members. The committee report should represent a collective judgment of the committee or, in the case of a divided opinion, a majority of the committee. If there is a division, the dissenting opinion should be appended to the majority review. The committee report may be supplemented by input from other members of the department. The committee report and supporting materials must be made available to and discussed by the eligible faculty. Faculty members in the department may propose amendments to the report.

17. Recommendation: Provide more details on the process described. Is an actual vote count included? Is the vote by secret ballot?

The departmental committee must present its final recommendations to the faculty for a vote. The recommendation must take the form of a written report. In the case of reappointment of a Clinical Assistant Professor, all tenure-track and tenured faculty members and Clinical Associate and Clinical Professors are eligible to vote. For promotion to, or reappointment as, Clinical Associate Professor, only tenure-track and tenured faculty members and Clinical Associate and Clinical Professors are eligible to vote. For promotion to, or reappointment as Clinical Professor, only tenure-track and tenured faculty members and Clinical Professors are eligible to vote. There should be an open discussion among the eligible faculty members in advance of a vote, which must be conducted by secret ballot. Faculty not present at the discussion should be invited to submit a vote and opinion in writing; these votes and opinions must be recorded separately from those who attended the discussion.

The review packet to be presented to the faculty should normally include:

- An up-to-date curriculum vitae of the candidate
- A description of the candidate's teaching and administrative responsibilities
- A list of all courses taught since the last review
- Committee service
- An evaluation of teaching performance of the candidate, which should include:
  - Course evaluations (provided by the department administration)
  - Course syllabi (provided by the candidate)
  - Reports of classroom observation (provided by department administration)
Recommendations of Personal Practices Tenure Modification Committee

March 30, 2017

or committee)

- An evaluation by the committee of the candidate’s other contributions to the instructional program, for example, curriculum development
- If applicable, an evaluation of the candidate’s administrative performance, including any role in the training and supervising of adjunct instructors or other clinical faculty. Note that additional weight will be given to the performance of administrative duties for faculty whose duties are primarily administrative.

See Recommendation 17 above.

- A personal statement from the candidate assessing his or her contributions
- If applicable, scholarship including, but not limited to, research and publications related to their specific discipline or field, to the pedagogy of their field, or to the work of the department/program/university.

The committee will consider all work activity, as listed above, since the last review, including materials from the ultimate year of the previous contract.

A summary of the review, prepared by the Chair or Director in the form of a letter, must be given to the candidate and discussed with him or her by the Chair or Director. The candidate must sign the letter to indicate that he or she has read it and discussed it with the Chair or Director. This summary must cover both strengths and weaknesses of the candidate's performance.

The summary letter to the candidate must include the recommendation that the evaluation committee is making to the Divisional Dean, including promotion, the length of reappointment (if that is the decision), and a signature block for the candidate. It must also include the following sentences: “Regardless of the merits for reappointment/promotion at this time, this letter does not constitute a guarantee of future reappointment.” “Candidates will be judged for reappointment/promotion in the future according to the conditions and standards in effect at the time of their next review.” “I have read this letter and understand its contents.”

A draft of the candidate’s summary letter should be forwarded to the Divisional Dean along with the review packet and the committee’s recommendation by March 15. Once approved by the Divisional Dean, the candidate’s summary letter must be signed by both the Chair and the candidate.

III FAS DEAN’S OFFICE

The Departmental Review and all relevant supporting materials will be reviewed by the relevant Divisional Dean. Additional input from the Dean of the College of Arts and Science, and the Dean of the Graduate School of Arts and Science may also be sought, as appropriate. The Deans may consult with faculty from academic departments other than the candidate's home department. If there are questions in any particular case, the chair of the department review committee may be asked to provide additional information to the Divisional Dean.

The Divisional Dean makes his or her recommendation to the Dean of Arts and Science. After receiving the Divisional Deans advice, the Dean of Arts and Science will inform
the Department Chair of the advice provided by the Divisional Dean as well as his or her own decision. If the decision of the Arts and Science Dean is contrary to that of the departmental evaluation committee, the Dean will provide the department chair with the reasons. The Chair or Director has an opportunity to respond to the Dean’s decision in writing and provide additional information within ten days.

Notice of intention not to reappoint shall be sent to the faculty member not later than August 31st of the penultimate year of the contract.

Faculty Grievances

Faculty Grievances are classified into two main types: 1) those connected with reappointment or promotion and 2) those concerned with other matters, such as duties, salaries, perquisites, and working conditions.

As per university guidelines, with respect to grievances related to reappointment and promotion, outcomes of the review process or decisions reached through the review process can be grieved only to the extent that they involve violation of University-protected rights of faculty members. Thus, a grievance of either type must allege that 1) the procedures used to reach the decision were improper, or that the case received inadequate consideration; or 2) that the decisions violated the academic freedom of the faculty member in question, in which case the burden of proof falls to the grievant.

- The decision not to undertake the reappointment process where a position is to be eliminated at the end of the contract term, and where no similar position is open, is not the basis for a grievance.

- A clinical faculty member whose contract is non-renewable or who is not eligible for reappointment cannot grieve a decision not to reappoint.

- Individuals on multi-year contracts of three years or more who are subject to a review process to determine whether they are to be reappointed do have a right to grieve the process in the event it leads to a negative decision with respect to reappointment or promotion, under the same criteria as cited in the preceding paragraph.

- Faculty on continuous one-year or two-year appointments are similarly entitled to grieve the process in the event the third year review process leads to a negative decision.

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 convene the FAS Continuing Contract Faculty Grievance Committee, to hear grievances in order to advise the Dean.

The following transitional structure for the Grievance Committee, approved April 16, 2015 by the Office of the Provost, is in place until otherwise amended: this committee is
composed of 5 faculty members, consisting of 2 tenured faculty members elected to the standing FAS Grievance Committee and 3 senior members of the FAS Continuing Contract Faculty Senate or senior contract faculty members of the Faculty Assembly.

The Dean shall convoke the committee within fifteen working days of receiving the faculty member’s appeal.

**Appeal**

Following the review of the FAS Grievance Committee, in the event the decision of the Dean of Arts and Science is not to reappoint or promote, an appeal can be made to the Provost, following the procedures enumerated in the Faculty Handbook.

**General Disciplinary Regulations**

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. In particular, the faculty member is obligated to comply with the standards of academic freedom as outlined in the Faculty Handbook.

Disciplinary action may 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 as set forth in the Faculty Handbook.
CHAPTER VIII

UNIVERSITY COUNCILS AND COMMISSIONS

65. The Tenured/Tenure Track Faculty Senators Council

(a) Functions. The Tenured/Tenure Track Faculty Senators Council may consider any matters of educational and administrative policy and will function as the Faculty Personnel Committee of the Senate with respect to the Tenured/Tenure Track Faculty. It will designate representatives on the other standing committees, and in appropriate instances on the ad hoc committees, of the Senate. It may bring to the attention of the various committees of the Senate any matters that it believes should be presented to the entire Senate. It may bring to the attention of the President and Chancellor any matters that it wishes to discuss with him or her. It may perform such other educational functions as are assigned to it by the President and Chancellor, or by the Board, or by the Senate.

(b) Members. The Tenured/Tenure Track Faculty Senators Council will consist of not more than thirty-eight members of the Tenured/Tenure Track Faculty elected by the voting members of the several faculties of the University in the manner prescribed by the rules adopted by the Council for its own governance and consistent with these Bylaws.

(c) Elections and Appointments. In order to best assure the effective operation of the Tenured/Tenure Track Faculty Senators Council, all elections for members of the Tenured/Tenure Track Faculty Senators Council should be held prior to the University Commencement in May. The name of each representative to the Senate should be transmitted to the Secretary of the Senate within five days of the University Commencement in May. The thirty-eight elected representatives will be selected as follows: one from the Division of the Libraries of the University; six from the School of Medicine; and thirty-one apportioned among the colleges, schools, and the Abu Dhabi and Shanghai portal campuses by the method of equal proportions with the proviso that each college and school and each of the two portal campuses will be entitled to at least one elected Senator. Each year, the University Secretary and General Counsel will provide to the Tenured/Tenure Track Faculty Senators Council and the dean of each college and school and the vice chancellor of each of the two portal campuses the number of faculty members assigned to each for the purpose of Senate elections and will at the same time state the number of Tenured/Tenure Track Faculty Senator Council Senators to which each is entitled. A Tenured/Tenure Track Faculty Senators Council Senator whose term has expired will be eligible for reelection. For purposes of the election, any Tenured/Tenure Track Faculty member who is a member of more than one faculty will be assigned by the President and Chancellor to one faculty only, and any Tenured/Tenure Track Faculty member, otherwise eligible to vote, who is not
formally attached to a faculty will be assigned by the President and Chancellor to
one of the faculties of the University. Any Tenured/Tenure Track Faculty member
who holds an administrative office and whose administrative responsibilities
encompass a college, school, portal campus, the Division of the Libraries, or the
University will not be eligible for election to the Tenured/Tenure Track Faculty
Senators Council. Final determination of eligibility for membership rests with the
extant Tenured/Tenure Track Faculty Senators Council.

(d) Officers of the Faculty Senate. The Tenured/Tenure Track Faculty Senators
Council will elect its own chairperson and such other officers as it may determine.

(e) Meetings. The Tenured/Tenure Track Faculty Senators Council will meet at
least twice a year at the call and under the chairpersonship of the President and
Chancellor and the Provost, and as many other times under its own chairperson as
it may choose. It may meet from time to time with the Executive Committee of the
Board.

(f) Rules. The Tenured/Tenure Track Faculty Senators Council will adopt for its
governance rules of procedure not inconsistent with the Charter and these Bylaws.

66. The Full-Time Continuing Contract Faculty Senators Council

(a) Functions. The Full-Time Continuing Contract Faculty Senators Council may
consider any matters of educational and administrative policy and will function as
the Faculty Personnel Committee of the Senate with respect to the Full-Time
Continuing Contract Faculty. It will designate representatives on the other standing
committees, and in appropriate instances on the ad hoc committees, of the Senate.
It may bring to the attention of the various committees of the Senate any matters
that it believes should be presented to the entire Senate. It may bring to the
attention of the President and Chancellor any matters that it wishes to discuss
with him or her. It will may perform such other educational functions as are
assigned to requested of it by the President and Chancellor, or the Board, or by
the Senate.

(b) Members. The Full-Time Continuing Contract Faculty Senators Council will
consist of not more than twenty-nine members of the Full-Time Continuing
Contract Faculty elected by the voting members of the several faculties of the
University in the manner prescribed by the rules adopted by the Council for its
own governance and consistent with these Bylaws.

(c) Elections and Appointments. In order to best assure the effective operation of
the Full-Time Continuing Contract Faculty Senators Council, all elections for
members of the Full-Time Continuing Contract Faculty Senators Council should be
held prior to the University Commencement in May. The name of each representative
to the Senate should be transmitted to the Secretary of the Senate within five
days of the University Commencement in May. Elections and transmission of the
names of the members in the first year of operations may be delayed while the Full-
Time Continuing Contract Faculty Senators Council is in formation. The twenty-nine
elected representatives will be selected as follows: one from the Division of the
Libraries of the University; and twenty-eight apportioned among the colleges, schools, and the Abu Dhabi and Shanghai portal campuses by the method of equal proportions with the proviso that each college and school and each of the two portal campuses will be entitled to at least one elected Senator and none will have more than six elected Senators. Each year, the University Secretary and General Counsel will provide to the Full-Time Continuing Contract Faculty Senators Council and the dean of each college and school and the vice chancellor of each of the two portal campuses the number of faculty members assigned to each for the purpose of Senate elections and will at the same time state the number of Full-Time Continuing Contract Faculty Senators to which each is entitled. A Full-Time Continuing Contract Faculty Senator whose term has expired will be eligible for reelection. For purposes of the election, any Full-Time Continuing Contract Faculty member who is a member of more than one faculty will be assigned by the President and Chancellor to one faculty only, and any such faculty member, otherwise eligible to vote, who is not formally attached to a faculty will be assigned by the President and Chancellor to one of the faculties of the University. Any Full-Time Continuing Contract Faculty member who holds an administrative office and whose administrative responsibilities encompass a college, school, portal campus, the Division of the Libraries or the University will not be eligible for election to the Full-Time Continuing Contract Faculty Senators Council. Final determination of eligibility for membership rests with the extant Full-Time Continuing Contract Faculty Senators Council.

67. The Deans Council

(a) Functions. The Deans Council may consider any matters of educational and administrative policy, and will make appropriate recommendations to the President and Chancellor and other University officers. It may designate representatives on other standing committees, and in appropriate instances on the ad hoc committees, of the Senate. It may bring to the attention of the various committees of the Senate any matters that it believes should be represented to the entire Senate. It may bring to the attention of the President and Chancellor any matters that it wishes to discuss with him or her. It will perform such other functions as are assigned to it by the Board, or by the Senate.

(b) Members. The Deans Council will consist of the President and Chancellor, the Provost, The Executive Vice President for Health, other vice presidents, and the twenty-one deans and portal campus vice chancellors as follows: the deans of the College of Arts and Science; Faculty of Arts and Science; Faculty of Health; School of Law; School of Medicine; College of Dentistry; College of Global Public Health; Rory Meyers College of Nursing; Graduate School of Arts and Science; Steinhardt School of Culture, Education, and Human Development; Leonard N. Stern School of Business, Undergraduate College; Leonard N. Stern School of Business, Graduate Division; School of Professional Studies; Robert F. Wagner Graduate School of Public Service; Silver School of Social Work; Tisch School of the Arts; Gallatin School of Individualized Study; Tandon School of Engineering; and Division of the Libraries; and the vice chancellors of the Abu Dhabi and Shanghai portal campuses. The academic members may name a
substitute for a particular meeting if unable to attend in person.

(c) **Officers.** The Deans Council will elect its own chairperson and such other officers as it may determine.

(d) **Rules.** The Deans Council may adopt for its governance rules of procedure not inconsistent with the University Charter and these Bylaws.

(e) **Meetings.** The Deans Council will meet at least once a year under its own chairperson, and once a month at the call and under the chairpersonship of the President and Chancellor and or the Provost.

68. **The Student Senators Council**

(a) **Functions.** The Student Senators Council may consider any matters in which the interests, needs, rights, or responsibilities of students are involved, and will take special responsibility for bringing to the attention of the Senate all matters concerning students the students' extracurricular life at the University. For this purpose, the Council will invite the presidents of student governments in the several colleges, schools, and portal campuses, and such faculty members and administrative officers, and student constituency leaders as necessary as may be specified in the rules of the Council, to function together as the University Committee on Student Life. The Committee Council may work through such local units as may be appropriate at the various geographical centers of the University, and will reporttransmit to the Senate, through the Student Senators Council, its policy recommendations concerning student life. The Student Senators Council will designate representatives on the standing committees and, in appropriate instances, on the ad hoc committees of the Senate. It may bring to the attention of the various committees of the Senate any matters that it believes should be presented to the entire Senate. It may bring to the attention of the President and Chancellor any matters that it wishes to discuss with him or her. It will—may perform such other functions as are assigned to requested of it by the President and Chancellor, by the Board, or by the Senate.

(b) **Members.** The Student Senators Council will consist of not more than thirty-seven members. There will be twenty-three regular student Senators, elected as follows: two from each of the Steinhardt School of Culture, Education, and Human Development and the Tisch School of the Arts; and one from each of the other colleges and schools and each of the Abu Dhabi and Shanghai portal campuses, except that for this purpose the School of Medicine and the Post-Graduate Medical School will be considered one school. There will be in addition not more than fourteen student Senators appointed at large by the Executive Committee of the Senate in accordance with the rules of procedure adopted by the Senate. The name of every student Senator should be transmitted to the Secretary of the Senate within five days of the University Commencement in May. Should no student Senator be elected from a college, school or portal campus by the date of the October meeting of the Senate, the dean of that college or school or the vice chancellor of that portal campus is authorized to appoint a Senator who will serve until replaced by a duly elected Senator.
(c) **Officers.** The Student Senators Council will elect its own chairperson and such other officers as it may determine. It will meet once a month at the call and under the direction of its chairperson, and at other times according to such procedures as it may devise; at least one meeting each semester will be held with the President and Chancellor and the Provost in attendance.

(d) **Rules.** The Student Senators Council will adopt for its governance rules of procedure not inconsistent with the University Charter and these Bylaws.

69. **The Administrative Management Council**

(a) **Functions.** The Administrative Management Council of the Senate will be the liaison in the Senate for the Administrative Management Council of the University, which is composed of elected representatives from the professional and administrative staffs of each college, school and division of the University. **The Administrative Management Council of the University** functions as an initiative, deliberative, and responsive body concerning policy issues, serves as a vehicle for promoting the continued professional growth and development of its constituents, and has a commitment to community service. **The Administrative Management Council of the Senate** will designate representatives on the standing committees of the Senate and, where appropriate, on any ad hoc committees of the Senate. **The Administrative Management Council of the Senate** may bring to the attention of the various committees of the Senate any matters of concern to the University's professional and administrative staffs that it believes should be presented to the entire Senate. **It may bring to the attention of the President and Chancellor any matters that it wishes to discuss with him or her.** It may perform such other functions as are requested of it by the President and Chancellor, by the Board, or by the Senate.

(b) **Members.** The Administrative Management Council of the Senate will consist of not more than seven members. Representatives to the Administrative Management Council of the Senate are the current chair of the Administrative Management Council of the University and five others elected from within the Administrative Management Council of the University. An Administrative Management Council Senator whose term has expired will be eligible for reelection.