MINUTES OF THE C-FACULTY SENATORS COUNCIL MEETING OF FEBRUARY 4, 2021

The New York University Continuing Contract Faculty Senators Council (C-FSC) met at 9:00 AM on Thursday, February 4 via Zoom.

In attendance were Senators Abel-Bey, Barnes, Brar, De Bartolo, de Leon, Gershman, Illingworth, Killilea, Kim, Latimer, Liston, Maier, Maynor, McCarty, Mitnick, Nielsen, Patterson, Renzi, Tourin, White, Williams, Youngerman, and Yuan; Alternate Senators Bridges (for McCarty), Birdsall, Davis, Dickey, Ferguson, Kleinert, Lin, Morrison, O'Connor, Owens, Ritter, Spivakovsky, Stevens, Sun, and Taitel; and Observer Grendell.

APPROVAL OF THE AGENDA

Upon a motion duly made and seconded, the meeting agenda was approved unanimously.

APPROVAL OF THE MINUTES

Upon a motion duly made and seconded, the minutes of the December 1, 2020 meeting were approved unanimously.

REPORT FROM THE CHAIRPERSON: ETHAN YOUNGERMAN

See attached Document A.

Discussion/Questions on Chair's Report

Senate Executive Committee (SEC) Meeting

Chairperson Youngerman reported on the recent SEC meeting. He announced University Commencement will be virtual. At the next University Senate meeting there will be reports on the implications of the Biden administration including changes to higher education provisions, immigrations policies, US-China relations, etc. He noted those NYU community members eligible for vaccines are receiving appointments, although there were some initial issues with NYU’s Mychart system. It was noted faculty in the College of Dentistry faced some challenges receiving appointments due to miscommunications with existing accounts. The issue has been resolved.

Faculty Mental Health

Youngerman reported on the results of the survey sent to all faculty regarding on mental health and how NYU could better support emotional well-being. Faculty noted concerns over workload increase, lack of financial recognition for the increased workload, email culture of expected availability during off-work hours, and child and eldercare challenges in the time of COVID. These concerns will be passed to Linda Mills’ office.

Faculty Diversity

Youngerman reported the results of the survey regarding experiences recruiting and retaining diverse faculty to the Diversity, Equity, and Inclusion Committee. Responses included frustrations with level of protocol and success in recruiting faculty of color.

The Chair’s Report was accepted into the minutes.
PRESENTATION, DISCUSSION, AND VOTE

Recommendations regarding NYU School of Global Public Health Policies and Procedures for Reappointment and Promotion for Full-Time Continuing Contract Faculty

See attached Document B.

Committee Chair White presented the recommendations. She noted Senator Barnes of the School of Global Public Health served on the Committee and provided assistance in the review. She noted the Committee worked on the recommendations jointly with the T-FSC Personnel Policies & Tenure Modifications Committee. The T-FSC will finalize and vote on the recommendations at their March meeting.

Senators discussed concerns over phrasing in the document, particularly regarding funding and curricular or structural changes that effect reappointment.

The recommendations, with a cover letter highlighting these specific concerns, were approved by vote of the Council. They will be sent to the T-FSC for their review.

Draft of C-FSC Bylaws

See attached Document C.

Governance Committee Chair Davis presented the draft by-laws. The questions for consideration by the Council on pages 10-11 were discussed. It was noted the Council, at its inception, decided to wait to establishing official by-laws until they gained experience in the operation of a new Council.

Senators discussed establishing an attendance policy. It was noted this should take into account the challenges of difference in time zones for Abu Dhabi and Shanghai Council members. It was noted the Senate Committee on Organization and Governance (SCOG) is also examining the issue of attendance. They are looking into moving the University Senate meetings to a day other than Thursday. A Senator suggested the language should allow flexibility for those with time zone issues and other commitments and instead focus on repeated absences, without advising the Chair.

Senators debated the Council being governed by Robert’s rules. Senators noted the benefits of relying on Robert’s rules when there is a conflict, but maintaining a spirit of informality. A Senator supported best practices rather than legislative rules. A Senator countered various conflicts are best resolved by Robert’s Rules, and the most common ones involve abuses by a chair or by a particular faction of the assembly. It was proposed to state the Council subscribes to the principles embodied in Robert's rules rather than a strict adherence.

Senator also discussed the staggering of terms on the Steering Committee. Senators noted the benefits of retaining experience and rotating in new members, but a Senator suggested this be a best practice guideline as it would be hard to legislate.

The discussion on the draft by-laws will continue at the next Council meeting.

Steering Committee (SC) Meetings with President Hamilton and Provost Fleming

Chairperson Youngerman asked the Council for suggestions on agenda items for the upcoming SC meetings with President Hamilton and Provost Fleming.

A Senator suggested discussing the new expectations as the University returns to normal in-person, including expectations on course modules, use of Zoom, recordings, etc.

It was suggested this concern also be addressed by the Educational Policies Committee.
COMMITTEE REPORTS

See attached Document D.

Discussion/Questions on the following submitted reports:

Finance & Policy Planning

Committee Chair Patterson reported the Committee discussed the possible de-coupling of annual salary increase with merit. It was noted there is variation across schools and departments, with some allocation evenly across all faculty, versus allocation on a merit basis.

Patterson noted the Committee is still waiting to receive the results of the faculty salary inversion study. The administration is currently sharing the data with the deans to fix any issues. She suggested Senators reach out to their school’s dean to check-in on the progress.

Regarding the pay equity analysis, the administration stated they cannot circulate the underlying data due to attorney client privilege. The Committee is working with the T-FSC to push for more information.

Grievance

The Committee is waiting for a response from the Provost on the Council’s Resolution to Amend, Replace and Clarify the Grievance Procedures Pertaining to C-Faculty. The Steering Committee will reach out to the Provost’s office as a reminder.

Personnel Policies & Contract Issues

Committee Chair White reported the Committee is waiting to receive the policies from Steinhardt and Division of Libraries for their review.

No Discussion/Questions on the following submitted reports:

Faculty Benefits & Housing

The reports were accepted into the minutes.

ADJOURNMENT

The meeting adjourned at 11:00 AM.
Welcome “back”, everyone. And a special welcome to Carolynn Bruno, Clinical Associate Professor of Nursing, who’s now an Alternate Senator from Rory Meyers College of Nursing.

1. Steering Committee meeting with Wasserman Center (Jan. 25th)
The SC met with Gracy Sarkissian, Interim Executive Director of the Wasserman Center for Career Development. Gracy was excited to work through different ways that faculty could be involved in Wasserman’s work. There are already a variety of formal and informal mechanisms for faculty input in Wasserman and for Wasserman support of faculty trying to support student careers, including the Career Advising Network and the Faculty Advisory Board. Wasserman also maintains a contact in each school regarding internships. There was agreement that faculty, by and large, are not aware of the various programs Wasserman has and that the CFSC could be a helpful partner in getting information to our constituents. There was also a clear belief, on the part of Wasserman, that faculty are often a trusted source for students; and so the center is committed to helping faculty if faculty want to be involved in student career support. SC expressed concerns about the additional workload it would generate for Faculty, and discussed the reasons why the job postings collected by the NYU community do and don’t end up on the Wasserman website.

2. Senate Executive Committee Meetings w/ Board Executive Committee (Chair only) (December 8th 5.30-6.15pm). The Senate Executive Committee had a fruitful conversation with members of the NYU Board. There was widespread relief and pride at how NYU had made it through to (essentially) the end of the Fall semester in terms of Covid positivity rates amongst our community. Nonetheless, I raised the issue of faculty morale; when pressed about how much of that would correct itself with the end of Covid, I pointed to underlying concerns, including compensation, that would not be fixed with a vaccine. The issue of diversity hiring also came up; members of the board framed this as an issue that requires a long timeline to get right.

3. Upcoming Meetings for the Semester

If you have any issues you would like to have discussed at any of the below meetings, please forward your requests/comments to the Steering Committee at:

c-fsc-steering-committee-group@nyu.edu

a. C-FSC Council Meetings
   Thursday, February 4, 2021, 9:00-11:00 am
   Thursday, February 25, 2021, 9:00-11:00 am
   Tuesday, March 23, 2021, 12:00-2:00 pm
   Thursday, April 29, 2021, 12:00-2:00 pm

b. C-FSC Steering Committee
   i. C-FSC Steering Committee Meetings
1. Feb. 25th
2. April 16th

ii. Meetings with the President
1. March 8th
2. April 26th

iii. Meetings with the Provost
1. Feb. 18th
2. May 27th

c. University Senate
i. Senate Meetings
1. Thursday, February 18, 2021, 9:00 a.m. to 11:00 a.m.
2. Thursday, March 25, 2021, 9:00 a.m. to 11:00 a.m.
3. Thursday, April 22, 2021, 9:00 a.m. to 11:00 a.m.

ii. Senate Executive Committee Meetings (Chair only)
1. Wednesday, February 3, 11am-12pm
2. Monday, March 8, 11am-12pm
3. Wednesday, April 14, 11am-12pm

iii. Senate Executive Committee Meetings w/ Board Executive Committee (Chair only)
1. Monday, April 12, 2021, 2:00 to 2:45 pm

Appendix A. Communications Sent:

1) Email to all C-Faculty, Jan 14th, “Communicating with Students about Your Spring Semester Course Schedule”
Dear Continuing Contract Faculty Colleagues,

We hope you and yours are safe and well.

You should have recently received an email from Kristen Day and Gigi Dopico (you can search your inbox for “Reminder About Preparing Spring Courses”). As members of the C-FSC Educational Policies and Steering Committees, we’re writing to offer some strategies for communicating with students about your spring course schedules.

Backstory: As you know, at the advice of Dr. Ciotoli, the NYU Senate changed the Spring 2021 academic calendar to eliminate the week-long Spring break (and thus, hopefully, reduce medically risky travel). The original plan was for the semester to simply start a week later than usual and run straight through to May. But student leaders feared burnout, and faculty and staff fully concurred, and so two additional long weekends were added to the calendar (there are no classes on Friday, March 19th and Monday, April 19th). The Provost’s Office is committed to making these long weekends (in addition to the President’s Day weekend of February 15th) true breaks.

Thus, faculty are not to use these long weekends as opportunities to assign more academic work, which includes avoiding having exams or papers due immediately after the days off. (While this adjusted schedule is in effect for the vast majority of our colleagues (particularly those who teach
undergraduate students), please consult directly with your school or unit if you have a question about whether or not this calendar applies to your particular department or courses.)

Our Concern: We fully acknowledge the wellness challenges so many of our students and colleagues have been going through, particularly during this pandemic; we fully endorse the usefulness of genuine time off.

At the same time, we want faculty to feel empowered to create curricular experiences and schedules that make sense to them. For instance, if you teach a seminar that meets once a week on Tuesday afternoons, we don’t want you to feel that you have to assign no work for the entire weeks that include these long weekends, just because the day immediately preceding your class is a day without classes. And so we worry that misunderstandings will arise between students who perceive faculty as being unresponsive to the need for breaks and faculty who are merely trying to create coherent semester schedules which cover the material and skills we know our students need to learn.

Our suggestions:
1. We believe it’s important to explicitly address the Spring schedule and the long weekends with our classes. It’s new for all of us and signaling an understanding of the importance of these breaks will, we believe, go a long way toward avoiding misunderstandings.
2. You may want to:
   a) list the long weekends in the syllabus to directly acknowledge them (as one might with Spring Break week);
   b) remind students that the original plan (to simply eliminate Spring Break) was modified to this schedule by students, faculty and administrators (aka the University Senate);
   c) directly share with students the ways you’ve adjusted your usual calendar and assignments to help ensure reduced work over these weekends. Most of us, after all, are revising courses we’ve previously taught; our students, of course, are largely unaware of how we “normally” organize these courses;
   d) speak early in the semester about time management, your desire for students to have these long weekends as an opportunity to rest, and what that means in terms of their not delaying projects/work. If a student falls behind on their regularly scheduled work for our class and spends a long weekend “catching up”…and then gets burned out because they haven’t had a break, that’s not ideal for anyone;
   e) create deadlines for written assignments outside of the day class meets and/or divide larger projects into smaller tasks that scaffold major projects, exams, or papers. For example, even if a class meets once a week on Tuesdays, students might be required to upload an Annotated Bibliography to Classes (or Google Drive, etc.) on the Thursday before a long weekend.
As always, if you have particular concerns, please don’t hesitate to reach out -- either to your School’s senators or to the C-FSC Educational Policies committee Chair (Scott Illingworth - scott.illingworth@nyu.edu) or the C-FSC Chair (Ethan Youngerman -- ewy200@nyu.edu).

Yours,
C-FSC Educational Policies and Steering Committees

2) Email to all C-Faculty, Jan 15th, “Input? Support! Other Spring Updates from the CFSC”

To All Our C-Faculty Colleagues:

Happy New Year. We’re hoping this email reaches you and yours well, and maybe even a little bit rested (although we’re always aware that some of our schools – particularly with clinical settings – seem to never get a break at all).

As we look to the Spring, the Continuing Contract Faculty Senators Council (CFSC) wants your input on two issues: Faculty Mental Health and recruiting a more diverse faculty.

Additionally, we’re offering you support on two issues: Office Space and individual Covid concerns.

Finally, there are several other projects which we wanted you to know are still in the works.

We’d love to hear from you on:

1) Faculty Mental Health. This fall, the administration has shown admirable concern and adaptability in the face of the mental health challenges our students have been facing; now, NYU is looking at ways to support faculty. We’re looking at everything from academic stressors (e.g. reappointment) to workplace culture (e.g. email expectations). If you have thoughts about how NYU affects your mental health, or how NYU could better support your emotional well-being, we’d love to incorporate those into concrete recommendations. Here’s an anonymous google form for your ideas/experiences.

2) Faculty Diversity. In concert with our TFSC colleagues, we continue to look for ways to increase the diversity of NYU’s faculty. As we look into proposals such as cluster hiring plans and increased support for pipeline initiatives, we’d love any feedback you have on this priority. If you have had experiences with recruiting/retaining faculty those are always help for us as we communicate the need for this kind of sweeping change; also, if you have specific policy recommendations, we’re all ears! Here’s a separate anonymous google form for your ideas/experience.

We’d love to help you with:

3) Office Space. We’re aware that some colleagues need office space –because they typically share an office and that no longer feels safe, or because they can’t effectively teach remotely from their home (often because of childcare/partner noise levels and/or internet access), or because they feel they can’t commute safely to their office. We’ve
partnered with the AMC (Administrative Management Council) to try to respond to this need. If you’re in need of office space for the Spring semester, please fill out this Temporary Office Space Request Form and we’ll get back to you!

4) **Individual COVID issues.** We continue to advocate for individual colleagues whose situations are affected by the pandemic, often in somewhat idiosyncratic ways. If you have covid-related concerns (about your teaching set-up, etc.) please do let us know – we’ve had good success helping individuals figure out fair compromises with their departments….

And here are some other parts of the CFSC Spring agenda:

- We continue to press for increased compensation for C-Faculty ([here’s](#) our Finance Committee’s most recent request to the University, written just before COVID turned everything upside down).
- Our representatives continue to advocate for more transparency around NYU’s reliance on tech companies – [faculty committees](#) which typically address such issues are working together to address the range of concerns that have recently emerged and I’m hopeful there will be concrete progress this semester.
- We continue to push for more support for faculty with childcare/eldercare needs.
- We continue to push the last few schools within NYU that have not drafted and voted on their complete personnel policies for contract faculty to do so.

As always, your school’s Senators and the entire council are committed to helping you; because NYU is such a big place, often issues which you might think are idiosyncratic to your experience or department have echoes across the institution. So please do reach out to your Senators, or to Ethan, the CFSC chair, directly at ewy200@nyu.edu with any questions or concerns.

Warmly,

CFSC Steering Committee
Ethan Youngerman, Chair (FAS)
John Gershman, Vice-Chair (Wagner)
Scott Illingworth (Tisch)
Leila Jahangiri (Dentistry)
Mary Killilea (FAS)
Noelle Molé Liston (FAS)
Agnes Tourin (Tandon)
Continuing-Contract Faculty Council’s Recommendations

Submitted XXX, XX 2021

Joint Recommendations of the T-FSC & the C-FSC in regard to:

NYU School of Global Public Health
Policies and Procedures for Reappointment and Promotion for
Full-Time Continuing Contract Faculty

BACKGROUND

Dean Cheryl Healton initiated a review of the “Policies and Procedures for the Appointment, Reappointment, and Promotion of Full-Time Continuing Contract Faculty in the School of Global Public Health” In her transmittal memo, Dean Healton notes that this policy was developed over an extended time period and that the development of the policy involved significant faculty input. In particular the GPH Faculty Appointments and Promotions Clinical Committee (FAP-C) reviewed and revised the guidelines in collaboration with the GPH Office of the Dean and the full faculty. The most recent version of the guidelines was provided to faculty in advance of a school-wide meeting held via Zoom on October 7, 2020. The guidelines received a unanimous vote of approval via a Zoom poll vote at that meeting.

Dean Healton notes that,

the guidelines received a unanimous vote of approval via a Zoom poll vote at a faculty meeting held on October 7, 2020. This meeting was attended by 48 faculty who are eligible to vote, broken down as follows: 19 continuing contract faculty, 16 tenured faculty, and 13 tenure-track faculty. Of the 48 eligible faculty who voted, 48 voted in favor of adopting these guidelines; 0 faculty members abstained; and 0 faculty members voted to reject these guidelines. These 48 faculty represented 81.4% of the school's 59 faculty who are eligible to vote.

As part of the process of finalizing the GPH policy for its Clinical Faculty, NYU Provost Katherine E. Fleming invited the C-FSC to comment on the document called: “Policies
and Procedures for the Appointment, Reappointment, and Promotion of Full-Time Continuing Contract Faculty in the School of Global Public Health”:

At NYU, our strong tradition is for schools to develop policies that are “consistent with school culture and history.” Within that tradition, the Faculty Handbook provides that school policies will be reviewed by the Provost to determine “whether the substance of the policy: (i) is consistent with general University policy; (ii) is compatible with the University’s commitment to excellence in teaching, research, scholarship, or artistic achievement and service within a community of respectful and respected academic professionals; and (iii) has no adverse implications for the University. (Oct. 13, 2020)

NOTES FROM THE C-FSC COMMITTEE ON CONTRACTS & POLICY ISSUES

1. The following document will enumerate various comments and recommendations to the submitted policy. The recommendations are made within the body of the document for ease of review and discussion.

2. Our committee respectfully asks that responses to our recommendations be made within the body of this document for ease of review. Thank you.

Title: Policies and Procedures for the Appointment, Reappointment, and Promotion of Full-Time Continuing Contract Faculty in the School of Global Public Health

Revision: 7 Oct 2020

THE NEW DOCUMENT NAME IS:

FAP-C Guidelines_7 Oct 2020
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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 University and school policies, this document is subject to change, and the policies in effect at the time of an action will apply to that action. Any future amendments to this document must be approved by the GPH Dean following consultation with and voting by GPH faculty and subsequent approval by the Provost of NYU, as required.

1. Recommendation: The Five-Year Review

The policy should follow the letter and the spirit contained in the New York University Faculty Handbook, Faculty Policies for Full-Time Continuing Contract Faculty, Effective October 15, p. 52:

“Each school shall establish a formal process for conducting a five-year review of the school policy initially approved under these guidelines and for successive reviews of the policy and its implementation periodically thereafter. This review shall include a written report from the school Dean to the Provost, who shall consider both the substance of the policy as well as its implementation.”

We strongly recommend that the above paragraph, quoted from the NYU Handbook, be added.

Introduction

Full-Time Continuing Contract faculty make a valuable contribution to the mission of the New York University (NYU) School of Global Public Health (GPH) in teaching, practice, scholarship, and service to GPH, the University, and the public health community. At GPH, clinical faculty may be drawn from the fields of public health practice or policy, or they may also be scholars with
strong academic credentials, training, research, and scholarship. Continuing Contract faculty are hired for both their teaching abilities and their professional, academic, or scholarly accomplishments. Without the Continuing Contract faculty, many areas of professional expertise as well as scholarly and creative fields would be thinly represented in the GPH, if at all. The contributions made by the Continuing Contract faculty are therefore crucial to GPH’s academic and scholarly mission. This document establishes standards of academic excellence and provides for a comprehensive and fair review of faculty candidates in the processes of appointment, reappointment and promotion of full-time Continuing Contract faculty at GPH. These processes of appointment, reappointment and promotion adhere to the GPH Diversity, Equity, and Inclusion Guiding Principles that support systematic efforts to foster diversity, equity, and inclusion among our faculty. Henceforth, these policies shall apply to all new appointments, reappointments for existing contracts, and promotions. Throughout this document these policies and procedures will be referred to as “the Guidelines.”

Although Continuing Contract faculty appointments are without tenure, the appointments may be renewed indefinitely subject to conditions and processes described in this document unless otherwise stipulated in the contract. Continuing Contract faculty members are protected by academic freedom. Continuing Contract faculty may chair or sit as members of doctoral committees, participate and vote on all GPH committees, and participate in faculty governance except in matters related to appointments, tenure, and promotions of tenured/tenure-track faculty.

The processes for appointment and reappointment shall reflect the University’s overriding commitment to enhance academic excellence and diversify our faculty, with the goal of providing students the best available educational experience. Thus, each appointment and reappointment shall be evaluated in light of the contribution it makes to the distinct excellence of GPH, and shall exemplify the University’s commitment to equitably appoint, retain, and promote the best faculty in all disciplines.

The Guidelines may be amended subject to the timely distribution of any amendments to the Policy to the faculty, faculty discussion, and a vote on the Policy in a regularly
scheduled faculty meeting following procedures outlined in the GPH Bylaws. These amendments are further subject to review by the University Senate and Provost, and approval by the Dean.

Section 1: Ranked Titles, Terms of Appointment, and Qualifications for Rank

At GPH, full-time Continuing Contract faculty carry the titles of Clinical (Assistant / Associate / Full) Professor. As noted in the University’s Faculty Handbook, “wherever possible, schools are encouraged to reduce reliance on one-year contracts.” Initial appointments for Clinical Assistant Professors are typically for a duration of two years, however some initial appointments may be designated as one-year appointments based upon curricular needs or financial considerations. Clinical Associate and Full Professors are typically appointed initially for a three-year term. After the initial appointment, assistant faculty are eligible for reappointment for a three-year term, and associate and full faculty are eligible for reappointment for a three- or five-year term. Subsequent appointments will typically be at three years for assistant, and five years for associate and full professors; however, other terms may be offered consistent with curricular needs or financial considerations.

2. Recommendation: Length of contract

The above statement that “associate and full faculty are eligible for reappointment for a three- or five-year term” is not the norm for contract faculty policies at NYU. (Moreover, the above paragraph does not explain the criteria as to why a Clinical Associate or Clinical Full faculty would be eligible for a three-year contract as opposed to a five-year contract.)

We strongly recommend that the policy explicitly state that Clinical Associate faculty receive a five-year contract.

3. Recommendation

Subsequent Contracts should be of at least the same length (adopted by: Gallatin; Institute for the Study of the Ancient World; Liberal Studies;
NYU Abu Dhabi; Nursing; School of Professional Studies, Tisch-Arts Professors).

We strongly recommend that after Clinical Assistant Professors’ first three-year contract, subsequent contracts should be for at least three years; that after Associate Clinical Professors’ receive a five-year contract (not a three- or a five-year contract), subsequent contracts should be for at least five years; and that Clinical Full Professors’ first contract should be for at least a longer contract that Clinical Associate (see Recommendation below). Whatever the contract length may be for Clinical Full, subsequent contracts should be of at least the same length.

4. Recommendation: Contract Length for Clinical Full

As an appointment of at least five years is the norm for Clinical Associate/Associate Arts/Associate Music Professor, we strongly recommend an increase in term of appointment for Clinical Full Professor; this is the case at certain schools (e.g., The Gallatin School, Tisch). We recommend that Clinical Full Professors receive a 7-year contract.

“When promoted to a three-year contract (Assistant Clinical Professors—the titles should be consistent titles in place for Continuing Contract faculty at the school), subsequent appointments shall be for at least three years.

“When promoted to a five-year contract (Associate Clinical/Arts/Music Professors—the titles should be consistent titles in place for Continuing Contract faculty at the school), subsequent appointments shall be for at least five years.

“When promoted to a seven-year contract (Full Clinical/Arts/Music Professors—the titles should be consistent titles in place for Continuing Contract faculty at the school), subsequent appointments shall be for at least the same length.”
In some cases, Clinical Assistant Professors initially hired on a one-year contract may be re-appointed for subsequent one-year terms, based upon curricular needs or financial considerations. In no case will a series of continuous one-year contracts exceed three years. In the third year of continuous one-year appointments, the clinical faculty member will be subject to formal review, similar to those of faculty members on longer multi-year contracts. Thus, after three continuous one-year contracts, the faculty member will either be provided with a multi-year contract or will not be reappointed at all.

5. Recommendation

We strongly recommend that Clinical Assistant Professors’ first multi-year contract be for at least three years.

To prevent the establishment of a permanent group of continuing contract faculty on one-year appointments, add language allowing for a transition to an appointment of at least three years for faculty on one-year appointments who successfully complete a formal review, such as:

“Faculty members on continuous one-year appointments who successfully complete their formal review shall move to at least a three-year appointment.”

6. Recommendation

We strongly recommend that the following be added to the above:

“Subsequent appointments will be at least of the same length.”

In all cases and regardless of rank, reappointment is contingent upon: the faculty candidate meeting appropriate standards; curricular and programmatic need, including student enrollment; and availability of funding.
7. Recommendation

We recommend that the phrase “availability of funding” be removed; this requirement is highly unusual; none of the approved Contract Faculty Reappointment & Promotion policies (listed on the Provost’s webpage) include this requirement. The “availability of funding” is vague and could easily be abused.

8. Recommendation

The policy should indicate that curricular or structural changes do not automatically warrant a denial of reappointment. Instead, the denial should have a rational basis, and it should include a process for determining whether the professor can or cannot teach under the new curriculum or structure.

We strongly recommend that the following language be added (adopted by: Center for Urban Science and Progress; Faculty of Arts & Sciences; Faculty of Arts & Sciences-Language Lecturers; Gallatin; Liberal Studies; NYU Abu Dhabi; Nursing; Tandon; Tisch-Arts Professors; Tisch-Arts Teachers), which is paraphrased as follows:

“In such an event, the review would focus on whether the faculty member would be able to teach in the revised curriculum and/or new academic structure and, if so, in what capacity. Attempts shall first be made to find a suitable position for the faculty member within the revised curriculum or structure.”

With few exceptions, clinical faculty members must have earned a doctoral-level terminal degree (or its equivalent) in the field of public health or related disciplines (e.g., MD, DDS, JD). In addition, clinical faculty may have academic or field-based post-graduate experiences such as positions in government, non-government organizations, and the private sector.

Section 1.1 Clinical Assistant Professor of Global Public Health (Initial Appointment only)
(1) For appointment to the Assistant Professor rank, the candidate shall show clear potential and evidence of high-quality performance in at least one of three areas of activity (teaching, public health practice, or scholarship).

(2) Appointment as Assistant Professor carries with it the possibility, but not the presumption, of reappointment or promotion to higher rank. Although the promotion process may be initiated at any time, a full-time Assistant Professor at GPH is typically in rank (at GPH or another academic institution, or a combination of both) for six years before pursuing advancement to Associate Professor.

Section 1.2 Clinical Associate Professor of Global Public Health (Initial Appointment and Promotion)

(1) In addition to all of the qualifications necessary for the appointment of Assistant Professor, the candidate for the title of Associate Professor must demonstrate evidence of continued high quality in teaching, public health practice, or scholarship, as appropriate. Associate Professors should be recognized public health scholars or practitioners in their specific fields of study or disciplines. Associate Professors must demonstrate effective contributions to their service responsibilities at GPH and to their profession.

(2) Appointment as Associate Professor carries with it the possibility, but not the presumption, of reappointment or promotion to higher rank. Although the promotion process may be initiated at any time, a full-time Associate Professor at GPH is typically in rank (at GPH or another academic institution, or a combination of both) for a period of six years before pursuing advancement to full Professor.

9. Recommendation

We strongly recommend that in 1.2.2 directly above, “a period of six years” be changed to “a period of four years.” This results in a typical period of 10 years rather than 12 (six at the Assistant rank and four at the Associate rank) before a Clinical Associate Professor can typically seek promotion to Full Professor rank.
Section 1.3  Clinical Professor of Global Public Health (Initial Appointment and Promotion)

(1) The rank of Professor may be granted to those who, in addition to all of the qualifications of the Associate Professor, demonstrate significant and outstanding performance in teaching, public health practice activities, or in individual or collaborative scholarship; and who provide service to the University as well as their profession. This must include achievements since attaining the rank of Associate Professor. They must also demonstrate continued effective contributions to the service responsibilities of GPH and their profession.

(2) The rank of Professor shall be granted only after careful consideration of the individual’s teaching, public health practice, scholarship, and service. National or international reputation among peers in the candidate’s field should be considered. The rank of Professor shall be granted only to faculty who have made significant contributions to their discipline, and for whom there is reasonable certainty that they will continue to make outstanding contributions throughout the remainder of their contract. The rank shall not be granted as a reward of seniority and shall be reserved as a mark of distinction in the candidate’s field, considering his or her contribution to scholarship and instruction. Notable academic achievements such as awards, invited lectures, and leadership roles in professional societies and advisory groups, can attest to this distinction. The Professor rank shall not be granted solely as recognition of accomplishment in administration.

Section 2:  Duties and Standards of Performance of Continuing Contract Faculty

The duties and standards of performance of Continuing Contract Faculty shall include excellence in teaching and instruction, inclusive of performance in classroom teaching, advising, and mentoring; quality of scholarship; quality and significance of service activities to the department/program, and GPH; and accomplishments in professional activities that are aligned with public health education or practice.

Section 2.1  Teaching

(1) All Continuing Contract faculty are expected to provide high-quality teaching and mentoring at GPH. Teaching includes workshops, lectures and
seminars, courses, and course development. Mentoring includes supervising public health practice experiences, teaching assistants, and students in the field. Continuing Contract faculty advise and mentor students whose career paths involve educational, practice-based research/scholarship and practical knowledge necessary to a specialized field or profession. Mentorship activities may also include serving on doctoral- and master’s-level committees, and supervising theses and independent studies. Other types of achievements may also include innovative curriculum development in public health practice programs.

(2) Continuing Contract faculty on 12-month contracts are expected to teach five courses per year. Continuing Contract faculty on 9-month contracts are expected to teach four courses per year. With the approval of the Department Chair or Program Director and the Vice Dean, significant administrative duties and other professional activities that serve GPH and the department, or significant grant-related activities, may substitute for one or more courses during the academic year.

Section 2.2 Public Health Practice

Public health practice involves the application of scholarship, knowledge, and skills. Continuing Contract faculty are expected to engage in public health practice with outside organizations, as appropriate and in accordance with University policy on outside activities and conflict of interest and commitment. This may include working with governmental agencies, community and advocacy organizations, non-governmental organizations, and international organizations. As practitioners, Continuing Contract faculty conduct population-level public health initiatives throughout the world and provide applicable services to local, state, national, and international professional organizations. Public health practice includes, but is not limited to, community service; preparation of practice-related reports and documents; tool kits; testifying/legislative work; video production; extramural teaching and training; and committee work for public health-related organizations and agencies.

Section 2.3 Scholarship
In contrast to tenured or tenure-track faculty, who must establish independence and who are expected to lead programs of research, Continuing Contract faculty are expected to engage in scholarship either as an individual investigator or as a member of a research team. Scholarship often focuses on applied public health issues, public health pedagogy or practice, or the adaptation of scientific discovery into real-world settings, and may include implementation research as well as other scientific-based activities. In contrast to tenured or tenure-track faculty, there shall be no expectation that Continuing Contract faculty engage in research or scholarship that constitutes original contributions to a body of work or to the knowledge base of a disciplinary field or area of inquiry, although their scholarly work may do so.

Scholarship includes (a) submission of funding applications (as PI, MPI or Co-I, in accordance with NYU regulations) to government, foundation, and private sources and sponsors; (b) publication of peer-reviewed papers, books, book chapters, white papers, reports, and other research and scholarly works (which may or may not be peer-reviewed); and (c) invited lectures and contributions to scientific meetings.

Section 2.4 Service

Continuing Contract faculty are expected to provide service to their profession and contribute to GPH in a service capacity through activities such as: participation in internal governance at GPH and the University; leadership roles and active participation in professional organizations, and on boards of organizations; service on scientific review panels or other activities such as peer-review for journals; and serving on committees of scientific societies.

Section 3: Procedures for Initial Appointment of Continuing Contract Faculty

The process of making an initial appointment includes four steps.

(1) The department or program (hereafter referred to as “the department”) Faculty Search Committee, after consulting with faculty in the department, shall make a recommendation to the Department Chair or program director (hereafter referred to as “the Department Chair” or “Chair”).
(2) If the Department Chair concurs with the recommendation, he/she shall send the recommendation and the candidate’s CV to the Faculty Appointments and Promotion - Clinical Committee (FAP-C).

(3) The FAP-C Committee shall make a determination as to whether the proposed rank of the candidate (i.e., Assistant, Associate or Full Professor) is consistent with his/her qualifications, and submit the decision to the chair of the Faculty Search Committee, the Department Chair, the Vice Dean, and the Dean.

(4) The Dean makes the final appointment decision.

Section 3.1 Department Faculty Search Committee (FSC)

A Faculty Search Committee (FSC) is an ad-hoc committee that shall be composed of at least three faculty members, the majority of whom are Continuing Contract faculty; this may require the Chair to seek appropriate Continuing Contract faculty outside their department. The Department Chair shall appoint the committee and name the chair. The FSC shall work with Human Resources (HR) to develop the job description, and to advise HR on posting sites with an emphasis on attracting diverse candidates. Searches must be conducted in accordance with the University Recruiting and Hiring Policy and Procedure for Full-Time Faculty and for Professional Research Staff. After the candidate interview process is completed and a preferred candidate identified, the FSC Chair shall submit the following materials to the Department Chair.

(1) The candidate’s curriculum vitae (CV);

(2) A personal statement or cover letter (typically 2-3 pages) from the candidate (addressing the candidate’s teaching, public health practice, research/scholarship, and service);

(3) A summary (typically 1-2 pages) from the FSC chair, which shall include the recommended faculty rank (i.e., Assistant, Associate or Full Professor).

(4) If the Department Chair concurs with the FSC recommendation, he/she shall send the recommendation along with the candidate’s CV to the FAP-C.
Section 3.2  Faculty Appointments and Promotions-Contract Committee (FAP-C)

(1) The FAP-C Committee shall review and vote on the recommendation for the candidate’s rank put forth by the FSC and the Department Chair. The FAP-C Committee voting procedures must be closed (by secret ballot). Electronic balloting is permissible. Abstentions shall be noted as such.

(2) The Dean shall have the authority to address the FAP-C Committee and the FSC regarding the applicant’s proposed appointment or rank at any time during the review process. The FAP-C Committee chair may also request that the FSC chair address the full FAP-C Committee regarding the proposed faculty rank. Upon conclusion of the vote, the chair of the FAP-C Committee shall send a tally of the vote, including the number of abstentions and minority votes, to the Department Chair, the Vice Dean and the Dean.

(3) The Dean takes into consideration the vote of the FAP-C committee. The Dean shall make the final decision on the appointment and the rank.

Section 3.3  Notification of Decision

In the case of a positive decision by the Dean to make an offer of appointment, the Dean shall notify the Department Chair, and the Department Chair shall begin the hiring process. In the case of a decision to not appoint, the Dean shall notify the Department Chair of the decision with the reasons thereof.

Section 4:  Review Process and Procedures for Reappointment of Continuing Contract Faculty

Section 4.1  Overview

(1) Decisions to reappoint take into account curricular or structural changes and improvements in academic programs as well as teaching demand associated with enrollment, and fiscal considerations. Even in those cases in which a candidate satisfies the appropriate standards of achievement, the decision to reappoint may be impacted by curricular and structural changes in academic programs within GPH, or fiscal considerations internal and external to GPH. In the case of changes to academic programs, the review considers whether the faculty member is able to
teach in the revised curriculum or new academic structure, and if so, in what capacity. If a determination is made that the faculty member is unable to teach in the revised curriculum or the new academic program then a full explanation will be provided to the faculty member.

(2) Where 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 performance review for career development to be conducted within a time framework specified by the school.

10. Recommendation

The policy should indicate that curricular or structural changes do not automatically warrant a denial of reappointment. Instead, the denial should have a rational basis, and it should include a process for determining whether the professor can or cannot teach under the new curriculum or structure.

We strongly recommend that the following language be added to the preceding paragraph (4.1.2) (paraphrased from the following policies: Center for Urban Science and Progress; Faculty of Arts & Sciences-Clinical Faculty; Faculty of Arts & Sciences-Language Lecturers; Gallatin; Liberal Studies; NYU Abu Dhabi; Nursing; School of Professional Studies; Tandon; Tisch-Arts Professors; Tisch-Teachers):

“In the event of curricular or programmatic changes that might jeopardize faculty reappointment, the review would focus on whether the faculty member would be able to teach in the revised curriculum and/or new academic structure and, if so, in what capacity. Attempts shall first be made to find a suitable position for the faculty member within the revised curriculum or structure.”

(3) In accordance with University Bylaws, Section 87(b), *Contracts and Titles*, the appointment of Continuing Contract faculty automatically terminates at the close of the period of time stipulated in the contract, unless there is an official notice of renewal. By signing the contract,
appointees acknowledge that they have received adequate notice of their termination date. Thus, reappointment can be achieved only by a school’s taking affirmative action to do so.

11. Recommendation

We strongly recommend that the following sentences be deleted:

“By signing the contract, appointees acknowledge that they have received adequate notice of their termination date. Thus, reappointment can be achieved only by a school’s taking affirmative action to do so.”

This requirement is highly unusual and is not found in the NYU Faculty Handbook or in any of the approved Contract Faculty Reappointment & Promotion policies (posted on the Provost’s webpage). We note that this policy is for “Continuing-Contract” faculty members (emphasis added). The contract should note, as is the norm, that the contracts are renewable.

12. Recommendation

The final two sentences in 4.3 suggests that silence from the school cannot be interpreted unambiguously and could be interpreted to mean one of two things: either a delayed reappointment decision or a decision to not reappoint, without a formal review. In the interest of fairness to the clinical faculty member, we suggest the school take affirmative action in either instance, and we recommend adding the following text, in place of the final two sentences of 4.3:

“After formal review, Clinical Faculty will be informed in the penultimate year of their contract whether or not they will be re-appointed.”
(1) For faculty on one-year contracts, the reappointment process is the annual review by their department chairs. This evaluation is primarily based on the candidate’s Performance Activity Form, which documents teaching, practice, research/scholarship, and service to the department, GPH and the University at large, and to the public health community. The Department Chair appraises the annual Performance Activity Form, *curriculum vitae*, and teaching evaluations.

(2) The Department Chair submits a recommendation for reappointment to the Vice Dean, with final review by the Dean. The Dean makes the final reappointment decision, and the Department Chair so notifies the faculty at least four months prior to termination of the appointment, for example, by September 1 for an appointment terminating December 31.

13. Recommendation

We strongly recommend adding to 4.1.1: Clinical faculty in the first or second consecutive one-year contract must submit their Performance Activity Form to their department chair at least five months prior to the end of their contract, to allow sufficient time for the terms laid out in 4.2.2 directly above.

(3) Faculty on one-year appointments may be reappointed to single-year or multi-year contracts, depending on curricular or structural needs in academic programs, teaching demands associated with enrollment, and fiscal considerations. As noted earlier in Section 1, the maximum number of continuous one-year contracts is three years.

14. Recommendation

We strongly recommend adding the following text to the paragraph immediately above (4.2.3):

“As also stipulated in Section 1, faculty in their third one-year contract will be subject to the same formal review procedures as faculty on longer multi-year contracts. Subsequently, they will either be terminated or appointed to a multi-year contract after their third one-year contract.”
Section 4.3 Reappointment of Faculty on Multi-Year Contracts

(1) At the beginning of each academic year in the fall, the FAP-C will establish the Faculty Reappointment Committee (FRC). The FRC, a majority of whose members will be Continuing Contract faculty, will be constituted as a sub-committee of the FAP-C committee. This FRC subcommittee will be composed of a minimum of three faculty members, drawn from the membership of FAP-C. Members of the FRC will be elected by the full FAP-C. The results of the vote will be recorded in the minutes of the first FAP-C meeting of each term. Any vacancies in the FRC will be filled by a vote of the FAP-C. Alternates for the FRC will be identified so that there are sufficient members available from each faculty rank to constitute a committee in which all members are at or above the rank of the candidate faculty member being considered for reappointment.

(2) The FRC will publish a widely-available calendar of school-level reviews of reappointments, and will communicate to faculty members a fair and timely notice of a review to take place.

15. Recommendation
We recommend that the calendar of school-level reviews of reappointments be included in this policy - as is the usual custom of NYU school contract faculty reappointment and promotion policies.

16. Recommendation
Add language similar to:

“During the first week of the academic year in the penultimate year of an appointment, faculty members receive notification that she/he is up for review.”

(3) Review for reappointment/non-reappointment is conducted in the penultimate year of the initial term of appointment and shall be completed by the end of that penultimate year. For Continuing Contract
faculty on multi-year contracts, the process begins with the Department Chair’s review of the candidate’s Performance Activity Form for all years in the current contract, curriculum vitae, and teaching evaluations, student evaluations (if these are different than teaching evaluations) other materials, as appropriate (e.g., curricular or practice products, or evidence of research engagement and productivity), and the candidate’s statement summarizing their strengths and accomplishments in teaching, research/scholarship, service and practice. A formal review of these materials and the Chair’s recommendation is then conducted by the FRC.

(4) The FRC submits a written report to the Dean, which includes the tally of the vote to affirm, reject, or amend the Department Chair’s recommendation. The votes are by secret ballot and may be conducted electronically. Where there is difference of opinion, the report may include a minority opinion. The Dean reviews the recommendations of the Department Chair and the FRC and makes the final reappointment decision.

(5) If the Dean’s decision is contrary on appointment or length of contract to that of the FRC or the Department Chair, the Dean will provide the FRC and the Department Chair with the reasons. The Department Chair and the committee will then have ten business days in which to provide further information or counter-argument before the Dean’s decision is finalized. The Dean notifies the faculty member in writing of the final decision, and in the case of a non-reappointment decision, with reasons thereof.

17. Recommendation

We recommend that the phrase “in writing” be added so that the above sentence reads, “If the Dean's decision is contrary on appointment or length of contract to that of the FRC or the Department Chair, the Dean will provide the FRC and the Department Chair with the reasons in writing.”

(6) In the case of a negative review, the final year of the contract becomes the terminal year of the appointment.
(7) A faculty member who will not be reappointed will be notified of his/her non-reappointment within that same penultimate year.

(8) Upon request, the timing of a review may be delayed by stopping the contract clock for reasonable cause that has been approved by the Department Chair and the Dean, for example for medical reasons, for hardship related to caregiving responsibilities, or by contractual stipulation or negotiation.

18. Recommendation

Specify the grounds for and process of the contract clock by adding language satisfying the following from the New York University Guidelines for Full-Time Continuing Contract Faculty, issued June 12, 2014, revised December 15, page 6:

“Each school process for review of full-time multi-year contracts of three years or more, including promotion reviews, must include: the grounds for stopping the contract clock for reasonable cause, e.g., medical, personal, as primary caregiver for child, spouse, parent, same-sex domestic partner, or by contractual stipulation or negotiation....”

19. Recommendation

Clarify that on appeal of a negative decision regarding reappointment or promotion by the dean that the candidate will have access to the Review/Promotion Committee’s full report, including its recommendation and any comments from the faculty, by adding the following language:

“In all cases of an appeal to a negative decision related to reappointment or promotion by the Dean, the candidate will have access to the Review/Promotion Committee’s full report, including its recommendation with the expectation that the Committee will protect information provided in confidence.”
Section 5: Review Process and Procedures for the Promotion of Continuing Contract Faculty

Section 5.1 Overview

Promotion of Continuing Contract faculty at GPH from Assistant to Associate Professor and from Associate Professor to full Professor involves a rigorous process that applies the highest standards of academic excellence. The process may coincide with a reappointment review. It begins at the department level. Each department should constitute a standing Departmental Promotion Committee for Continuing Contract Faculty (DPC) composed of three members, a majority of whom are Continuing Contract faculty whenever possible. Given that promotion deliberations should be carried out by faculty at or above the rank of the candidate, departments should also identify alternate members of the DPC in order to meet requirements of the DPC composition: a majority of the members should be Continuing Contract faculty and all should be at or above the rank of the candidate. If a department or program has insufficient numbers of faculty to constitute the DPC the Chair may look outside the department for appropriate members.

20. Recommendation

We strongly recommend that the majority of the committee should be made up of elected, not appointed, members.

21. Recommendation

Add a statement indicating that the majority of the committee, when possible, should be made up of Continuing Contract faculty members.

The DPC reviews the faculty docket, collects external evaluations, and submits a summary and recommendation to the Department Chair. The Chair then writes a recommendation letter and convenes a confidential vote of eligible department faculty. If the majority vote is to promote the faculty member, the Chair transmits the docket to the FAP-C Committee for review. FAP-C considers the material and submits its report and recommendation to
the Dean, who makes the final decision. Every effort will be made to complete
the promotion process within the academic year in which it was begun.
Furthermore, it should be noted that a negative promotion decision is distinct
from any reappointment decision; it is possible for a candidate denied
promotion to continue in the same rank at GPH.

22. Recommendation

We strongly recommend adding the language (adopted by: Faculty of
Arts & Sciences-Clinical Faculty; Faculty of Arts & Sciences-Language
Lecturers; Gallatin; Institute for the Study of the Ancient World; Liberal
Studies; NYU Abu Dhabi; NYU Shanghai; School of Professional
Studies; Tandon) just following the sentence in the above paragraph
that ends with “... the Dean, who makes the final decision.”

This language detailing the process governing the creation of the
review committee’s report, similar to that found on the FAS website,
“Procedures for Reappointment and/or Promotion” for clinical faculty
(http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment.html),
reads as follows:

“The review may be written by one or more members of the Review and
Reappointment Committee, but all members of the committee should
read the review before it is submitted to the Dean. The review 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 of
opinion, the minority opinion should be appended to the majority
review.”

23. Recommendation

We note that under 4.3 of this policy draft (under “Reappointment of
Faculty on Multi-Year Contracts”), the paragraph below is already
included with regard to reappointment.

We strongly recommend that the same language be placed under this
section with regard to promotions: “Review Process and Procedures for
the Promotion of Continuing Contract Faculty.”
“If the Dean’s decision is contrary on appointment or length of contract to that of the FRC or the Department Chair, the Dean will provide the FRC and the Department Chair with the reasons. The Department Chair and the committee will then have ten business days in which to provide further information or counter-argument before the Dean’s decision is finalized. The Dean notifies the faculty member in writing of the final decision, and in the case of a non-reappointment decision, with reasons thereof.”

This recommendation (adopted by: Center for Urban Science and Progress; Gallatin; Stern; NYU Abu Dhabi) is adapted from the FAS website, “PROCEDURES for Reappointment and/or Promotion” for clinical faculty: http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment.html):

“If the school Dean’s decision is contrary on appointment, title, or length of contract to that of the Review and Reappointment Committee or the Promotion Committee or the divisional dean, the Dean will provide the committee with the reasons in writing. The committee members will then have ten days in which to provide further information or counter-argument before the Dean’s decision is finalized.”

Section 5.2 Role of the Department Chair and the Department Promotions Committee (DPC)

(1) A faculty member may seek promotion through self-nomination; may be nominated for promotion by another faculty member of the department; or may in conjunction with reappointment review be nominated for promotion by the Department Chair.

(2) The Department Chair appoints an ad hoc Department Promotions Committee (DPC), composed of three faculty members, a majority of whom are Continuing Contract Faculty at the same or higher rank than the intended promotion rank. Only full professors may evaluate individuals for promotion to professor. Only full professors and associate professors may evaluate individuals for promotion to associate professors. Departments with fewer than two clinical full professors (for a candidate being considered for promotion to full professor) will draw upon eligible Continuing Contract faculty members from other GPH departments at the rank of full professor as needed.
24. Recommendation

We strongly recommend that at least some of the members of the Department Promotions Committee (DPC) be composed of elected faculty members. This is the norm in many contract faculty policies.

(3) If the Department Chair is the candidate for promotion, the Vice Dean serves in the role typically conducted by the Chair.

(4) The "promotions packet" (also referred to as a portfolio, dossier, or docket) of materials prepared by the candidate is processed for review by the Committee. The packet is described below, Section 5.5.

(5) The review of the promotions packet includes a full and thorough assessment of the candidate’s record of achievement in: teaching, public health practice, scholarship, and service. The DPC evaluation should not be an advocacy document; it should strive to provide a fair assessment of the strengths and weaknesses of the candidate. The evaluation should indicate, with specific reasons, the basis for the departmental recommendation.

(6) The DPC submits a recommendation to the Department Chair. If the Department Chair is the candidate for promotion, the DPC forwards the recommendation directly to the Dean and the Vice Dean.

(7) If the DPC recommendation is negative, the Department Chair advises the candidate, with reasons thereof. The candidate may withdraw his or her promotion packet at this point, or permit the promotion application to go forward to a departmental faculty vote. If the DPC recommendation is positive, the Department Chair writes a recommendation letter and proceeds with a departmental faculty vote.

(8) If the vote to promote the faculty member is passed by the majority of the department, defined as half (50%) of the eligible faculty plus one, the Department Chair transmits the results of the faculty vote and the promotions packet and his/her recommendation to the FAP-C.
Section 5.3 Department Faculty Vote

(1) Faculty who are eligible to vote are the department’s tenured, tenure-track, and Continuing Contract faculty at the same or higher rank to which the candidate is being promoted. Votes by the eligible faculty must be by a closed (secret) vote, and electronic balloting is permitted.

(2) Prior to the vote, all eligible voting members of the department will be provided with access to the candidate’s CV, personal statement, Departmental Promotions Committee summary letter, and the Chair’s letter. The evaluator letters are not distributed to the eligible voting members.

(3) A reasonable effort must be made to enable eligible departmental faculty who are on leave to receive all relevant materials, to participate in the meeting and discussions of the case, and to vote. When faculty members are unable to attend the meeting because of a leave or other absence, they should be invited to make their views and opinions known to the other eligible members through written or electronic communication. Any vote by an absent eligible faculty member regarding promotion must be recorded separately to distinguish it from votes made with the benefit of the open discussion of the case. Oral voting by an absent faculty member is not permissible, and any vote by an absent faculty member must be supported by written or electronic communication.

Section 5.4 DPC Selection of Outside Evaluators

(1) External evaluators must be sought for faculty being promoted to Associate or Full Professor.

(2) The DPC identifies five to ten possible evaluators who can assess the candidate’s teaching, public health practice, research/scholarship, and service; from this list, at least three evaluations should be obtained.

(3) Evaluators will normally hold a clinical or tenured position (as a full professor, in an instance of promotion to full professor), in an institution of recognized distinction as a research university, or in a position of equivalent rank in a non-academic institution (e.g., laboratory, government agency, or research institute).

(4) Evaluators should be recognized leaders in the candidate's discipline. They should be representative of their subject, broadly defined, and not
drawn exclusively from extremely narrow interest groups or specializations. For example, if one of the candidate's central strengths is research, then at least one of the three evaluators must be a public health researcher/scholar identified with broader sectors of the research area in question. The list of evaluators need not be restricted to those at United States institutions; if appropriate, evaluations should be solicited from abroad. Suggestions for external reviewers should not be solicited from colleagues of the candidate.

(5) Evaluators cannot be suggested by the candidate; nor can the suitability of potential evaluators be discussed with the candidate. The evaluator must not be a scholar with whom the candidate has been closely associated, such as a thesis advisor, co-author, or another close associate. Individuals listed on the candidate's curriculum vitae as personal or professional references are not eligible to serve as outside evaluators. If the department should inadvertently solicit an opinion from someone it later learns was close to the candidate, or whom the candidate independently suggested, note of that fact must be made in the department report, and another evaluator must be sought.

25. Recommendation

Consider offering a time-frame for exclusion of possible evaluators. Otherwise, if someone has had a substantial career and worked productively in the past with many others in the field, they would be disadvantaged in comparison to candidates whose work has been more solitary. We recommend 7 and 10 years for promotions to associate and full, respectively.

(6) Candidates may identify one or two scholars who they believe would not – for professional or personal reasons – provide a balanced evaluation. They must state in writing the reasons for this belief. The department chair and the Dean are not required to accept a candidate's request to exclude a scholar as an evaluator.

(7) As a professional courtesy, evaluators should be given a minimum of six weeks to submit their evaluations.
The preliminary materials reviewed by the DPC must include a list of all potential evaluators who were asked to write on behalf of the candidate, including those who declined, and those (if any) identified by the candidate as inappropriate. All departmental communications (e.g., solicitation letters) with potential evaluators should be documented and included in the docket.

A letter from the department chair is sent to the possible reviewers requesting that they confirm their willingness and availability to provide a thorough evaluation by a specified date. If the evaluator does not agree to conduct the review, then another name is chosen from the list supplied by the DPC. The names of the evaluators and the letters themselves should be held in the strictest confidence and may be shared only with the DPC, the Department Chair, the Dean, and the Provost’s Office, as required.

All evaluators should be provided with a file that includes the candidate’s CV; personal statement of teaching, public health practice, research/scholarship, and service; and three representative publications. A copy of the relevant sections of these guidelines, drawn from Sections 1 and 2, shall also be included to guide the evaluator’s assessment.

Section 5.5 Promotions Packet

The Promotions Packet reviewed by the DPC shall include the following:

1. Candidate’s current *curriculum vitae* (CV).
2. Candidate’s 2-3 page personal statement, which addresses his/her teaching, public health practice, scholarship, and service to GPH and the field of public health.
3. The candidate’s course listings, sample syllabi, and teaching evaluations, as applicable since his/her initial appointment or last promotion. This can also include course development and innovation, instructor development, peer observations, and evidence of continuing influence upon students.
(4) Copies of the candidate’s current key publications (up to three) and other supporting documentation (e.g., published academic book reviews of the candidate’s work, videos, clinical trial protocols, etc.).

(5) At least three evaluation letters from external reviewers.

Section 5.6 Role of the FAP-C Committee

(1) The FAP-C Committee convenes to review the candidate’s promotion packet, the DPC’s recommendation, the Department Chair’s letter of recommendation, and a tally of the departmental faculty vote.

(2) The FAP-C Committee discusses the material and a closed vote is taken (it may be electronic). Although the discussion is open to all FAP-C Committee members, the vote is restricted to those members whose faculty rank is at or above the rank of the candidate being voted upon.

(3) The Chair of the FAP-C Committee presents the recommendation and the tally of the FAP-C Committee’s vote to the candidate’s Department Chair, the Dean, and the Vice Dean.

26. Recommendation

We strongly recommend a new section to be inserted between 5.6.2 and 5.6.3 above (adopted by: Faculty of Arts & Sciences-Clinical Faculty; Faculty of Arts & Sciences-Language Lecturers; Gallatin; Institute for the Study of the Ancient World; Liberal Studies; NYU Abu Dhabi; NYU Shanghai; and Tandon):

Add language detailing the process governing the creation of the review committee’s report, similar to that found on the FAS website, “Procedures for Reappointment and/or Promotion” for clinical faculty (http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment.html), adapted as follows:

“The review may be written by one or more members of the Review and Reappointment Committee, but all members of the committee should read the review before it is submitted to the Dean. The review 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 of opinion, the minority opinion should be appended to the majority review.”

Section 5.7 Role of the Dean

(1) The Dean reviews the full docket, and the reports and recommendations of the Department Chair and the DPC and FAP-C Committees, and the departmental faculty vote, and makes a final promotion decision.

(2) The Dean conveys his or her decision to the FAP-C Committee and the Department Chair, who then conveys the decision to the candidate in writing.

(3) If the Dean's decision is contrary to that of the Department Chair or the FAP-C, the Dean will provide the Department Chair and the committee with the reasons. The Chair and the committee members will then have ten days in which to provide further information or counter-argument before the Dean's decision is finalized.

Section 6: Grievance Procedures for Reappointment or Promotion Decisions

Section 6.1 Overview

GPH adheres to the grievance policies as provided in the GPH Faculty Bylaws and the NYU Faculty Handbook Grievance Procedures.

Section 6.2 Basis for Grievance

With respect to grievances related to reappointment or promotion, outcomes of the review process or decisions reached through the review process can be grieved only to the extent that they involve a violation of the University-protected rights of faculty members. Thus, a grievance 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.

Section 6.3 Who Can Grieve
(1) In accordance with the NYU Faculty Handbook, Continuing Contract faculty who are not eligible for reappointment cannot grieve a decision not to reappoint. Individuals on multi-year contracts who are subject to a review process to determine whether they are to be reappointed have a right to grieve the process in the event it leads to a negative decision with respect to reappointment or promotion or the terms of reappointment or promotion; and they are entitled to grieve in the event they are denied reappointment without review for reasons other than elimination of the position. Continuing Contract Faculty who are subject to a review process to determine whether they are to be promoted have a right to grieve the process in the event it leads to a negative decision.

27. Recommendation

We strongly recommend that the following phrase be deleted: “for reasons other than the elimination of a position.”

Also, see Recommendation 8 (under Section 1) and 10 (under Section 4.1).

The elimination of a position does not automatically warrant a denial of the grievance process, and should be considered a basis for grievance just as other processes are that lead to non-renewal of a contract. This phrase is unusual and is not stated in the Faculty Handbook, nor is it stated in any of the approved Contract Faculty Reappointment & Promotion policies listed on the Provost’s webpage.

An elimination of a position should have a rational basis, and it should include a process for determining whether the professor can or cannot teach elsewhere in the curriculum.

We strongly recommend that the following language be added (adopted by: Center for Urban Science and Progress; Faculty of Arts & Sciences; Faculty of Arts & Sciences-Language Lecturers; Gallatin; Liberal Studies; NYU Abu Dhabi; Nursing; Tandon; Tisch-Arts Professors; Tisch-Arts Teachers), which is paraphrased as follows:

“In such an event, the review would focus on whether the faculty member would be able to teach in the revised curriculum and/or new academic structure and, if so, in what capacity. Attempts shall first be made to find a suitable position for the faculty member within the revised curriculum or structure.”
(2) Faculty on continuous one-year appointments are entitled to grieve the process in the event the third-year review leads to a negative decision; and they are entitled to grieve the process in the event they are not reappointed after a third year review when a review had been explicitly promised in connection with the possibility of reappointment subject to it, but was not undertaken for reasons other than elimination of the position.

28. Recommendation

Again, we strongly recommend that the following phrase be deleted: “for reasons other than the elimination of a position.” See Recommendation 8 (under Section 1), Recommendation 10 (under Section 4.1), and Recommendation 27 above.

The elimination of a position does not automatically warrant a denial of the grievance process, and should be considered a basis for grievance just as other processes are that lead to non-renewal of a contract. This phrase is unusual and is not stated in the Faculty Handbook, nor is it stated in any of the approved Contract Faculty Reappointment & Promotion policies listed on the Provost’s webpage.

Section 6.4 School Grievance Process

(1) In the case of all grievances, the candidate should first confer with his/her Department Chair to seek an informal resolution or explanation of the decision. In instances where the grievance is with the Chair, the candidate may confer with the Dean who will also seek an informal resolution, which shall include mediation. If not settled informally and through mediation, the candidate may submit a written request to the Dean to convene the GPH Grievance Committee to hear grievances in order to advise the Dean. The Dean shall convene the committee within fifteen working days of receiving the faculty member’s appeal. An exception to this may be made only with the consent of the grievant, the Dean, and the Provost.

(2) The Grievance Committee shall consist of senior level faculty, that is, tenured professors and clinical full professors who are full-time GPH faculty. Members of the Grievance Committee shall not include deans, department chairs, program directors, or
any faculty member whose primary assignment is administrative. All members of the Grievance Committee shall be elected by the faculty for a three-year term. Five members shall be elected and two additional members shall be elected to serve as Alternates. The number of Grievance Committee members assembled to hear any particular case shall be no more than five, consisting of three tenured full professors and two clinical full professors.

29. Recommendation

We strongly recommend that the majority of the committee should be made of clinical faculty members. Replace the following phrase: “shall be no more than five, consisting of three tenured full professors and two clinical professors,” with the following: “shall be at least three and no more than five, consisting of a majority of clinical full professors.”

(3) Alternate members of the committee may be called to hear a case if a primary member of the committee is recused because of a real or apparent conflict of interest. A conflict of interest exists when a committee member cannot serve objectively or when a member would derive a personal benefit from the outcome of the committee’s decisions or actions. An apparent conflict of interest may exist whenever an independent observer might reasonably question the impartiality and objectivity of a Grievance Committee member’s actions or decisions due to considerations of personal gain, including but not limited to financial, scientific, or other. Examples of conflicts of interest include, but are not limited to, having a personal relationship with the grievant; serving as a current or previous mentor (either formally or informally); and collaborating on a current or previous grant, research/scholarly project, or scholarly publication. Grievance Committee members should notify the Dean immediately if they have a real or apparent conflict in any grievance case and recuse themselves from serving.

(4) At the beginning of the academic year (on or near September 1st), the Grievance Committee shall meet and elect a Chairperson. The Secretary of the Faculty shall assist the Committee in conducting its business. The committee and Secretary of the Faculty may ask for assistance from the Office of the Provost and the Office of General Counsel, as appropriate, with respect to procedural issues.
The GPH Grievance Committee, which is advisory to the Dean, does not judge the professional merits of the case, but considers the grounds specified above in Section 6.2, and submits its findings and recommendations to the Dean. After obtaining the recommendation of the grievance committee, the Dean shall decide the case and in writing shall notify the concerned parties and the grievance committee of his or her decision, together with reasons thereof, and provide the grievant a summary of the Grievance Committee’s report and information on the process for appeal.

30. Recommendation

We strongly recommend that the summary of the Grievance Committee provided to the grievant be provided by the Grievance Committee. The final sentence above should read:

“...the Dean shall decide the case and in writing shall notify the concerned parties and the grievance committee of his or her decision, together with reasons thereof, and include a summary of the committee’s report provided by the committee and information on the process for appeal.”

If the committee’s report is accepted by both the grievant and the Dean, the matter shall be considered settled. However, if the Dean shall deny any findings of fact, or refuse to implement suggestions by the committee made as a part of the committee's recommendations on the disposition of a case, the Dean is required to reply in writing giving in detail his or her reasons. This memorandum must be sent both to the grievant and to the committee.

31. Recommendation

Add the following language:

“As a standing committee of the faculty, it must regularly report to the faculty on the number of cases heard or under study.”

Section 6.5 Appeal

In the event the decision of the Dean is not to reappoint or promote, an appeal can be made to the Provost, following the procedures enumerated in the Faculty Handbook. Appeals from a Dean’s decision 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; or (b) that the decisions violated the academic freedom of the person in question, in which case the burden of proof is on the faculty member.

The Guidelines were voted on by eligible faculty at a Faculty Meeting of the School of Global Public Health on Oct. 7, 2020. Among the 50 faculty who voted, 48 voted in favor of adopting these guidelines and 2 faculty members abstained; no faculty member voted to reject these guidelines as presented. These 50 faculty represented 82% of the school’s 61 faculty.
Dear CFSC,

With thanks particularly to Lauren Davis for getting the ball rolling, here is a preliminary draft of the CFSC bylaws. (Please excuse the formatting -- I am definitely not a whizz at that!)

At the end of the document is a list of questions. The purpose of sending around this preliminary draft is to have a text in front of us as we begin to build consensus among ourselves about these questions. There may be other questions that you have as you read -- great! We'll add 'em to the list.

Our process/timeline hope is to take Thursday's discussion (and any follow up notes from you all) back to the Governance Committee and come back to the "next" council meeting (Thursday, February 25, 2021, 9:00-11:00 am) with a second draft. Assuming that most of the major points can be agreed upon then, we'd take the second back to our committee and bring a final draft to our third council meeting (Tuesday, March 23, 2021, 12:00-2:00 pm) for a vote.

Best,
Ethan Youngerman
CONTINUING CONTRACT FACULTY SENATORS COUNCIL
NEW YORK UNIVERSITY
BYLAWS

Article 1  Introduction

The Continuing Contract Faculty Senators Council (C-FSC) at New York University (hereinafter NYU) shall consider matters of educational and administrative policy and will function as the Faculty Personnel Committee of the University Senate with respect to the Full-Time Continuing Contract Faculty (hereinafter, Contract Faculty). It will designate representatives on standing committees of the C-FSC, and standing and ad hoc committees, of the Senate, a list of which is attached as Schedule A hereto.

Article 2  Composition/Membership

(i) The C-FSC shall be composed of twenty-nine (29) elected representatives of the Contract Faculty elected by the voting members of different faculties of schools and colleges across NYU including the Abu Dhabi and Shanghai portal campuses (each, Portal Campus). It is agreed that each NYU school, college and Portal Campus shall be entitled to at least one (1) elected Senator.

(ii) Representation of the Contract Faculty in the C-FSC is proportional based on the number of eligible Contract Faculty in the School.

(iii) In April of every year, the University Secretary and Office of General Counsel will send an official notice to the C-FSC, the Deans of every college, school and the Vice Chancellor of NYU’s two portal campuses of the total number of seats assigned and the total number of C-FSC Senators to which each is entitled.

(iii) To ensure the effectiveness of the C-FSC’s operation, every school, college and Portal Campus shall hold elections for open seats on the C-FSC a minimum of fourteen (14) days prior to the University Commencement in May of each year. The name of every newly elected Contract Faculty Senator and their Alternate (as hereinafter defined) shall be submitted to the Secretary of the University Senate at least five (5) days before the NYU Commencement in May. Elected representatives of the C-FSC shall each hereinafter be referred to as Contract Faculty Senator and Alternate Senator.

Article 3. Term of Office.

i) Every C-FSC Senator shall serve for a term of three (3) years to commence on September 1 of the first year to August 31 of the third year.
ii) The membership of the C-FSC shall be divided into three (3) groups with each serving in staggered three (3) year terms to provide continuity. Therefore, one-third (⅓) of the representatives in each constituency shall be elected each year.

**Article 4 Nominations And Elections**

(i) Contract Faculty Senators shall be nominated and elections shall be held in the manner adopted by the voting faculties of the colleges, schools and Portal campuses. There shall be at least two (2) candidates per constituency for each open seat. The faculties of each school, college and Portal Campus shall be given reasonable notice of the nominations and elections that the electoral princess shall be conducted by secret ballot.

(ii) Every college, school and Portal Campus School will be required to furnish a copy of its election policies to the NYU Office of Faculty Governance. A copy of same shall be published on the C-FSC website so that members of each school can know and monitor them. Whenever applicable, these should include who solicits nominations, when and how; how nominees are validated as eligible; whether biographies of nominees are provided; who conducts the election and counts the votes, including when and how; and who reports results to the Manager of Faculty Governance. All faculty nominations and elections will be conducted by secret ballot free from interference by the School and/or by University administrators.

(iii) If the voting professorial members of the faculty of any School fail to adopt nominating and electoral procedures as provided in subsection (a), the nomination and election of Senators shall be conducted in the following manner. The School’s faculty shall appoint a nominating committee to present at least three names for each Senatorial position, whenever applicable, to the voting professorial members of their faculty by mail at least one week before an election. The notice calling the meeting at which an election is to take place shall specify that the election is among the purposes of the meeting. At such a meeting, nominations may be made from the floor. The meeting shall be held before university commencement in May of the final year of the three-year term of the representative(s) then in office. This entire process shall be conducted by secret ballot, and by the faculty free from interference by School or University administrators, as specified above.

**Article 5 Responsibilities**

It shall be the responsibility of every elected Contract Faculty Senator and their Alternate to serve as a liaison between the Senate and their respective faculties. In this capacity, Contract Faculty Senators and Alternates shall:

(i) Attend meetings of the C-FSC Senate and, subject to the terms herein, exercise their best judgment in the governance and decision-making processes;
(ii) Be attentive to the interests and concerns of their faculty constituents and submit relevant issues to the appropriate senate committee as appropriate.

(iii) Keep their faculty constituents informed of Senate actions and decisions and of relevant information provided at C-FSC and NYU Senate meetings. Senators are granted access to their school’s email systems: as per the provost’s enabling memo of March 3, 2011, on elected FSC senators’ use of their school email systems, for communication pertaining to Senate-related matters relevant to faculty colleagues within their school.

(c) On a considered belief that either a School has failed to adhere to the procedures adopted by its voting professorial members as provided in subsection (a) or, if no procedures were adopted, a School has failed to adhere to the procedures as described in subsection (b), a detailed written complaint, signed by no fewer than three voting professorial members or 50% (whichever is smaller) of the respective School, may be filed with the Manager of Faculty Governance. Such complaint will be investigated by the Governance Committee in consultation with the Steering Committee. The C-FSC will determine an appropriate remedy, which may include the requirement of a new election. In no event, however, will any Senator elected under procedures challenged herein be unseated during the pendency of the complaint and the seating of a replacement Senator, should that prove necessary. Until the challenge is settled, the replacement Senator shall not be seated.

Article 5 Alternates Senators and Vacancies.

(a) The Contract Faculty of each School shall also elect an alternate representative (each, Alternate Senator) for each Senator who will be expected to serve if the elected representative is unable to attend a meeting of the C-FSC or of the Senate.

Article 5 Nomination and Election of Contract Faculty Senators.

a) All nominations and elections of Contract Faculty Senators shall be made in accordance with the election policies established by the School. Every School shall hold elections in ___ of each year, Every School will be required to furnish a copy of its election policies to the NYU Office of Faculty Governance A copy of same shall be published on the C-FSC website so that members of each school can know and monitor them. Whenever applicable, these should include who solicits nominations, when and how; how nominees are validated as eligible; whether biographies of nominees are provided; who conducts the election and counts the votes, including when and how; and who reports results to the Manager of Faculty Governance. All faculty nominations and elections will be conducted by secret ballot free from interference by the School and/or by University administrators.

In cases where an alternate is representing or replacing a Senator, he/she shall have full voting privileges.
(b): Alternate Senators are encouraged to attend occasional meetings of the C-FSC in a non-voting capacity and to attend Senate meetings as guests of their Senators. Alternates are expected to serve on committees and may in fact chair committees. In the event that the Contract Faculty Senator is not present at a C-FSC or Senate meeting, the Alternate Senator shall have voting privileges.

Article 6. Reports

1. Receiving Reports. The CFSC shall from time to time receive reports from its representatives on the committees or boards of other bodies.

2. Reporting as Council and as Committee. The CFSC shall make regular reports to the members of the faculties of the University of its deliberations and recommendations, both in its character as a Council and in its character as the Faculty Personnel Committee of the Senate with respect to the Continuing Contract Faculty. These may include, but not be limited to, information posted on the CFSC website and presented at Faculty Forums sponsored by the CFSC.

Article 7. Officers of the C-FSC.

(a) The C-FSC shall elect seven (7) Contract Faculty Senators from its ranks to serve on a Steering Committee. Every effort will be made to ensure that the membership of the Steering Committee is representative of different Schools across NYU. The Steering Committee will serve as the Executive Committee of the C-FSC. Elections for the Steering Committee will be held at the second to last C-FSC meeting of the Spring semester and members of the Steering Committee will be elected by a majority vote of the Contract Faculty Senators.

(b) The term of office for the Steering Committee shall be one (1) year.

(c) A Chairperson (Chair), Vice Chairperson (Vice Chair) and Secretary (Secretary) shall be elected by a majority vote of the Steering Committee and shall each serve for a term of one-year.

(d) A quorum of the Steering Committee will consist of 50% of its members, plus one

(e) The Steering Committee shall serve in an advisory capacity to the Chair of the C-FSC. It shall also consider resolutions brought to it by different constituencies across NYU and refer such matters to C-FSC and Senate committees as appropriate.

(f) The Steering Committee will appoint Contract Faculty Senators and Alternate Senators to serve on different Committees of the C-FSC and the University Senate. It may also establish ad hoc committees to carry out its work.
(g) The Steering Committee shall develop the C-FSC meeting agendas. It shall also propose occasional guests to address the C-FSC on specific issues and matters of concern.

(h): The Contract Faculty Senators Council (specifically Senators and Council Committee Chairs in consultation with the Steering Committee) will be able to invite guests on occasion to address the Council. These guests are restricted to be individual(s) who can speak to specific issues deemed important for the Council to consider.

(i) The Steering Committee shall meet with the President and the Provost of the University two times in the Fall semester and two (2) times in the Spring semester to bring issues for discussion and advice on matters of general concern to NYU’s Contract Faculty.

Article 8 Meetings of the C-FSC

(i) The C-FSC shall meet a minimum of three (3) times every Fall and Spring semester.

(ii) A calendar of C-FSC and Senate meetings shall be sent to all members of the C-FSC at the beginning of each academic year.

(iii) Reminders of regular meetings of the C-FSC shall be sent to the members before each meeting. Accompanying the reminders shall be minutes of the previous C-FSC meeting, Standing Committee reports and materials pertinent to the upcoming meeting including ADD LANGUAGE ABOUT MATTERS THAT WILL BE VOTED ON.

(iv) Order of Business. The usual order of business shall be as follows:
   (a) Approval of minutes from previous C-FSC meeting
   (b) Report of the Chair
   (c) Reports of Committees
   (d) Old business
   (e) New business

(v) The Chair shall preside at all C-FSC Meetings. If the Chair is unable to attend a Meeting, the Vice Chair of the C-FSC shall preside. In absence of both the Chair and the Vice Chair, another member of the Steering Committee shall preside.

(vi) At least one half of the voting members of the C-FSC plus one shall be present at a meeting to constitute a quorum.

(vii) Every Contract Faculty Senator or their Alternate shall be entitled to one vote. There shall be no voting by proxy.
All meetings of the C-FSC shall be conducted in accordance with the latest edition of Robert’s Rules of Order.

Article 9 - Amendments

Language to be added

SCHEDULE A: Committees of the CFSC and Senate

C-FSC Committees

Administration & Technology

Analyze and monitor policies and issues affecting faculty involving technology-related issues, such as technology-enhanced education, University social media policies and Personal Digital Content Policies.

Diversity, Equity, & Inclusion

Collaborate with the Office of Global Inclusion, Diversity, and Strategic Innovation to create a supportive learning, teaching, and working environment for contract faculty. Review policies relevant to contract faculty in an effort to advocate for principles of diversity, equity, and inclusion.

Educational Policies and Faculty/Student Relations

Interact with the Center for the Advancement of Teaching to enhance the effectiveness of teaching at NYU; develop recommendations to support and enhance faculty-student relations, both in and out of the classroom.

Faculty Benefits and Housing

Advocate, review and make recommendations with regard to faculty benefits (health and
retirement plans; tuition remission; etc.); monitor and make recommendations to issues particularly relating to faculty residing in faculty housing; analyze University policies related to housing for faculty.

**Faculty Grievance**

Hears faculty appeals from a dean’s decision on issues related to reappointment and promotion; monitors compliance with school grievance procedures; makes recommendation to the Provost.

**Finance and Policy Planning**

Examine and analyze faculty salaries, working conditions, long-range issues and other relevant finance matters, as determined by the Committee and the Council.

**Global Network University**

Monitor and analyze academic, faculty, and other issues pertaining to the GNU campuses and portals.

**Governance**

Monitor implementation and impact of University joint shared governance and governance policies and practices in the several schools, programs and divisions, GNU campus sites and portals, particularly as they pertain to full-time continuing contract faculty; Monitor and make recommendations for procedures governing the Council; conduct periodic reviews of the NYU Faculty Handbook; develop and suggest recommendations to the Faculty Handbook and Guidelines mentioned above for presentation to the C-FSC.

**Personnel Policies and Contract Issues**

Reviews University and school policies and practices including contracts and/or contract modifications and guidelines that affect full-time continuing contract faculty, such as the
University Guidelines for Full-Time Continuing Contract Faculty Appointments.

University Senate Committees

The Senate Committees are composed of representatives from all Councils of the University Senate. They typically meet monthly.

Academic Affairs

The Committee shall consider the educational policies of the University and shall have responsibility for stimulating and promoting experimentation and innovation. The Committee shall consider matters pertaining to New York University relations with professional and educational organizations.

The Committee shall advise the Academic Affairs Committee of the Board of Trustees regarding honorary degrees and other special awards, as provided in the Bylaws, and regarding the naming of buildings or other facilities not earmarked for naming gifts. The Committee shall be responsible for presenting to the Senate a calendar for the academic year that begins in the following calendar year.

Community Standards

Responsible for reviewing University policies related to student conduct and community standards, including annual review of the University Student Conduct Policy, and making recommendations for updates and alterations; members may also receive additional training to serve as panelists for University-level student conduct hearings and grievances, in accordance with the University Student Conduct Procedures.

Financial Affairs

The Committee shall consider and make recommendations on financial and budgetary policies of
the University, including those relating to capital budgets, operating budgets, long-range financial planning, policies governing allocation of resources among schools, and policies on tuition and salary. In addition, the Committee shall consider matters relating to the development of University facilities.

Public Affairs

The Committee shall be concerned with all matters relating to the Commencement Exercises and other public occasions affecting more than one school. The Committee shall consider matters pertaining to New York University's relations with the community.

The Committee shall conduct a yearly review of the guidelines on the use of University facilities, and shall inform appropriate administrative personnel about the operation of these guidelines. The Committee shall also develop additional guidelines, if needed, for approval by the Senate; hear grievances and arbitrate disputes in connection with the use of University facilities; and determine violations of the guidelines. Appeals from decisions of the Public Affairs Committee may be made to the Senate.

Senate Committee on Organization and Governance (SCOG)

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

Outstanding questions for consideration by the whole Council

1) Article 2(i): we’ve had a situation in the past where the allocation for the following year reduced the number of senators from a particular school and all of the senators from that school were in the middle of their terms. We essentially left it up to that school’s senators to decide amongst themselves who would step down. Would we like to enshrine that practice into the bylaws? Leave it unwritten? Change it and make it at the discretion of the CFSC Steering Committee?

2) Article 3(i): We do not currently have an attendance policy. Should we? The concern is that when a senator doesn’t attend (meetings and/or to their duties), their colleagues effectively lose representation; and we, as individuals on the council, often have to pick up
the slack. On one hand, the mechanism for *removing* a Senator is already built in: regular elections. On the other hand, it’s not clear how anyone other than us would know if a Senator were derelict in their duties. We’re all busy and our efforts for this council and our colleagues are not compensated, so anything we set up would have to be lenient enough to be sensitive to those realities. And yet we may want to create some kind of mechanism for communicating with schools and/or individual senators; and we may want to create some kind of mechanism for having a senator step down before their term is up.

3) Article 5(iii): How should we state that senators have access to their school email distribution list” -- supported by this resolution: https://www.nyu.edu/content/dam/nyu/facultyGovernance/documents/ResEmail2311.pdf -- given that the interpretation of this on the ground varies so greatly school by school?

4) Article 7(c): We experimented with a Secretary position in 2019-2020; this year we reverted to not having a secretary and have divided up that work amongst the Steering Committee. Do we want to enshrine this role in the bylaws? Do we want to allow SC’s of the future to decide for themselves.

5) Article 7(c): Do we want to add term limits for the roles of Chair and Vice Chair? Or would we like that to be at the discretion of each Steering Committee?

6) Article 7(c): Do we want to add term limits for the Steering Committee itself? Or would we like that to be at the discretion of each year’s council as they vote on the next year’s Steering slate?

7) Do we want a Nominating Committee? The TFSC has such a committee which “calls for nominations and prepares a list of at least two candidates for the position of Chair-elect, Vice Chairperson, and Secretary. The list of candidates will be announced in the meeting notice one month prior to the election.”

8) Article 8(iiiv): do we want to be explicitly governed by Robert’s rules? Or do we want to be under the vague guidance of such rules?

9) Article 8: Do we want to explicitly articulate a formal voting by email/google form/etc mechanism? Or do we want to keep our current system, whereby votes only may take place *during* a meeting?

10) Article 9: How do we want to create a process for amendments to these bylaws?

11) Do we want to articulate a procedure for special meetings?

12) Do we want to articulate a protocol for passed motions and Resolutions?

13) Do we want to include either/both of these Appendices from the T-FSC bylaws (see below):

APPENDIX A

There are 5 basic features of shared governance:

1. **Representation**

WHEREAS: Shared governance means that input from the faculties’ duly elected representatives (T-FSC) is central to the process of “consulting with faculty”,

IT IS RESOLVED: That the Tenured/Tenure Track Faculty Senators Council will have representatives, selected by the T-FSC, on University Committees, Taskforces, or other like bodies dealing with all matters that affect faculty and university policy.
2. **Information**

BACKGROUND: The Tenured/Tenure Track Faculty Senators Council functions as the personnel committee for the faculty. As such, it is obligated to represent the faculty’s interest in dealing with the administration, and to ensure that the faculty is informed on issues that pertain to them and impact their well-being. It has been common practice by the administration to impose a rule requiring confidentiality with respect to deliberations on certain topics, such as, but not limited to, benefits. This practice is referred to as “deliberative privilege”.

WHEREAS: This practice prevents the faculty from obtaining timely knowledge concerning issues that affect them, and

WHEREAS: This practice prevents the administration from obtaining valuable feedback from the T-FSC, and when appropriate, from the entire faculty,

IT IS RESOLVED: That the Tenured/Tenure Track Faculty Senators Council does not support the practice of a code of confidentiality, also known as “deliberative privilege”, except in cases concerning information specific to individuals, whose privacy rights transcend the need for transparency, and cases involving university negotiating positions with external financial entities.

3. **Consultation**

WHEREAS: Consultation is a means to obviate potential crises of confidence that can occur when a decision-making group within an organization unilaterally imposes its decisions on the organization, and

WHEREAS: The quality and effectiveness of academic policy making depends on consultation between informed faculty representatives and the other principals in the University’s decision-making process, and

WHEREAS: Shared governance means seeking and evaluating faculty input before decisions that affect faculty are made and adequately responding to faculty input,

IT IS RESOLVED: That when a decision is not pressing, a reasonable length of time for consultation must be provided. During semesters, this means at least a few weeks in order for at least one T-FSC meeting to occur. For decisions that must occur during the summer, when T-FSC is not in session, the T-FSC will establish, before its last meeting of the spring semester, an internal structure for timely consultation and input to administration decisions that affect the faculty.

4. **Reasoned Justifications**
WHEREAS: Accountability is an important element of the consultation process,

IT IS RESOLVED: That when T-FSC advice is not taken, the Administration will provide, in writing, its reasons for not accepting the T-FSC’s advice developed through the process of consultation.

5. Communications

WHEREAS: Access to information is fundamental to policymaking,

IT IS RESOLVED: That T-FSC Senators will circulate, through their Schools and departments, the agreement T-FSC worked out with the Administration (see Memo from Provost McLaughlin, 3/3/2011), which allows Senators access to email addresses of all faculty for the purpose of communicating with the faculty (their constituents).

IT IS RESOLVED: That T-FSC Senators are obligated to keep their respective faculty informed on an ongoing basis.

APPENDIX B

Addendum to the Resolution on Nomination and Election of Faculty Senators (I.3.)

School election officers and University and School administrators –including but not limited to those represented on the Deans Council and Administrative Management Council, and officers of the University as described in the NYU Bylaws– should avoid any appearance of impropriety or conflict of interest during elections for Senators to serve on the Tenured/Tenure Track Faculty Senators Council. For this reason, it is preferable that members of School election committees, University and School administrators, or any other person charged with carrying out and/or monitoring elections should refrain altogether from publicly campaigning on behalf of any candidates vying for election to the Tenured/Tenure Track Faculty Senators Council. This includes, but is not limited to offering public statements on a candidate’s behalf; using any form of print or electronic media to circulate statements on a candidate’s behalf. Further, no member of School election committees may utilize, or provide candidates or persons advocating on behalf of candidates, exclusive access to faculty contact information.
Committee on Faculty Benefits and Housing
Report to the C-FSC meeting of February 4, 2021

Harry Chernoff, Chris Dickey, Michael Ferguson, Vittoria Flamini, Robin Mitnick

Vincent Renzi, chair

On December 1, 2020, I attended the regular quarterly meeting of the University’s Retirement Plan Investment Committee, together with the observers from the AMC and the T-FSC.

The next meeting is scheduled for March 10, 2021.
C-FSC Finance & Policy Planning Committee Report
Submitted January 29, 2021

The undersigned chair submits this report of the C-FSC Finance & Policy Planning Committee to update members of the C-FSC regarding the faculty salary equity and compression/inversion studies. Committee members are Chris Dickey, Leila Jahangiri, Noelle Molé Liston, Sylvia Maier, Marlene McCarty, and Jon Ritter.

At the meeting of the Senate Financial Affairs Committee (SFAC) on Nov. 17, 2020, there was a presentation by Vice Provost for Resource Planning Anthony Jiga on the studies. Since that date, members of the Committee have discussed the issues on several occasions via email and on Zoom. In general, your Committee members are quite disappointed in what we learned on Nov. 17.

The compression/inversion study was not presented. Instead, Mr. Jiga informed the SFAC that data is being presented to the deans first so that they can comment and determine how to evaluate the data. Purportedly, summary results will be presented to the SFAC in February.

The equity study was performed by a consulting firm under the supervision of outside counsel in an effort to ensure that the study will be protected by attorney/client privilege. To avoid breaching that privilege the university does not wish to provide the study, the data, or the methodology to the SFAC. Apparently, however, data has been shared with school deans to make any necessary corrections although Mr. Jiga assured the SFAC that there was no systemic disparity in salaries.

Your Committee has been discussing what our response should be to the lack of information provided. We will probably meet on Feb. 4 in advance of the C-FSC meeting and can provide an oral update on our discussions.

Maria Patterson, Chair
Faculty Grievance Committee Report
January 31, 2021

On 5/11/2020, the C-FSC Council sent the approved “Resolution to Amend, Replace, and Clarify the Grievance Procedures Pertaining to Full-Time Continuing Contract Faculty Outlined in the Faculty Handbook” to Provost Fleming. (Provost Fleming responded on 7/17/2020 that her office would respond in the fall of 2020.)

We realize that Covid has put a hold on less important matters, but we would like to ask the Steering Committee to make gentle inquiries about the status of our council’s resolution.

Respectfully submitted,

Heidi White, Chair

Members: Lauren Davis, Leila Jahangiri, Mary Killilea, Jung Kim, Maria Patterson, Gioia Stevens, Chyng Sun, Andrew Williams
Personnel Policies and Contract Issues Committee Report
January 31, 2021

Before the winter break, our committee met with the T-FSC “Personnel Policies & Tenure Modifications” committee to share our respective Global Public Health (GPH) Reappointment & Promotion Policy Recommendations. We have added their recommendations to our own set, and the GPH Recommendations are now available to the council. We ask for your approval.

(The T-FSC Council will hopefully approve this final set, so that we may send a joint set of our recommendations to the Provost.)

We expect to receive the following Reappointment & Promotion Policies for our review this semester:

• Libraries C faculty policy  
• Steinhardt C faculty policy

Respectfully submitted,

Heidi White, Chair

Members: David Barnes, Olivia Birdsall, Cora de Leon, Steve Iams, Edward Kleinert, Silvia Spivakovsky, and Gioia Stevens