MINUTES OF THE C-FACULTY SENATORS COUNCIL RETREAT MEETING OF MAY 24, 2022

The New York University Continuing Contract Faculty Senators Council (C-FSC) met at 2:00 PM on Tuesday, May 24, 2022 in the Global Center for Academic & Spiritual Life at 238 Thompson Street, 5th Floor Grand Hall.

In attendance were Senators Dickey, Abel-Bey, Brar, Chalas, de Leon, Fraser, Hamlin, Illingworth, Jahangiri, Latimer, Liston, Maier, Maynor, Mitnick, Nielsen, Patterson, Renzi, Spivakovsky, White, Youngerman; and Alternates Bridges, Diamant, Faber, Ferguson, Gandolfini, Keating, Owens, Sahin, Helfrich, Keenan, and Menghraj, and Tang.

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 May 3, 2022 meeting were approved unanimously.

REPORT FROM THE CHAIR: ETHAN YOUNGERMAN

See attached Document A.

Meeting regarding Resolution on Proposed Safeguards for OEO Investigations

Chair Youngerman reported on the meeting with C-FSC Steering Committee, T-FSC Executive Committee, Office of Equal Opportunity, Provost’s Office, and President’s Office regarding the C-FSC resolution on Proposed Safeguards for the Office of Equal Opportunity’s Current Method of Investigating Alleged Violations of the University’s Non-Discrimination Policy.

A Senator inquired on the response to the C-FSC’s recommendations regarding representation by an attorney or advocate and written statements from the University concerning the allegations, evidence, etc. Youngerman responded the OEO expressed a commitment to improving notification and clarity of the explanations process. In response to a question regarding potential appeals, Youngerman noted the Steering Committee voiced their concerns on school-based processes. Kris Day volunteered to work with the C-FSC on clarifying the school process.

Promotion-Based Raises

Youngerman noted the Provost’s Office framed this as a problem beyond the C-Faculty and their focus is on meaningful raises attached to promotion.

A Senator suggested working with the next Provost to survey all the schools on their practices regarding promotion and raises.

The Edward Kleinert Service Award

Youngerman reported the Steering Committee recommends establishing The Edward Kleinert Service Award. and adding the following text to the C-FSC Bylaws Best Practices:
The Edward Kleinert Service Award honors the memory of a true leader in the CFSC. Ed, a Clinical Associate Professor in SPS, was a representative on the CFSC from 2017 until the time of his passing in Spring, 2022. A steadfast advocate for the dignity of continuing faculty, Ed was a leader not only through his active engagement on various committees, but through his supportive demeanor within the CFSC itself. Ed believed in our ability to make NYU a better place: better for our students and our faculty – and he mentored, encouraged, supported, and gently pushed so many others toward the same goal. The Edward Kleinert Service Award honors continuing faculty who embody Ed’s particular legacy of committed, optimistic service. Nominations can be sent to the Steering Committee in advance of the final meeting of the year and the Steering Committee will typically announce the honoree at that last meeting.

Youngerman announced the Steering Committee awards the first Edward Kleinert Service Award to Senator Leila Jahangiri. The Council thanked Senator Jahangiri for her service on the Council and Steering Committee.

**Upcoming Meetings for Next Year**

Youngerman noted the meeting dates for the Council and University Senate meetings are listed in the Chair’s Report. *See attached Document A.*

The Chair’s Report was accepted into the minutes.

**PRESENTATION, DISCUSSION, AND VOTE**

**NYU Libraries Continuing Contract Faculty Guidelines for Appointment, Evaluation, Reappointment, and Promotion**

*See attached Document B.*

Personnel Policies & Contract Issues Committee Chair White reported on the recommendations regarding the Libraries Guidelines. These recommendations were presented at the May 3 Council meeting.

The recommendations were approved by vote of the Council.

**NYU Stern Continuing Contract Faculty Guidelines for Appointment, Evaluation, Reappointment, and Promotion**

*See attached Document C.*

White reported on the recommendations regarding the Stern policy. These recommendations were also presented at the May 3 Council meeting.

Senators from Stern stated they had additional comments and concerns. The Senator recommended adding language to the policy to clarify that full-time continuing contract faculty members shall participate in formulating, and/or amending the school policy and shall have the opportunity to vote.

Senators discussed adding this language to the recommendations.

Committee Chair White will meet with Stern Senators over the summer to discuss their suggested recommendations. The recommendations will be presented for Council vote at the September meeting.

**COMMITTEE REPORTS**

*See attached Document D.*

**No Discussion/Questions on the following submitted reports:**
STEERING COMMITTEE CALL FOR NOMINATIONS

See attached Document E.

Chair Youngerman called for nominations to the 7-member Steering Committee for 2022-2023.

The following candidates were nominated and accepted the nomination: Gay Abel-Bey of the Tisch School of the Arts, Beth Latimer of Rory Meyers College of Nursing, Noelle Molé Liston of Faculty of Arts and Science, Sylvia Maier of the School of Professional Studies, Robin Mitnick of the Grossman School of Medicine, and Ethan Youngerman Faculty of Arts and Science.

Scott Taitel of the Wagner Graduate School of Public Service was nominated and will be contacted to inquiry if he accepts the nomination.

Maria Patterson of the Stern School and Vincent Renzi of the Faculty of Arts and Science were nominated and declined.

If Senator Taitel accepts the nomination, the Council approved the following 7-member Steering Committee for 2022-2023: Gay Abel-Bey, Beth Latimer, Noelle Molé Liston, Sylvia Maier, Robin Mitnick, Scott Taitel, and Ethan Youngerman Faculty of Arts and Science.

ADJOURNMENT

The meeting adjourned at 4:30 PM.
Steering Committee meeting with Provost’s Office (5/4).

1) Global. We had requested updates on the medium-term vision of Global from Linda Mills. Tellingly, much of the update was still very much in the short-term:
   - Shanghai contingency planning includes: working with sophomores and first-years who are signing up for NYU-SH classes but will be accommodated wherever they’re able to be come fall.
   - Study away – the student interest is back (20% increase). They continue to look for ways to make pathways, as there continues to be a sizable gap between the %s of students who come in saying they want to study away vs. the % that actually do.
   - Summer courses/programs are not only going to be school-based anymore. They’ve been working with Deans to break down those silos.
   - Short term travel program will begin again, particularly for visiting sites (e.g. to meet with faculty).
   - Global Opportunity Grant – 25k for putting on conferences, events, etc.

2) Albert. In response to Albert concerns raised initially by Tandon faculty, the Registrar’s Office and Enrollment Management worked together to categorize the concerns and begin to address them. Some of the concerns can be addressed with better training of users. Some can’t be addressed because it’s actually an Oracle problem rather than an Albert one (e.g. the terribleness of the time zone inflexibility just isn’t changeable). And they are committed not only to addressing the issues that are changeable which we’ve brought to them, but also to create better systems for getting feedback and creating knowledge bases (e.g. they’re creating documentation structures and user groups). This is, I believe, exactly the kind of faculty-administration collaboration that the CFSC really excels at (thank you, Agnes!). If you’re interested in getting into the weeds of the specific concerns and their responses, this is the presentation from Beth Kienle-Granzo and MJ Knoll-Finn.

3) Promotion-Based Raises. This is not going to happen at a University level this year, but they continue to be committed to working on it for the near future. In fact, the Provost’s Office framed this as a problem beyond just C-Faculty. The language they’re aiming for is “meaningful raises” attached to promotion. That said, they did look into the issue of promotion without any raise and, by their lights, this does not occur. They found instances where a promotion and a raise didn’t go into effect at the same time (for instance, a title change effectively immediately while someone is in the last year of a contract) but the promoted faculty did, quite soon, get their promotion-based raise; and they found instances where a school didn’t start promotion-based raises during the Covid-related financial crisis, but had since put those raises into effect and had clearly communicated plans to make those affected faculty “whole” (e.g. for the 1-2 years that
the faculty should have had already been receiving their new/higher salary). Kris Day noted that they had not done this salary/promotion study in the medical schools; Leila pushed hard for them to look into this, as we had heard specifically from medical school colleagues about the negative effects of the non-incentive on putting together promotion packets. Kris Day will continue to work on the medical schools version of this issue, though it’s less straightforward for the Provost’s office to undertake that review since the finances/records are not centralized in the same ways.

4) Professional Development/Research Funds. At our request, the Provost’s Office initiated a review through the UFAC (University Faculty Affairs Council) of how individual schools handle such funds. It was noted that some of the policies around such funds, including what is and isn’t reimbursable, are related to IRS regulations; for instance, reimbursements on expenses the IRS deems not work-related are taxable income. There appears to be significant variation amongst schools around such funds. Here is the Provost Office report, summarizing the findings of this year-long survey/fact-finding effort. My hope is that this can provide context for Senators to have discussions within their individual schools about what would be best for your particular colleagues.

5) Overages. The Provost’s Office is still in the early stages of looking into this large and complicated concern.

6) Well Wishes. The CFSC Steering Committee congratulated Provost Fleming on her new position at the Getty Institute and wished her well there. We thanked her for the collaboration not just with her but with her entire office which she has fostered. The Provost graciously noted that individual policy disagreements can be moved past if there’s a continued effort at collaboration.

Graduation at Yankee Stadium (5/18). I was pleased to represent the CFSC at both the Class of ‘22 and Class of ‘20&’21’s ceremonies. Maria Patterson was also there to cheer on our new and recent graduates. The second game of the double-header admittedly drew a smaller crowd, but there were still many thousands of students and families there; it was a lovely way to honor the particularly difficult, Covid-influenced experience all those recent graduates had at NYU.

Initial Meeting between the CFSC Steering Committee, TFSC Executive Committee, Office of Equal Opportunity, Provost’s Office, and President’s Office on revisions to the procedures of and faculty experience with OEO. (5/20).

Mary Signor and her office, as well as the President’s Office, and the TFSC EC, were sent the CFSC resolution on proposed safeguards for OEO investigations, passed at our previous meeting; the resolutions were graciously accepted as the basis for the meeting but were not framed as the sole content of the meeting. In attendance were Mary and Shekera Turi from OEO; Tracey Gardner from the President’s Office; Kris Day and Gigi Dopico from the Provost’s Office; Will Miller and Matthew Varughese from the Office of General Counsel; David Irving
and Marilyn Nonken from the TFSC; and Noelle Mole, Scott Illingworth, Agnes Tourin, and Ethan Youngerman from the CFSC.

OEO folx were grateful for our resolution/feedback, and are already committed to improving notification processes for when there is a complaint – both in terms of what the accusation is and what part of the policy is determined to have been violated according to their investigation. There will be more details on those communication “improvements” as they iron them out over the summer. They were also on board with improving the clarity of the process explanations on the website, and they’re working on a kind of process document over the summer as well. The resolution’s first ask, regarding the right to an advocate, appears to be more thorny – they didn’t rule anything out, but OEO folx weren’t yet ready to fully talk about this issue. More to come.

For their part, OEO expressed a desire to maintain their processes as administrative not legal, and a principle of equity for all parties involved. This equity issue may be one of the sticking points for the advocate ask.

I noted that in addition to our resolution, the council had discussed a concern surrounding academic freedom. OEO clarified that classroom conduct in so far as it is curricular will never be looked at by OEO, but will instead by referred to the school. [Chair’s note: We got some clarification around this, but will need to get further clarity around how this is and isn’t handled.] The basic distinction seemed to be that anything which was part of the “content” of the course was not something the OEO would intervene in, but all agreed that that line gets tricky to clarify.

The CFSC raised concerns around the investigation process, which, as it currently stands, is different for colleagues depending on if they are in a union or not. This concern was largely responded to in terms of policy, which it was maintained is the same for everyone (e.g. harassment is harassment).

The CFSC also raised concerns around classroom activity and service. We noted that faculty do many things which are, strictly speaking, not required for our job and yet those very actions, by nature of being outside the classroom and more interpersonal with students, may render faculty more vulnerable to accusations.

The Provost’s office wondered if there had been any Covid-era issues that prompted our concerns, in addition to the individual “cases” (which we did not talk about in particular). The chair noted that while we received multiple request from faculty surrounding covid/remote-teaching requests, that this conversation/project in our minds was not primarily related to health-based situations.
The CFSC also voiced concerns around school based processes after the OEO has finished its work, even though we acknowledged that that is outside the purview of the OEO. Kris Day volunteered to work with the chair/CFSC on this aspect.

The CFSC also voiced concerns around a single incident vs. a pattern. The OEO clarified that a faculty member could indeed be found in violation of policy for a single incident.

Continuing Conversation about Restrictive Legislation (see pp. 8-12 of Council Minutes document).

1. Upcoming Meetings for Next Year

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
   i. C-FSC Council Meetings
      Tuesday, September 13, 2022, 9:00-11:00 am
      Thursday, October 13, 2022, 9:00-11:00 am
      Thursday, November 10, 2022, 12:00-2:00 pm
      Tuesday, November 29, 2022, 12:00-2:00 pm (same week as University Senate)
      Thursday, January 26, 2023, 9:00-11:00 am
      Thursday, February 16, 2023, 9:00-11:00 am
      Tuesday, March 28, 2023, 12:00-2:00 pm (same week as University Senate)
      Tuesday, May 2, 2023, 12:00-2:00 pm

b. University Senate
   i. Senate Meetings
      Thursday, October 6, 2022, 9:00 a.m. to 11:00 a.m. ET
      Thursday, November 3, 2022, 9:00 a.m. to 11:00 a.m. ET
      Thursday, December 1, 2022, 9:00 a.m. to 11:00 a.m. ET
      Thursday, February 23, 2023, 9:00 a.m. to 11:00 a.m. ET
      Thursday, March 30, 2023, 9:00 a.m. to 11:00 a.m. ET
      Thursday, April 27, 2023, 9:00 a.m. to 11:00 a.m. ET
Continuing-Contract Faculty Council’s Recommendations

Approved May 3, 2022

Recommendations of the C-FSC in regard to:

NYU Libraries
Continuing Contract Faculty Guidelines for Appointment, Evaluation, Reappointment, and Promotion

BACKGROUND

On Oct. 25, 2021, Austin Booth, Dean, Division of Libraries, reported that the NYU Libraries Full-time Continuing Contract Faculty Guidelines for Appointment, Evaluation, Reappointment, and Promotion were adopted by majority vote of the Faculty on October 15, 2021 at a Libraries Faculty meeting. Dean Booth reported that these documents were drafted by members of a task force, which was charged by the NYU Library Faculty Council in 2019. Dean Booth added that multiple Full-time Continuing Contract Faculty were members of the task force and that the Guidelines were conveyed to the office of the Vice Provost multiple times in draft form for feedback.

According to Dean Booth, the documents were reviewed by the Libraries faculty in accordance with the existing Bylaws. In keeping with University protocol, which holds that only Tenure Track Faculty can vote to amend or revise policies that pertain to the process of tenure review, these two Guidelines documents were adopted by majority vote of the Libraries Faculty in the following manner:

- The 47 eligible Tenure Track Faculty in the Libraries voted accordingly:
  - 38 in favor, 5 opposed, 4 abstentions to adopt the Guidelines and Standards For Promotion and Tenure NYU Division of Libraries (a majority of 80 percent)
  - 42 in favor, 1 opposed, 4 abstentions voted to adopt the NYU Libraries Full-time Continuing Contract Faculty Guidelines for Appointment, Evaluation, Reappointment, and Promotion (a majority of 89 percent)

- The 4 eligible Full-Time Continuing Contract Faculty voted accordingly:
  - 4 in favor, 0 opposed, 0 abstentions to adopt the NYU Libraries Full-time Continuing Contract Faculty Guidelines for Appointment (a majority of 100 percent)
Dean Booth added the following: The Libraries did not previously have freestanding guidelines for Full-time Continuing Contract Faculty or Tenure and Tenure Track Faculty; instead, procedures were embedded within the Libraries existing Bylaws. Accordingly, the work of the task force implied revisions to the Bylaws. While the revised Bylaws are not to be sent to the Faculty Senate Councils, they were included. And although separate from the freestanding Guidelines, it is important to note that the entire 59 eligible members of the Faculty of the Libraries, which includes the rank of Library Associates, also voted 45 in favor, 8 opposed, 6 abstentions to adopt the current revisions to the Bylaws (a majority of 76 percent).

As part of the process of finalizing the Libraries Division Guidelines for its Clinical Faculty, NYU Provost Katherine E. Fleming invited the C-FSC to comment on the document called: “NYU Libraries Full-time Continuing Contract Faculty Guidelines for Appointment, Evaluation, Reappointment, and Promotion”:

At NYU, our strong tradition is for schools to develop policies that are ‘consistent with school culture and history.’ Within that tradition, the NYU Faculty Handbook (hereafter 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. 27, 2021).
Recommendation:

This document is an official contractual document; as such it should be called a “policy,” not a set of “guidelines.” The word “guidelines” throughout the document need to be replaced with the word “policy.”

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Date of faculty vote: October 15, 2021

Recommendation:

Although the number of continuing-contract faculty members is at present small, the numbers may increase in the future. We would like to note that The New York University Guidelines for Full-Time Continuing Contract Faculty (FTCCF), issued June 12, 2014, revised December 15, 2015, page 1, Section II., Formulation of School Policies, paragraph 2, sentence 1, states:

In response to these guidelines and as appropriate thereafter, schools shall formulate or amend their policies in accordance with existing school governance processes and with the expectation that FTCCF shall participate in formulating and/or amending the school policy to the extent and manner in which school governance policies permit.

We strongly recommend that any development of this policy follow the letter and the spirit contained in the above quote from the New York University Guidelines for Full-Time Continuing Contract Faculty, allowing the Continuing Contract faculty, acting according to the school’s governance structure (e.g., its Faculty Assembly or similar body, faculty meeting, etc.), an active, essential and meaningful role in formulating and approving any new policy, which policy must necessarily include the grievance/appeal process.
Recommendation:

We recommend that the Libraries’ Bylaws be updated to reflect the active, essential and meaningful role of the continuing-contract faculty members in forming and approving any new policy, a policy that must necessarily include the grievance/appeal process.

This update needs to be added to the Bylaws and to this Reappointment and Promotion Policy.

Recommendation:

We recommend the addition of the following language:

“Continuing-contract faculty members will be granted self-governance with regard to their own policy (including the grievance policy) going forward.”

Recommendation:

We recommend that the following language be explicitly stated:

“Mechanisms for timely distribution to the faculty, faculty discussion, as well as the ability for faculty to present amendments, make recommendations to and vote on the Policy in a regularly scheduled faculty meeting following procedures outlined in the school’s governance structure.”

NYU Libraries Continuing Contract Faculty Guidelines for Appointment, Evaluation, Reappointment, and Promotion

This guidelines document supplements NYU Libraries Bylaws and the NYU Faculty Handbook, including the “University Guidelines for Full-time, Continuing Contract Faculty Appointments, Grievance Procedures, and Disciplinary Regulations” section (cited hereafter as “Handbook”). If any part of this document is inconsistent with NYU policies, the NYU policies then in effect will control. As with all NYU and Division of Libraries policies, this document is subject to change, and the policies in effect at the time of an action will apply to that action.
Introduction

Librarians of Practice are full-time Continuing Contract faculty positions that provide coordination, continuity, and consistency in the teaching, learning, and research mission of NYU Libraries. The appointment, reappointment, and promotion of Continuing Contract faculty in the Libraries shall exemplify the University’s commitment to retain and nurture the best faculty in all disciplines.

The Division of Libraries is without a departmental organization. The term “department” as used in this document refers only to an operational unit of the Division of Libraries, which functions as a single academic department. In this configuration, the elected Appointment, Reappointment, and Promotion Committee (ARP) performs departmental functions that exist in other schools at NYU, and the ARP Chair, who is a tenured, elected member of the ARP, is tantamount to the Departmental Chair for those processes dictated by NYU.

All aspects of appointment, reappointment and promotion of Continuing Contract faculty fall under the purview of faculty governance and are to be carried out by Libraries Faculty, including the Dean and elected members of the ARP. See NYU Libraries Bylaws for more information. However, Libraries Human Resources (HR) facilitates certain logistical elements of these processes, including the generation of reminder emails to candidates regarding review deadlines, the generation and management of cases on the online review platform, and the inclusion of candidates’ Annual Performance Evaluations into candidates’ review materials.

These guidelines reinforce that the professional roles and responsibilities of academic faculty librarians differ widely from faculty in other academic disciplines. Faculty at the Division of Libraries do not generally teach credit-bearing courses, and their work responsibilities often diverge from traditional divisions of labor among faculty in higher education. Furthermore, contributions to knowledge and practice in librarianship may not take the form or extent as expected in other academic fields. These guidelines acknowledge such uniqueness and intend to inform the process of evaluating job performance and academic contributions in order to facilitate an effective appointment, reappointment, and promotion process for Continuing Contract Faculty at the Division of Libraries.

All dates in this document reflect University policy but may change if they fall on weekends. Annual dates will be reflected in all Continuing Contract faculty contracts and on the published, widely available calendar on the Libraries Wiki.

Statement of Academic Freedom

The New York University Faculty Handbook states, “Academic freedom is essential to the free search for truth and its free expression. Freedom in research is fundamental to the advancement of truth. Freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student in learning” (Title I.i). Academic Freedom is essential for librarians, in research and in work supporting teaching and learning in the University. In 2006, the American Library Association passed a resolution in support of academic freedom stating that academic freedom is “indispensable to librarians, because they are trustees of knowledge with the responsibility of ensuring the availability of
information and ideas, no matter how controversial, so that teachers may freely teach and students may freely learn” (ALA IR B.2.5). Continuing Contract faculty librarians at New York University must have the freedom to research, develop collections, and provide access to information without fear of censorship or professional repercussions. They hold each of the rights and obligations as stipulated in the New York University Faculty Handbook.

Appointment

Although Continuing Contract faculty appointments are without tenure, they are typically multi-year appointments. Continuing Contract faculty are ineligible for sabbaticals and the Goddard Junior Faculty Fellowship Program.

Initial Appointment Criteria

Continuing Contract appointments can encompass a wide range of the roles and expertise that comprise librarianship. The appointment processes for Continuing Contract faculty of each rank (Assistant Librarian of Practice, Associate Librarian of Practice, and Full Librarian of Practice) shall reflect the University’s overriding commitment to enhance academic excellence and to provide students and faculty with the best available experience. Thus, each Continuing Contract faculty appointment shall be evaluated in the light of the contribution it makes to the distinct excellence of the Libraries, and for its ability to enable the Libraries to support its Mission & Values.

Titles and Qualifications for Appointment

• Assistant Librarian of Practice - Master’s degree in library science from an ALA-accredited institution, or a recognized foreign equivalent formally evaluated in the U.S., or recognized equivalent master’s degree appropriate to the profession. Relevant work experience in an academic research library or similar environment.

• Associate Librarian of Practice - Master’s degree in library science from an ALA-accredited institution, or a recognized foreign equivalent formally evaluated in the U.S., or recognized equivalent master’s degree appropriate to the profession. At least six years of professional experience as an Assistant Librarian of Practice at NYU or as a librarian of comparable rank at an academic research library or another similar environment. Demonstrated contributions to the area of expertise. Contributions to the university at the Libraries-level or institution level. Active participation in appropriate professional and scholarly associations.

• Full Librarian of Practice - Master’s degree in library science from an ALA-accredited institution, or a recognized foreign equivalent formally evaluated in the U.S., or recognized equivalent master’s degree appropriate to the profession. A substantial, multi-faceted record of professional accomplishments while at NYU Libraries, an academic research library or another similar environment. Evidence of extraordinary contribution to the area of expertise and professional recognition for innovation in the field of expertise. Exceptional record of contributions to the university, at the Libraries-level or institution level. A distinguished record of involvement with
appropriate professional and scholarly associations. Appointees at the rank of Full Librarian of Practice must also possess the same qualifications as a person promoted to the rank.

**Recommendation:**

In order to gain promotion to Full Librarian of Practice (as noted above), additional support is necessary. The policy states that promotion requires the following:

Extraordinary contribution to the area of expertise and professional recognition for innovation in the field of expertise. Exceptional record of contributions to the university, at the Libraries-level or institution level. A distinguished record of involvement with appropriate professional and scholarly associations.

In order to ensure that all members of the contract faculty have opportunities for the above promotional requirements, we strongly recommend that the NYU Libraries offer a “fellowship” that can be used to expand or refresh the faculty member’s expertise, allow for innovation in the field of expertise, and develop new skills and/or competencies to the field of practice.

This Fellowship is intended to allow continuing-contract faculty to engage in projects that are time and/or resource intensive and that typically cannot be accomplished while carrying a full-time workweek. A “fellowship” model can be found at The Steinhardt School: https://steinhardt.nyu.edu/faculty-and-staff/faculty-affairs/continuing-contract-faculty-fellowship

**Areas of Responsibilities**

**Recommendation:**

Since Continuing Contract faculty members are exclusively non-tenured, add language describing the differences between tenured faculty expectations and non-tenured faculty expectations. This is important because in some schools Continuing Contract faculty primarily have teaching responsibilities and/or administrative responsibilities, while in other schools Continuing Contract faculty are expected to maintain an active scholarly, research, creative and/or professional life.

A model for additional language might be the following:

“Continuing-Contract Faculty lines are typically multiyear and differ from tenure lines with regard to performance, service, and research, including but not necessarily limited to:

- Heavy teaching or instructional loads
- Significant administrative duties”
The scope of Continuing Contract faculty positions include some, but not necessarily all of
the following, and need not be restricted to them:

- Librarianship and Job Responsibilities - The roles and core job responsibilities of
  professional academic librarians encompass many aspects of the university's teaching
  and research mission. Given the inherent operational and collaborative nature of
  librarianship, such job responsibilities can include reference, instruction, the design of
  physical and virtual spaces and discovery environments, the provision of
  programming, technological and systems development, and other endeavors to
  provide resources and information to enhance learning for the university community.

- Institutional and Professional Service - In many cases, Continuing Contract Faculty will
  participate in Division of Libraries committees and working groups and/or University-
  wide and profession-wide committees that are related to their job responsibilities.
  Continuing Contract Faculty are vital to the integrity of Libraries planning and
  governance. In many cases, it is also advantageous for Continuing Contract Faculty to
  serve on University-wide bodies whose work directly involves Libraries services and
  resources.

- Research - Although under no obligation to conduct research or engage in scholarly,
  creative, or artistic output, Continuing Contract Faculty are eligible to serve as
  Principal Investigators (PIs)/Project Directors (PDs) on proposals and awards for
  sponsored programs supporting training; pedagogical and curriculum development;
  basic, applied and experimental research; and public service and evaluation. See the
  Continuing Contract Faculty as Principal Investigators of Sponsored Projects and
  Programs.

- Administration and Management - Continuing Contract faculty may fill job roles with
  program-related administrative duties, including but not limited to implementation of
  technologies, management of spaces and work projects (if applicable), supervision and
  training of faculty, staff, and student workers, including formal reports, and program
  management.

Recommendation:

Include for consistency that for faculty whose responsibilities are primarily administrative,
greater weight will be given to performance in this area in reviews for reappointment or
promotion.

Appointment Process: General Terms of Appointment

In the Division of Libraries, Continuing Contract faculty appointments should afford the
possibility of extended employment, ongoing growth as a library professional, and job
security, which is appropriate and desirable. For Continuing Contract Faculty at all ranks, the initial appointment is normally three years. One-year and two-year appointments are exceptional and are not intended to address staffing for time-bound projects or work of a limited duration. If a Continuing Contract faculty is to be appointed on a one-year or two-year contract, the Dean shall provide a written rationale to the ARP, in keeping with the governance structure of the Libraries.

In all instances for Continuing Contract faculty, contracts specifying the terms and length of employment are issued by the Dean. For the purposes of reappointment and promotion timelines, Continuing Contract faculty contracts begin on September 1. If employment commences mid-year, the term of the appointment will be aligned to include the partial year and subsequent full academic year (i.e., the initial appointment length of a three year contract could theoretically be three years and eleven months).

According to the NYU Faculty Policies Applicable to all Full Time Continuing Contract Faculty, all appointment letters for Continuing Contract faculty include each of the following elements:

- Indication that it is a fixed term, to be signed by the parties to it, and filed with the Dean and University Office of Academic Appointments prior to commencement of employment
- Start and end dates of the appointment
- An enumeration of exact due dates for all aspects of the appointment and reappointment process
- Indication of whether the faculty member is eligible to be considered for reappointment upon conclusion of the current contract
- List of academic responsibilities, compensation, and obligations of the appointment
- Particular responsibilities and benefits
- Acknowledgement of agreement to be bound by applicable University policies
- Acknowledgement that current contract terminates at close of time stipulated, unless there is an official notice of renewal

**Appointment Process**

As part of the Annual Planning Report, each Department Manager (DM) forwards to the Dean a Faculty Staffing Plan with any requests for a Continuing Contract faculty position. The requests should include a justification that the need can best be met with a Continuing Contract faculty appointment as opposed to a tenured or tenure-track faculty member. Upon making a decision to pursue a Continuing Contract faculty hiring line, the Dean will communicate their decision-making process with the faculty.

Continuing Contract faculty are required to be involved in the search process in appointments for Continuing Contract faculty positions. The process for appointing faculty at the Division of Libraries is outlined in the Libraries’ Guidelines documents, and the role of the Appointment, Reappointment, and Promotion Committee (ARP) in faculty appointments of all ranks is described in the Division of Libraries Faculty Bylaws.
Reappointment

There is no limit to the number of terms that a Continuing Contract faculty member at any rank can be reappointed. Assistant Librarians of Practice are normally reappointed for three year terms. Associate Librarians of Practice and Full Librarians of Practice are normally reappointed for five year terms.

Recommendation:

Add the following language after each rank:

“Subsequent appointments shall be at the same length.”

Recommendation:

As an appointment of at least five years is the norm for Associate Librarian of Practice, provide an increase, e.g., six years, in term of appointment for Full Librarian of Practice; this is the case at certain schools (e.g., Clinical Full Professors at Gallatin: six years after first five-year contract, and Full Art Professors at Tisch: seven years at time of promotion).

If a Continuing Contract faculty is to be reappointed on a one-year or two-year contract, the Dean shall communicate formally the rationale to the ARP, in keeping with the governance structure of the Libraries. In no case will a series of one or two year contracts exceed three total years. Appointments automatically terminate at the close of the period of time stipulated in the contract, unless there is an official notice of renewal.

Reappointment Criteria

Reappointment of Continuing Contract faculty is based on a record of excellent overall performance as library professionals. Reappointment criteria for each rank are described in the Continuing Contract faculty Titles and Qualifications section. The primary academic criteria that forms the basis of all elements of Continuing Contract faculty reviews, whether Short-Term Reviews, Formal Reviews, Annual Performance Evaluations, and applications for promotion, are as follows:

- **Job Performance:** Excellence as a librarian, which is evidenced by the continuing ability to perform core job duties at the highest professional level, particularly in areas of instruction, reference, programming, design of spaces, collections building and maintenance, and other avenues that contribute to the educational and research
mission of the university.

- **Service to the Libraries, the University, and the Profession**: Effectiveness of service, which is evidenced by engagement with committees and communities of practice at the local or national level, participation in institutional governance, or the provision of workshops, learning, writing, and other contributions that enrich the broad educational and research mission of the Libraries and librarianship as a profession.

Reappointment is subject to the academic and curricular needs of Division of Libraries and the University; thus, even in cases in which a candidate satisfies the appropriate standards of achievement and is reviewed favorably for reappointment, the decision to reappoint may be impacted by structural changes and improvements in academic programs and strategic priorities for Libraries services. Curricular or structural changes do not automatically warrant a denial of reappointment. Instead, non-reappointments should have a rational basis and should include a process for determining whether the Continuing Contract faculty can or cannot serve under a changed structure.

For all Continuing Contract faculty contracts, eligibility to be considered for reappointment does not guarantee reappointment. In such cases, the basis for non-reappointment will be clearly stated in the notice given to the faculty member by the Dean of Libraries.

Upon three years of consecutive employment under Continuing Contract faculty contracts, Librarians of Practice are subject to a Formal Review process conducted by a Panel, assembled from members of the Appointment, Reappointment and Promotion Committee (ARP). This Formal Review is equivalent to the third-year review referenced in the NYU Faculty Handbook. Upon successful completion of the Formal Review, the Continuing Contract faculty under consideration will be offered a multi-year contract. Assistant Librarians of Practice are normally reappointed for at least three years. Associate and Full Librarians of Practice are normally reappointed for at least five years.

**Reappointment Process**

The Dean’s decision to reappoint is informed by either a Formal Review or Short-term Review by a Panel assembled from the Appointment and Reappointment Committee (ARP). Members of the Panel are tenured, or are Continuing Contract faculty. Upon receiving notification of all Continuing Contract faculty to be considered in a review cycle, the ARP will self-organize into smaller groups, called Panels, which review each case. All review Panels must consist of three to five full-time faculty of equal or higher rank than the candidate under review, with at least one Continuing Contract faculty member.

**Recommendation:**

The number of contract faculty may increase in the future. For this reason, add the following language:

“When possible, the Appointment and Reappointment Committee shall include a majority of
elected Continuing Contract Faculty.

The Panel shall not include any Continuing Contract faculty who are themselves under review for reappointment that year. This contingency may necessitate the composition of a panel that does not include a Continuing Contract faculty member because one is not available to serve in this capacity. In such instances, the Dean will assemble the Panel by selecting a Tenure and Tenure Track Faculty member of the ARP. All Review deliberations must take place within a single academic year cycle to ensure continuity among ARP membership.

**Recommendation:**

Insert the sections pasted below from the Libraries Bylaws. This crucial information that describes the composition, organization, eligibility, and election of chair of the Appointment, Reappointment, and Promotion Committee belongs within the Reappointment and Promotion Policy and must be stated explicitly.

The inclusion of the information below is the norm for all NYU-approved Contract Faculty Reappointment and Promotion Policies.

**Appointment, Reappointment, and Promotion Committee (ARP)**

The Division of Libraries shall have a Committee on Appointment, Reappointment, and Promotion (ARP), which shall be elected annually by the Faculty of the Division of Libraries. Members are elected for a one-year term. The election must be held in the first week of the Fall semester. Prior to the election, the Nominating Committee will remove all members of the faculty who are scheduled for sabbatical, Goddard research leave, or other leave.

**ARP Composition**

The Committee shall consist of a minimum of thirteen and no more than twenty-four elected members. The Committee must include at least eight tenured faculty members. The tenured faculty members shall consist of equal numbers of Curators and Associate Curators when possible. The remaining Committee shall consist of at least one and up to four representatives from the Assistant Curator rank, at least one and up to three representatives from the Library Associate rank; and at least one and up to three representatives from each of the Full-Time Continuing Contract Faculty rank (Assistant Librarian of Practice, Associate Librarian of Practice, and Full Librarian of Practice) when possible. Each ARP member is elected to serve one year.
**ARP Organization for Reviews**

The Committee will be composed of panels, which operate on behalf of the Committee as a whole. Each panel normally consists of at least three and no more than seven members. Composition of the panels must meet the rank criteria (i.e., members of promotion panels outrank the candidate, and members of reappointment panels are to be of rank at least equal to that of the candidate under consideration). Panel members reviewing Continuing Contract Faculty applications for promotion must be Associate or Full Librarian of Practice or Associate Curator or Curator. Panel members considering Third-Year Review cases must be tenured members of the Committee. Panels shall advise the Dean on reappointments, promotions, and recommendations on the conferral of tenure.

**Panel Eligibility**

Any Committee member who is a spouse or partner to or closely associated with the candidate (e.g., thesis advisor, co-author, supervisors, reports), as enumerated in the NYU Faculty Handbook, should recuse themselves from the candidate's review Panel. Library Associates are not eligible to serve on any reappointment and promotion review Panel, but may serve on Appointment Search Committees.

**ARP Chair for Reviews**

The tenured members of the Committee shall select a chair who is tenured. The Chair shall forward to the Dean the completed review dockets for each candidate under review. Each docket includes a report that outlines the Panel’s membership, process, recommendation, rationale for recommendation, and vote results.

**ARP Contingency**

If there is not the requisite number of members on the ARP to facilitate a review appropriate to the rank under consideration, then the Dean will assemble a panel of faculty of appropriate rank. In some cases these faculty may be drawn from other schools.

Formal Review occurs in the penultimate year of a multi-year contract or during the third year of consecutive one-year or two-year contracts. Short-term Reviews are reserved for those exceptional cases in which a Continuing Contract faculty has been appointed to successive one-year or two-year contracts.

In the event of non-reappointment, the Dean’s letter must clearly articulate the basis and the degree to which the position held by the Continuing Contract faculty member under consideration is impacted by the concomitant changes in Libraries programming or services. Following a review, if the decision is not to offer a reappointment, faculty on multi-year contracts will be notified of the decision no later than August 31st of the penultimate year of their contract. Faculty on one-year or two-year contracts will be notified no later than March 1st of the final year of the contract. Should either the Formal or Short-term Review process lead to a decision to not reappoint, Continuing Contract faculty will serve
the remainder of their existing contract.

**Recommendation:**

Add language similar to the following:

“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.”

**Reappointment Process: Formal Review**

When a Continuing Contract faculty is being reviewed formally to be considered for reappointment, they should submit a packet to the ARP on or before September 30th. The review materials should normally include the following elements:

- Reappointment Letter reflecting deliberations of most recent Formal Review (provided by Human Resources)
- The most recent two supervisor evaluations (Performance Evaluations) completed and currently on file with Human Resources (provided by Human Resources)
- A current curriculum vitae
- List of committee and other activities with roles played on each group, including committee chair’s name, etc. (provided by candidate in c.v.)
- A personal statement, optional for Formal Reviews but required for Formal Reviews that are also applications for promotion. Personal statements should outline accomplishments in current role and a narrative of professional growth
- Additional documents to support renewal and or promotion as evidence of contributions to the profession.

In addition, candidates may also opt to include in their review materials copies of scholarly, creative or artistic work; though scholarly, creative or artistic work is not required for reappointment at any rank, for promotion to Associate Librarian of Practice, or from Associate Librarian of Practice to Full Librarian of Practice.

The University recognizes that COVID-19 may have had an adverse impact on faculty members’ teaching and research performance. To ensure that the review for reappointment and promotion reflects the impact of COVID-19, faculty have the option to include a COVID-19 impact statement in their reappointment and/or promotion dossier. The impact statement should include a short description of the impact COVID-19 had on their performance of their duties, including teaching (and research and creative work, where relevant). The impact statement should be incorporated into the statements on teaching (and research and creative work, where relevant). Note that any external evaluators
contacted by the department or the Dean’s office will receive the statements of teaching and research as part of the materials to be reviewed. The information provided in this COVID-19 impact statement will not negatively affect the review. At a minimum, the information will be treated neutrally and at a maximum, it may positively impact the review.

The review materials will be augmented by the following:

- Peer assessments of job effectiveness (at least three letters solicited from NYU Libraries colleagues by the Appointment, Reappointment and Promotion Panel at its discretion). In soliciting letters, the Panel seeks perspectives from colleagues at NYU Libraries who have taken a leadership role on projects, working groups, or other endeavors in which the candidate has been involved. Such letters are meant to augment the candidate’s application and speak to the effectiveness of job performance. The ARP Panel should seek to mitigate against conflicts of interest when soliciting letters. Candidates have the right to specify the names of individuals they do not want to be solicited for letter and provide a rationale. However, the Panel is not beholden to these requests.

The ARP Panel evaluating each case will consider all work activity, as listed above, since the candidate’s last Formal Review, including materials from the final year of the previous contract.

**Recommendation:**

Specify that a majority vote of the Reappointment Committee and the Promotion Committee shall be required for a successful review for a recommendation for reappointment or promotion.

**Recommendation:**

We strongly recommend the inclusion of the following language:

“All votes of both Committees shall be by secret ballot.”

The ARP Panel should prepare a report of their evaluation and recommendation, which has been read, approved, and signed by all Panel members before it is submitted to the Dean. The report should represent a collective judgment of the Panel or, in the case of a divided opinion, a majority of the Panel. If there is any concern that a Continuing Contract faculty member at any rank is not fulfilling the requirements of the position, these concerns should be clearly outlined in the report submitted to the Dean. If there is a division of views, the dissenting opinion should be appended to the majority review. Formal Reviews reports are to be submitted by the ARP to the Dean by March 1.

**Recommendation:**

The process for choosing a chair should be included in this paragraph.
“The ARP Committee should choose its own chair, who then coordinates the creation of the committee’s report and recommendation for reappointment, which is then submitted to the Dean.”

Again, include this crucial information from the Libraries Bylaws within the Reappointment and Promotion Policy.

Recommendation:

The duties of the chair should be included in this paragraph, as well as the process of evaluating the review material. The process of the creation of the committee’s report should be explicitly stated with language similar to the following (from the FAS Website, “Recruitment of New Faculty, Section 1.7, Clinical Assistant Professor, Clinical Associate Professor, Clinical Professors, Overview,” http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html):

“The committee will prepare a written review for the Dean evaluating and summarizing the evidence of accomplishment, noting areas that require improvement, and making a recommendation regarding reappointment, and promotion and contract length (when applicable).”

Recommendation:

Add the following as a new paragraph (adapted from the FAS website, “PROCEDURES for Reappointment and/or Promotion” for clinical faculty: http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html):

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

The Dean, taking into account the ARP report alongside the curricular and programmatic needs of the Libraries, will reach a reappointment decision and will notify the Continuing Contract faculty member being considered for reappointment in writing of a decision by March 1 for Continuing Contract faculty currently on one-year or two-year contracts, or August 31 of the penultimate year for Continuing Contract faculty members on multi-year contracts. The letter should distill elements of the ARP’s report to give feedback to the faculty, as per the Faculty Handbook.

Recommendation:

Add explicit information:
“The Dean will provide the faculty member with a written summary that includes suggestions for professional development and a recommendation regarding appointment, and will meet with the candidate to discuss the committee’s evaluation, as well as his or her own assessment and continuing programmatic need for the appointment.

Reappointment Process: Short-Term Review

Continuing Contract faculty on one-year and two-year contracts are considered for reappointment through a Short-Term Review. No Continuing Contract faculty can be reappointed without a performance assessment, yet the compressed timeline of a one-year or two-year contract renders the process of review appropriate for Continuing Contract faculty on multi-year contracts inapt. Thus, Short-term Review is a truncated process. By January 31 in the final year of a Continuing Contract faculty’s expiring contract, their Supervisor should compose a written assessment that synthesizes the faculty’s job performance in terms of the academic criteria stipulated in the appointment section of this document. The assessment should include a recommendation on the reappointment decision to the Dean of Libraries. Continuing Contract faculty will have (in some cases) held their role for less than four months, yet the Short-term Review asks a Supervisor to proffer evidence of effectiveness in job performance and professional contributions. Supervisors should contextualize this dearth of time in their report and make every effort to situate the contributions of the Continuing Contract faculty accordingly when drafting the assessment and making a recommendation on reappointment. If a Continuing Contract faculty is undergoing a Short-Term review for the first time, there will be no completed Annual Performance Evaluation included in the file.

Upon receiving the Supervisor’s assessment, the ARP will review it and convey a reaction to the Dean. The Dean will communicate their decision about reappointment and the terms of reappointment to the Supervisor who will in turn have 10 business days to respond in writing to the Dean. The Dean, taking into account the Supervisor’s assessment, the ARP’s review, and the curricular and programmatic needs of the Libraries, will reach an appointment decision and will notify the Continuing Contract faculty member being considered for reappointment in writing of a decision by March 1.

Promotion

Promotion Criteria

In addition to the qualifications set forth in the Appointments section of this document, candidates must have been in their current rank for a minimum of three years and had at least one prior reappointment at the current rank to be eligible for promotion in rank. Beyond the consideration of core job responsibilities, service activities, professional engagement, recommendations regarding promotion also may be based on a candidate’s scholarly, creative and artistic output, achievements, growth, and overall evidence of contribution to the evolving mission of the Division of Libraries.
Recommendation:

Again, given that promotion is based upon “scholarly, creative and artistic output, achievements, growth, and overall evidence of contribution,” we recommend that all members of the contract faculty have opportunities to fulfill the above promotional requirements. We strongly recommend that the NYU Libraries offer a “fellowship” that can be used to expand or refresh the faculty member’s expertise, allow for innovation in the field of expertise, and develop new skills and/or competencies to the field of practice.

This Fellowship is intended to allow continuing-contract faculty to engage in projects that are time and/or resource intensive and that typically cannot be accomplished while carrying a full-time workweek. A “fellowship” model can be found at The Steinhardt School: https://steinhardt.nyu.edu/faculty-and-staff/faculty-affairs/continuing-contract-faculty-fellowship

Promotion Process

There is no timeframe that compels Continuing Contract faculty to apply for promotion in rank. Continuing Contract faculty may apply for promotion at their discretion during their second Formal Review in rank and any year after. When Continuing Contract faculty applications for promotion sync with required Formal Reviews Libraries Human Resources (HR) will communicate in writing to Continuing Contract faculty a reminder of upcoming Formal Review by February 15. Candidates who meet the established criteria and who also wish to apply for promotion must inform Libraries HR and the Dean in writing by March 1. Continuing Contract Faculty who are not due to be reviewed formally but still wish to apply for promotion must notify Libraries HR in writing by March 1 in advance of the upcoming academic year review cycle.

Continuing Contract Faculty applications for promotion encompass all of the materials and elements listed as requirements for a Formal Review and a candidate statement that outlines a narrative of career growth and accomplishments. Applications for promotion will weigh the candidate statement against the criteria for rank in this document, and reports are expected to comment specifically on the warrant for the candidate to be promoted.

Promotion applications are reviewed by the same ARP Panel created for Formal Reviews with the following exceptions: in the case of promotion to Associate Librarian of Practice, Assistant Librarians of Practice are not eligible to serve; and in the case of promotion to Full Librarian of Practice, Assistant or Associate Librarians of Practice are not eligible to serve. Either of these contingencies may necessitate the composition of a Panel that does not include a Continuing Contract faculty member because one is not available to serve in this capacity.

Recommendation:
Add language similar to the following:

“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.”

**Recommendation:**

Specify that a majority vote of the Reappointment Committee and the Promotion Committee shall be required for a successful review for a recommendation for reappointment or promotion.

**Recommendation:**

Include the following language:

“All votes of both Committees shall be by secret ballot.”

**Recommendation:**

Add the following explicit information:

“The Committee should choose its own chair, who then coordinates the creation of the committee’s report and recommendation for reappointment, which is then submitted to the Dean.”

Include specific language from the Libraries Bylaws.

**Recommendation:**

The duties of the chair should be included in this paragraph, as well as the process of evaluating the review material. The process of the creation of the committee’s report should be explicitly stated with language similar to the following (from the FAS Website, “Recruitment of New Faculty, Section 1.7, Clinical Assistant Professor, Clinical Associate Professor, Clinical Professors, Overview,” http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html):

“The committee will prepare a written review for the Dean evaluating and summarizing the evidence of accomplishment, noting areas that require improvement, and making a recommendation regarding promotion and contract length (when applicable).”

The ARP Panel will present the Dean with a summary of the review, prepared by the chair
of the ARP Panel. The Dean, taking into account the ARP report, will reach a decision on promotion and will notify the Continuing Contract faculty member being considered for promotion in writing. The letter should distill elements of the ARP’s report in keeping with the University’s desire for schools to give regular, written feedback to Continuing Contract Faculty. In the event of non-promotion, the Dean’s notification letter must clearly articulate the basis. The letter, which is a synthesis of the ARP Panel report, should redact names but convey the essence of the ARP’s deliberations. The goal for feedback is to enrich the growth and development of Librarians of Practice.

**Recommendation:**

Add detailed information:

“The Dean will provide the faculty member with a written summary that includes suggestions for professional development and a recommendation regarding promotion, and will meet with the candidate to discuss the committee’s evaluation, as well as his or her own assessment.

**Recommendation:**

Add specific language:

“In the event that the Dean follows the recommendation of the committee for promotion, the summary letter to the faculty member with notification of intent for promotion should include the length of appointment, and a signature block for the faculty member.”

**Recommendation:**

Add the following as a new paragraph (adapted from the FAS website, “PROCEDURES for Reappointment and/or Promotion” for clinical faculty: http://as.nyu.edu/object/aboutas.pp.assocdean.recuiment.html):

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

In the event that a Continuing Contract faculty applies for and is granted promotion amidst a multi-year contract, the associated changes in rank and salary will take effect on the next September 1; however, the duration of the contract itself will remain intact.

**Annual Performance Evaluation**
All Continuing Contract faculty complete an Annual Performance Evaluation. The criteria for the Annual Performance Evaluation are core job performance, particularly in areas memorialized in the letter of appointment, contributions and service within the Library and its community of patrons, and relevant administrative or supervisory performance, when applicable. The process, documents, and timelines for Annual Performance Evaluations are posted to the Division of Libraries Wiki. The Annual Performance Evaluation is used to determine annual merit increases. The amount of the increase will be determined by the pool set by the University. Any merit increase awarded will begin on September 1st.

**Pausing the Contract Duration**

**Recommendation:**

Stopping the contract clock should be made clear in the policy. Specify the grounds for and process of stopping 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…”

Upon request, the timing of a Formal Review may be delayed by stopping the contract clock for reasonable cause that has been approved by the Dean. In such cases, it is incumbent on Libraries Human Resources to provide the Continuing Contract faculty member with an amended contract that reflects the agreed-upon contract pause and new terms of duration.

**Governance**

Full faculty meeting attendance and voting rights can be found under University Bylaw 82 (c). The Division of Libraries’ practice is to hold joint full faculty meetings, inclusive of Continuing Contract faculty, Tenured and Tenure Track faculty, and faculty at the rank of Library Associate. Continuing Contract Faculty are eligible to participate and vote in Libraries faculty meetings and participate in matters of faculty governance, with the exclusion of matters related to promotion and tenure and the election of the Libraries’ T-FSC Senator. Continuing Contract faculty are expected to serve on elected and appointed committees.

**Faculty Grievances**
All grievance procedures for Continuing Contract faculty conform to those described in the NYU Faculty Handbook. The Division of Libraries Grievance Committee is composed of members elected by the Division of Libraries. The membership shall include one Continuing Contract faculty member, who shall participate in hearing and evaluating only those grievances that are filed by Continuing Contract faculty.

**Recommendation:**

Add the section below from Libraries Bylaws. This information belongs in the Reappointment and Promotion policy and must be stated explicitly in the policy.

“The [Grievance] Committee shall consist of five elected members: three faculty with tenure, at least one Continuing Contract faculty, and one alternate faculty member who is either Tenured and Tenure Track or Continuing Contract Faculty. Each shall serve a three-year term, with one retiring each year. The annual vacancy shall be filled at the annual election.”

(Note that the Policy draft and the Bylaws are not consistent. The Bylaws state the committee shall consist of “at least one Continuing Contract faculty,” and the above states that membership “shall include one Continuing Contract faculty member.”)

**Recommendation:**

Add the following language:

“If the numbers of contract faculty permit, the majority of the members of the grievance committee must be elected contract faculty members.”

If a faculty member’s grievance is not settled informally at a level below the Dean, or by the Dean, the faculty member may appeal to the Dean to convoke the Division of Libraries Grievance Committee to hear grievances in order to advise the Dean. The Dean shall convoke the committee within fifteen working days of receiving the faculty member’s appeal.

**Recommendation:**

Add the following language (paraphrased from the Liberal Studies Reappointment and Promotion Policy, 2018 and Tandon School of Engineering, 2018).

“Having decided to consider the case, the grievance committee will then hear evidence and report to the Dean in writing on its findings of fact and its opinion on a fair disposition of the case. After
considering the advice of the committee, the Dean will inform the grievant in writing of his or her decision, and include a summary of the committee’s report provided by the committee.”

**Recommendation:**

Add the following language (paraphrased from the Liberal Studies Reappointment and Promotion Policy, February, 2018, and Tandon School of Engineering, 2018).

“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.”

**Recommendation:**

Add the following language (quoted from the Liberal Studies Reappointment and Promotion Policy, 2018, Tandon School of Engineering Reappointment and Promotion Policy, and Abu Dhabi Reappointment and Promotion Policy, 2020).

“As a standing committee of the faculty, it must regularly report to the faculty on the number of cases heard or under study and the ultimate disposition of such cases, (for example, amicably settled, on appeal to the Provost or President, or committee report rejected by the Dean).”

**Appeal**

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

**Recommendation:**

Add language similar to the following:

“In all cases of an appeal to a negative decision related to reappointment and 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.”
Review Schedule for Guidelines

NYU Libraries shall review the policies and procedures contained within this document every five years according to the governance structures established by the NYU Libraries Faculty Bylaws. Working groups charged with reviewing guidelines will include Continuing Contract faculty. Continuing Contract faculty are to hold an active, essential, and meaningful role in drafting or approving any new policies, or revising existing policies.

Once changes to policy are identified, they are sent to the Office of the Provost for initial consultation, then sent to faculty for review and vote for adoption, and finally returned to the Office of the Provost and to other bodies as appropriate for formal review.

Recommendation:

The NYU Faculty Handbook requires a five-year review. Add language from the NYU Faculty Handbook that states that a review of this document is required every five years.
CONTINUING-CONTRACT FACULTY COUNCIL’S RECOMMENDATIONS

SUBMITTED MAY 1, 2022

Recommendations of the C-FSC in regard to:

NYU STERN
Continuing Contract Faculty Guidelines for Appointment, Evaluation, Reappointment, and Promotion

BACKGROUND

From Raghu Sundaram, Dean, NYU Stern:

I am pleased to share with you a proposed update of Stern’s Policy on Clinical Faculty. This reflects many months of work, including Kris Day’s thoughtful responses to several iterations. The policy itself includes the following language:

The Faculty Handbook requires that each school establish its own policies governing the appointment, review and reappointment of full-time continuing contract faculty, conduct a five-year review of the school’s policy, and establish a formal process for periodic reviews thereafter. No later than every five years, a committee will review the policy. The committee will be comprised of department chairs and at least one representative of the clinical faculty at large, to be nominated by the Stern representative to NYU’s Full-time Continuing Contract Faculty Senators’ Council. Any amendment to this Policy must be in writing, and submitted to the Stern Faculty Council and to Stern’s representatives to the Full-time Continuing Contract Faculty Senators’ Council for discussion and approval.

Although the policy was not due for its formal five-year review until 2022-23, minor clarifications were needed, and this resulted in a reorganization of the entire document. We will conduct the next review no later than five years from now, in or before 2027-28. We followed the review procedure as outlined in the policy, ensuring that numerous clinical professors were involved. Specifically:

- The initial review committee consisted of Susan Stehlik, Clinical Professor and Program Director of Management Communication, Steven Blader, Professor and Department Chair of Management & Organizations, and Batia Wiesenfeld, Professor of Management
and Program Director of Business & Society. (The Management Communication and Business & Society programs are made up almost entirely of clinical faculty.)

- Stern’s representatives to the CFSC (Maria Patterson, Naomi Diamant, and Joe Foudy) nominated Simon Bowmaker, Clinical Professor of Economics, to review the policy, and also reviewed it themselves.
- Stern’s elected Faculty Council reviewed the policy.
- Stern’s Department Chairs have reviewed the policy.
- Stern’s Vice Deans have reviewed the policy.

The bulk of the substantive changes were made by the initial review committee; all other reviewers made either no changes or merely editorial suggestions. No changes were made as a result of the Faculty Council’s review.

Stern does not put any detailed policies up for faculty votes. This includes our Promotion and Tenure guidelines (revised most recently in 2019). The School relies on a representative governance model, running the proposed policies through a number representative groups including the Faculty Council and Department Chairs and obtaining their unanimous assent. Accordingly, the faculty at-large did not vote on this policy. We look forward to your, and the FSC’s, review of our revised policy. I attach our final draft as well as a comparison to the previous version. (Feb. 25, 2022)

As part of the process of finalizing the revisions of the Stern Policy for its Clinical Faculty, NYU Provost Katherine E. Fleming invited the C-FSC to comment on the document called: “NYU Policy on Continuing Contract (‘Clinical’) Faculty:

At NYU, our strong tradition is for schools to develop policies that are ‘consistent with school culture and history.’ Within that tradition, the 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.’ As part of the process of finalizing the revisions to the Stern Policy on Continuing Contract (‘Clinical’) Faculty, I am inviting the C-FSC and the T-FSC to comment on the document, adopting the same perspective. The Council’s timely review of this document will be appreciated. As is our practice, the Provost’s Office will consider the Council’s comments in consultation with the Stern School before finalizing the document. (Feb. 23, 2022)

NOTES FROM THE C-FSC COMMITTEE ON PERSONNEL POLICIES & CONTRACT ISSUES

1. The following document will enumerate various comments and recommendations to the
submitted policy. The recommendations are made (in blue) 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.

POLICY ON CONTINUING CONTRACT (“CLINICAL”) FACULTY

Effective February 1, 2017
Revised May 3, 2019
Revised DATE, 2022

1. Background

This policy is consistent with, and incorporates by reference, the University’s Faculty Policies Applicable to Full-Time Continuing Contract Faculty, which may be found in the Faculty Handbook here. Note that the term “department” is used throughout this document to include programs, areas, and departments. The term “clinical” refers to “full-time continuing contract” faculty.

The Faculty Handbook requires that each school establish its own policies governing the appointment, review and reappointment of full-time continuing contract faculty, conduct a five-year review of the school’s policy, and establish a formal process for periodic reviews thereafter. No later than every five years, a committee will review the policy. The committee will be comprised of department chairs and at least one representative of the clinical faculty at large, to be nominated by the Stern representative to NYU’s Full-time Continuing Contract Faculty Senators’ Council. Any amendment to this Policy must be in writing, and submitted to the Stern Faculty Council and to Stern’s representatives to the Full-time Continuing Contract Faculty Senators’ Council for discussion and approval.

Recommendation:

A review of a school’s policy should include more than at “least one representative of the clinical faculty at large” on the review committee. Such a number (“at least one”) is highly unusual, and our committee is fairly certain that no other NYU school policy for contract faculty is so limited in contract faculty representation.

Including at least one contract faculty member does not follow the letter and the spirit of the New York University Guidelines for Full-Time Continuing Contract Faculty, issued June 12, 2014, revised December 15, 2015, page 1, Section II, Formulation of School Policies, paragraph 2, sentence 1, which states that there is the “expectation that FTCCF shall
participate in formulating and/or amending the school policy.” We quote the section in its entirety:

In response to these guidelines and as appropriate thereafter, schools shall formulate or amend their policies in accordance with existing school governance processes and with the expectation that FTCCF shall participate in formulating and/or amending the school policy to the extent and manner in which school governance policies permit.

We recommend that any development of this policy follow the letter and the spirit contained in the above quote from the New York University Guidelines for Full-Time Continuing Contract Faculty.

We recommend that the following language be added to the policy:

“Full-time Continuing Contract Faculty members shall participate in in formulating and/or amending the school policy.”

**Recommendation:**

For the reasons mentioned above, we strongly recommend an increase overall in contract faculty representation. And, as in the case, of most, if not all, schools, we recommend that a vote take place, a vote that allows contract-faculty participation. We recommend the following language:

Faculty or Deans may suggest changes or amendments to this Policy. Changes or amendments shall be made in accordance with the governing structure of the school and University policy regarding full-time, continuing contract faculty. The process includes timely distribution to the faculty, faculty discussion, as well as the ability for faculty to present amendments, make recommendations to and vote on the Policy in a regularly scheduled faculty meeting following procedures outlined in the school’s governance structure. Unless otherwise noted, approved changes and amendments will affect reappointments and promotion that occur after such changes and amendments go into effect.

**Recommendation:**

Since Continuing Contract faculty are exclusively non-tenured, add language describing the differences between tenured faculty expectations and non-tenured faculty expectations. This is important because in some schools Continuing Contract faculty primarily have teaching responsibilities, while in other schools Continuing Contract faculty are expected to maintain an active scholarly, research, and/or professional life.
For faculty in schools without continuing research, scholarly, or professional expectations for Continuing Contract faculty, continued intellectual, and scholarly engagement in their fields can be encouraged, though not required, as appropriate to the area of the appointment. For those schools, a model might be the following (adapted from the FAS Website, “Recruitment of New Faculty, Section 1.7, Clinical Assistant Professor, Clinical Associate Professor, Clinical Professors, Overview,” http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment.html)

This additional language is included in many school policies, including the Division of Libraries, Faculty of Arts & Science, Liberal Studies, Shanghai, Steinhardt, Tandon, and Tisch:

Continuing Contract Faculty lines differ from tenure-track lines. Although continuing contract lines are without tenure, they are typically multiyear and research is not part of their formal responsibilities, and hence teaching loads are greater.

Another model might be the following:

“Continuing Contract Faculty lines are typically multiyear and differ from tenure lines at the School in the following ways: [enumerate those differences].”

This policy is being implemented by the Stern School of Business to supplement University policies applicable to full time continuing contract faculty. If at any point the Stern policy is inconsistent with NYU policies, the NYU policies then in effect will control. As with all NYU policies, this policy is subject to change and it is the policies in effect at the time of the action that apply.

2. Establishing a Position

The decision to establish a clinical faculty position as opposed to a tenure-track position requires consultation with members of the department concerned and approval of the dean, and is reviewed by the Provost as part of the annual staffing plan. All clinical faculty members occupy full-time faculty budget lines.

3. Responsibilities

Clinical faculty members play a key role at Stern. By contributing to the academic process at Stern through their full-time commitment to teaching, and through service activities, clinical faculty complement the tenured and tenure track faculty in fulfilling Stern's mission. Thus, their primary responsibility is teaching courses that are critical and often required components of the school's curriculum, including both undergraduate and graduate core courses. Another key responsibility is to effectively engage in service activities, such as directing and/or participating in academic programs and centers, initiating new programs, course coordination, committee work, advising students and working with student clubs. Clinical faculty members’ service responsibilities and expectations are commensurate to their rank. Any responsibilities that affect the teaching load will be defined in respective appointment letters.
4. Terms of Appointment

Appointments and reappointments of clinical faculty are made for fixed renewable terms. The contract will stipulate start and end dates of the appointment, an indication of whether the appointee is eligible to be considered for reappointment, responsibilities, compensation and agreement to be bound by applicable University policies. In accordance with University Bylaw 87 (b), the appointment of clinical faculty automatically terminates at the close of the period of time stipulated in the contract, unless there is an official notice of renewal.

The initial appointment term of clinical faculty of all ranks, including the Professor of Management Practice, is typically for one to two years, depending on prior teaching experience. Following the initial term of appointment, clinical faculty may hold renewable contracts of varying lengths: “short contracts” of one or two years, “standard contracts” of three years, or “long contracts” of four or more years. Short contracts may be offered on an exceptional basis for various reasons including changing curriculum and course demand, questions or concerns about performance issues, or at the faculty member’s request. In such cases, the individual will be notified of the reason for the short contract. The standard contract term is three years. Contracts for longer than three years may be offered in exceptional circumstances to clinical faculty members above the rank of assistant professor, with a demonstrated record of continuous exceptional teaching performance and an unusual level of service or academic contribution to the school.

Unless otherwise specified in the individual contract, clinical faculty appointments may be renewed indefinitely.

5. Titles and Qualifications

All clinical faculty members are expected to be actively engaged in teaching and service responsibilities, and to bring to the school and classroom important subject matter and/or industry expertise. All clinical faculty members must hold a graduate degree. Clinical faculty are not eligible for tenure; they are typically contracted for multiple years.

Recommendation:

Include for consistency that for faculty whose responsibilities are primarily administrative, greater weight will be given to performance in this area in reviews for reappointment or promotion. This is the case at many schools, e.g., Center for Urban Science and Policy (CUSP), FAS Clinical, FAS Language Lecturers, Institute for the Study of the Ancient World (ISAW), Liberal Studies, and Steinhardt.

Most new full-time continuing contract appointments are made at the rank of Clinical Assistant Professor, but initial appointments at higher ranks may be appropriate for individuals with noteworthy experience, as outlined below.

Clinical Assistant Professor: Typically the initial appointment for clinical faculty members.
Clinical Associate Professor: Typically an experienced teacher with a strong record of either sustained achievement in the classroom or industry experience. In addition, evidence or likelihood of a substantial service contribution to the school is expected.

Clinical Professor: Typically an experienced teacher with a record of either extraordinary achievement in the classroom or significant industry leadership experience. In addition, evidence or likelihood of leadership and significant contribution to the school's reputation and/or significant exercise of administrative responsibilities is expected.

**Recommendation:**

As is the case in most, if not all, school policies for Continuing Contract Faculty, the contract length for each title is explicitly stated. Most, if not all, school policies indicate contract length of 3/5/5 years (Clinical Assistant, Clinical Associate, and Clinical (Full) Professor respectively).

We strongly recommend that contract length be explicitly stated with each title. The norm at NYU is three years for Clinical Assistant, five years for Clinical Associate, and five or more years for Clinical Full.

**Recommendation:**

As an appointment of at least five years is the norm for Clinical Associate Professor, provide an increase in term of appointment for Clinical (Full) Professor; this is the case at some schools, e.g., Gallatin and Tisch.

We strongly recommend the following language:

“Faculty members appointed or promoted to Clinical (Full) will receive at least a six-year contract, subsequent appointments shall be of at least the same length.”

**Recommendation:**

The length of contract for subsequent contracts is unclear. Add the following language after each title and contract length:

“Subsequent appointments shall be of at least the same length.

**Recommendation:**

In schools where professional or scholarly activity is either required or encouraged for
reappointment and promotion, professional development funds and research leave or sabbatical should be provided to further support professional or scholarly work. A description of that eligibility, and the process governing it, should be added.

In schools where the Continuing Contract faculty's responsibilities are exclusively teaching, professional development funds that support that faculty member's continued growth in teaching their field should be provided. A description of that eligibility, and the process governing it, should be added.

Clinical Professors with the honorific designation of “Professor of Management Practice”: This title is reserved for faculty who join Stern after distinguished careers in fields related to business practice. These individuals contribute to the teaching and research mission of the school by bringing "managerial practice" into the classroom and serving as an important resource for their colleagues.

6. Initial Appointment

Nominations for appointments of candidates to clinical faculty positions are put forward by the respective departments via the same channels as nominations for tenure-track appointments, and are subject to the same departmental review processes before they are forwarded to the dean. The contract will state the teaching load and any other agreed-upon duties.

The honorific designation “Professor of Management Practice” (“PMP”) is reserved for candidates who have had distinguished careers in business or related fields. Candidates should hold credentials appropriate for the work done as a practitioner, and should be able to relate non-academic experiences effectively to teaching assignments within the Stern School. As this title is used to designate professionals who have distinguished themselves as widely recognized senior leaders in key line or staff positions in major firms, it is typically used only for new appointments and only at the full professor level; gaining academic experience does not lead to promotion to PMP.

8. Annual Merit Reviews

Clinical faculty members are expected to adhere to the highest levels of performance and commitment to the university and the school and the highest standards of excellence in their fields. Specifically, they should demonstrate teaching excellence, as reflected by a combination of academically rigorous course content, teaching in courses of high strategic value to the school, pedagogical innovation, student ratings, student success consistent with high quality teaching, and enrollments. Evidence of teaching performance may include course materials (e.g. syllabi, lecture notes, assignments), course development and innovation, instructor development, peer classroom observations, online videos, self-presentation, samples of student writing as evidence of continuing influence upon students, examples of learning beyond the classroom, student evaluations, etc. Clinical faculty members are also expected to make meaningful service contributions in their department and/or the school, by such activities as serving on committees, advising students, and attending school events. Service outside the school that supports Stern’s mission and brand is also encouraged. In agreement with their department chair/director, clinical faculty members who conduct research may have the AMR weights for teaching, service and research adjusted. The weight for research may not exceed 10% except in cases where the professor is a principal investigator on an externally-funded project, when it may not exceed 30%.
All clinical faculty members complete a Faculty Activity Report (FAR) each year for review by the department chair and vice deans. During the rigorous Annual Merit Review process each spring, the department chair presents to the vice deans and deans the activity and achievements of each faculty member, using the completed FAR as one source of information, and discusses areas requiring improvement. The department chair then provides written and oral feedback and recommendations to each faculty member. The feedback reflects the input gathered at the meeting with the vice deans and deans.

9. **Reappointment**

The review process and criteria for reappointment are such that only individuals who are continuing to make a significant contribution to the excellence of the school are reappointed. The specific criteria for evaluating performance are those set forth under [Annual Merit Review](#) guidelines.

Reappointment is also based on consideration of curricular and programmatic initiatives. Thus, the decision to reappoint may be influenced by curricular and structural changes and needs in academic programs (even in those cases in which a candidate may satisfy the appropriate standards of achievement). When a position is to be eliminated at the end of the contract term and no similar position is vacant, reappointment does not occur. The faculty member may, however, request a performance review for career development.

**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.

Add the following language (paraphrased from the Tisch Arts Professor Policy, the Tisch Teach Policy, the Gallatin Contract Faculty Policy, Liberal Studies, Center of Urban Science and Progress (CUSP), FAS, Abu Dhabi, Nursing, and Tandon):

“In such 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. Evidence that such efforts have been made must be provided.”

**Reappointment Process:**

- Candidate submits to the department chair the most recent CV and Faculty Activity Report (FAR). The teaching and service statements in the FAR may be augmented if needed. Additional teaching materials provide evidence of high teaching performance and should include:
  - Student evaluations since the last review (both an aggregated summary across courses and complete Course Faculty Evaluations (CE) reports for all course sections taught) (available from Office of Faculty Affairs)
  - Sample syllabi (or access to online teaching sites) (not more than three syllabi)
Recommendation:

We recommend that the criteria for assessment be expanded beyond student evaluations, sample syllabi, and a list of advisees in order to assess “teaching performance” more accurately. Such an expanded list is included in most schools at NYU, e.g., Center for Urban Science and Progress (CUSP), Faculty of Arts & Science, Gallatin, Institute for the Study of the Ancient World (ISAW), Liberal Studies, Stern, Abu Dhabi, Shanghai, Nursing, School of Law, Steinhardt, Tandon, and Tisch.

For example, the following factors might be considered: course materials, lecture notes, assignments, course development and innovation, instructor development, collegial observations, self-presentation, samples of student writing, evidence of continuing influence upon students, examples of learning beyond the classroom, etc.

- The department Promotion and Tenure (“P&T”) Committee members shall conduct a review, considering evidence of the candidate’s performance and accomplishments in the areas of teaching and service. The P&T Committee then meets to discuss and vote on the case. Majority opinion will be determined by secret ballot.

  * For purposes of clinical reappointment, the department P&T Committee must include 1) at least two clinical faculty members at the same or higher rank than the candidate and 2) all the department’s tenured faculty. Of the two clinical faculty members, one must be the program director (if applicable), regardless of rank, and the other(s) must be at the same or higher rank than the candidate. If the department does not have at least two clinical professors who satisfy these criteria, the Vice Dean for Faculty and Research, in consultation with the department chair or program director, will appoint them from other departments.

- The Department Chair completes a Recommendation for Clinical Reappointment form. This must include the outcome of the vote, a summary of the basic arguments for or against reappointment and a statement of future potential. If the recommendation is for reappointment, this form, together with the materials submitted by the candidate, is forwarded to the Committee of Department Chairs and Vice Deans. If reappointment is not recommended by the department P&T Committee, the candidate is notified both in writing and in person according to the deadlines set forth below under Contract Terms.

- The Committee of Department Chairs and Vice Deans, not including the dean, reviews all of the reappointment materials, discusses, and then votes to support or not support the recommended renewal. A majority vote of the Committee shall be required for approval. All votes of the Committee shall be by secret ballot and re-voting shall occur only if new material becomes available. This Committee will provide to the dean a list of all candidates considered at the meeting indicating which reappointments were approved and any additional comments, along with the reappointment forms.
• If the dean's decision on reappointment or length of contract is contrary to that of the Committee of Department Chairs and Vice Deans, the dean will provide reasons to the Committee. The Committee will then have ten days in which to provide further information or counter-argument before the dean's decision is finalized. If a reappointment is not approved, the candidate is notified both in person and in writing, including the rationale for the decision, according to the deadlines set forth under Contract Terms below.

10. Contract Terms and Review Schedules

Contract terms fall into two categories, each with different review and notification schedules:

a. **Contracts of Three Years or Longer (“Standard” and “Long Contracts”)**
   Reappointment of a clinical faculty member on a contract of three or more years requires a formal process that is conducted in the penultimate year of the contract and is completed by the end of that academic year. If the decision is not to reappoint, the faculty member shall be notified of the decision no later than August 31 of the penultimate year, and shall continue to be under contract for the final year.

**Recommendation:**

Again, as is the case in most, if not all, NYU school policies for Contract Faculty, promotion should be attached to longer contracts (usually 5 years for Clinical Associate and five years for Clinical Full). A few schools offer even longer contracts for Clinical Associate Professor and Clinical Professor, e.g., Tisch and Gallatin.

We recommend that contract length for each title should be explicitly stated in the policy. Subsequent contracts must be of at least the same length.

b. **One- or Two-Year Contracts (“Short Contracts”)**
   Clinical faculty holding one- or two-year contracts will be reviewed for reappointment before the March 1 immediately preceding the end of their contract term. If the decision is not to reappoint, the faculty member shall be notified of the decision no later than March 15th, or at least 180 days prior to the termination date if the contract term ends on a date other than August 31.

**Recommendation:**

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.
Terminal Contracts: If a reappointment letter states that it is for a final term, no reappointment process will take place.

Third Year Review: Though reappointment cannot proceed without a performance assessment, numerous factors render the sort of formal review appropriate for multi-year appointments unnecessary for clinical faculty on Short Contracts. That said, in the first semester of the third year of continuous appointments, and in the first semester of every subsequent third year, clinical faculty members with on-going Short Contracts shall be subject to formal review comparable to the review of faculty on Standard or Long Contracts.

c. Deadline for Materials
The department must submit reappointment materials to the Vice Dean of Faculty by January 25. Deadlines earlier in the process are set by each department.

11. Promotion

Clinical faculty can be promoted from Clinical Assistant Professor to Clinical Associate Professor or from Clinical Associate Professor to Clinical Professor, according to these criteria:

a. Promotion Criteria

Promotion to Clinical Associate Professor: The candidate’s record must indicate evidence of excellent teaching performance and contributions to Stern’s teaching programs through contributions that extend beyond one’s own teaching and that enhance the teaching and curriculum at Stern more broadly. Service to the school is also expected, such as through program development, committee membership, advising and mentoring students and engaging in other activities that support Stern’s educational mission.

Promotion to Clinical Professor: The candidate’s record must indicate evidence of sustained excellent teaching performance and contributions to Stern’s teaching programs through extraordinary contributions that extend beyond one’s own teaching and that enhance the teaching and curriculum at Stern more broadly. In addition, institution-building service to the school is expected, through activities such as directing key academic programs or centers, initiating new programs, leadership on committees, developing the teaching and leadership capacity of colleagues, advising students and engaging in other activities that support Stern’s educational mission.

b. Promotion process

At every reappointment review, the department shall simultaneously consider whether the candidate meets the criteria for promotion, unless the candidate chooses not to be considered. If the decision is to pursue promotion, this process is followed:

- Candidate submits to the department chair the most recent CV and Faculty Activity Report (FAR). The teaching and service statements in the FAR may be augmented if needed. Additional teaching materials provide evidence of high teaching performance and should include:
• Student evaluations since the last review (both an aggregated summary across courses and complete Course Faculty Evaluations (CE) reports for all course sections taught) (available from Office of Faculty Affairs)
• Sample syllabi (or access to online teaching sites) (not more than three syllabi)
• List of advisees (graduate and undergraduate)

Recommendation:

Again, we recommend that the criteria for assessment be expanded beyond student evaluations, sample syllabi, and a list of advisees in order to assess “teaching performance” more accurately. Such an expanded list is included in most schools at NYU, e.g., Center for Urban Science and Progress (CUSP), Faculty of Arts & Science, Gallatin, Institute for the Study of the Ancient World (ISAW), Liberal Studies, Stern, Abu Dhabi, Shanghai, Nursing, School of Law, Steinhardt, Tandon, and Tisch.

For example, the following factors might be considered: course materials, lecture notes, assignments, course development and innovation, instructor development, collegial observations, self-presentation, samples of student writing, evidence of continuing influence upon students, examples of learning beyond the classroom, etc.

- Based on information provided in the candidate’s statement, the Vice Dean of Faculty requests sources outside the department to address contributions made to the school or university. This could include committee chairs or program vice deans, among others, depending on the candidate’s stated activities.

- Department P&T Committee* follows its department’s standard policy as to whether the summary report will be compiled by the department chair or a subcommittee. The report summarizes the candidate’s contributions and assesses whether the criteria for promotion are met. It includes a recommendation and is submitted to the Department P&T Committee.

* For purposes of clinical promotion, the department P&T Committee must include: 1) all the department’s full-time clinical faculty members at a higher rank than the candidate, 2) the program director or department chair, regardless of rank, and 3) all the department’s tenured faculty at a higher rank than the candidate. If the department does not have at least two clinical professors who satisfy these criteria, the Vice Dean for Faculty and Research, in consultation with the department chair or program director, will appoint them from other departments.

In the case of areas without tenured faculty, the Vice Dean of Faculty, in consultation with the program director, will appoint an ad-hoc advisory committee including the program director, one clinical faculty member of the same or higher rank as those being reviewed, and at least two tenured Stern faculty members (total of four people). If the program director is a tenured professor, an additional clinical faculty member at appropriate rank will be included, for a total of five people.
The department P&T Committee shall conduct a review, considering evidence of the candidate’s performance and accomplishments in the areas of teaching and service and if applicable, research. The department P&T Committee then meets to discuss and vote on the case. **Majority opinion will be determined by secret ballot.** Any department P&T Committee member may submit a signed dissenting opinion letter that will be added to the file and made available to the departmental committee.

**Recommendation:**

The Committee should choose its own chair, who then coordinates the creation of the committee’s report and recommendation for reappointment, which is then submitted to the Dean. The duties of the chair should be included in this paragraph, as well as the process of evaluating the review material. The process of the creation of the committee’s report should be explicitly stated with language similar to the following (from the FAS Website, “Recruitment of New Faculty, Section 1.7, Clinical Assistant Professor, Clinical Associate Professor, Clinical Professors, Overview,” http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html):

The committee will prepare a written review for the Dean evaluating and summarizing the evidence of accomplishment, noting areas that require improvement, and making a recommendation regarding reappointment, and promotion and contract length (when applicable).

- If, after a comprehensive review, the department P&T committee supports proceeding with promotion, department chair submits the completed NYU Promotion application form, candidate’s materials, his/her report and the committee vote to the Vice Dean of Faculty. If the department’s decision is to not pursue promotion, the candidate is notified in writing, and the department chair provides feedback to the candidate on areas of improvement.

**Recommendation:**

In the case of schools where a division dean receives the committee report and passes that with a recommendation to reappoint or to promote to a school Dean, add language to ensure that the school Dean receives the full record and recommendation of the Review Committee, as well as the recommendation of the divisional dean, similar to the following language (This language is included in schools with divisional deans such as Liberal Studies, Tandon, Courant, and School of Professional Studies):

“The divisional dean must forward the review packet to the school Dean along with the committee’s recommendation and any comments from the faculty.”

**Recommendation:**
Add the following language:

The division dean, chair, or academic unit leader will forward the report of the promotion committee and closed vote to the Dean along with his or her own recommendation. The recommendations of the review committee, the voting faculty and the Division dean are all advisory to the Dean. The Dean will make a decision on the promotion case and notify the Department Chair.

- If the department supports promotion, the Committee of Department Chairs and Vice Deans meets to discuss and vote on the proposed promotion, and then makes its recommendation to the dean. Ideally, this follows the same schedule as reappointments, as set forth in Section 10 above.

- Dean reviews the proposed promotion and informs the department chair and candidate of the decision.

Recommendation:

Add language similar to the following:

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.

Recommendation:

Add detailed information:

The Dean will provide the faculty member with a written summary that includes suggestions for professional development and a recommendation regarding appointment, and will meet with the candidate to discuss the committee’s evaluation, as well as his or her own assessment and continuing programmatic need for the appointment.

Letters from external reviewers are not typically sought, as the responsibilities of a clinical faculty member are to teach and provide service, both of which are primarily internal activities.

12. Transfer between Clinical and Tenured or Tenure Track Appointments

Clinical faculty positions cannot be used as a mechanism to retain tenure-track faculty members who have not been, or are not likely to be, granted tenure. Conversion to a clinical appointment is not an
option for a tenure-track faculty member who has been denied tenure, or whose performance does not merit a full tenure review.

13. Governance

In accordance with University Bylaw 82 (c), the clinical faculty at Stern may hold its own faculty meetings and may participate in joint meetings with Stern’s tenured/tenure track faculty. At the department level, clinical faculty participate as members of the department faculty in department governance, including voting on matters of department governance, with the exclusion of matters related to promotion and tenure of tenure track faculty, the hiring of tenured and tenure track faculty, and matters affecting his or her own status on the faculty at NYU.

Additional Recommendation (if applicable)

Recommendation:

January terms and summer sessions are now optional “extra” courses for contract faculty. If offered at Stern, we recommend that the pay for these additional courses be proportional to the faculty member’s rank and salary.

Recommendation:

Contract Faculty members are often asked to teach “Independent Studies” and indeed, independent studies are often mentioned as “expected” service in many of the contract-faculty policies. We recommend that the policy explicitly state that “independent studies” will be compensated, e.g., a set stipend, an addition to their professional faculty development fund, or a course release for (x) number of independent studies.

We recommend that each policy explicitly state the compensation for independent studies.

Recommendation

It should be clear that the election process is managed by faculty.

Add the following language:

“The process to elect members to the Reappointment Committee should be managed by a respective elected committee of the faculty.”
**Recommendation:**

We strongly recommend that contracts should indicate whether appointment is subject to renewal. And we strongly recommend that contracts or letters of reappointment indicate an explicit list of responsibilities.

Add the following bullet-point to the list above:

- Contracts should indicate whether appointment is subject to renewal.

- Contracts will list explicit academic responsibilities and administrative responsibilities (if applicable).

**14. Relative Size of the Clinical Faculty**

While clinical faculty members make valuable contributions to the Stern School, excessive reliance on clinical faculty may gradually dilute the research mission of the School. Consequently, the relative size of the tenured/tenure-track, clinical, and adjunct faculties, and their aggregate teaching responsibilities, will be subject to annual review by the Committee of Department Chairs and Vice Deans.

**15. Contract Clock**

The contract timeline for a clinical faculty member may be paused for stipulated reasons, as per the University Guidelines for Full Time Continuing Contract Faculty Appointments. These reasons include medical, personal, as primary caregiver for a child, spouse, parent, same-sex domestic partner, or by contractual stipulation or negotiation. Other types of leave do not typically pause the contract unless approved by the dean.

**16. Grievance**

Stern follows the grievance and appeal process as set forth in the NYU Guidelines. The Guidelines require that the grievance committee include at least “one senior full-time contract faculty member who shall participate in hearing and evaluating only those grievances that are filed by” clinical faculty members. At least one position on the Stern Grievance Committee will be filled by a Clinical Associate Professor or Clinical Professor, and that person will only hear grievances filed by clinical faculty.

**Recommendation:**

The grievance/appeal process, of crucial importance to the faculty, should be developed by the faculty and added to the Policy document before the school sends the policy to the Provost. The process should be identified and explicitly described in this document.

We recommend that the grievance/appeal process closely follow the principles elaborated in the University Guidelines that specify that all members of the committee, including the senior Continuing Contract Faculty member, be elected:
Unless otherwise authorized in the school’s policy and approved by the Provost, each school shall either establish a new standing faculty committee for Continuing Contract Faculty grievances, which will include senior Continuing Contract Faculty and T/TTF elected by the voting members of the faculty; or shall expand its existing standing grievance committee for T/TTF to include (elected) senior Continuing Contract Faculty who shall participate in hearing and evaluating only those grievances that are filed by Continuing Contract Faculty.

Additionally, The New York University Guidelines for Full-Time Continuing Contract Faculty note numerous requirements and procedures for the school grievance process, including specifying who may grieve, the grounds for grievances based on non-reappointment, as well as grievances related to other issues, the process of requesting the convening by the dean of the grievance committee, and the accessibility of that grievance policy to the faculty.

The development of this grievance process should be undertaken with full participation by the Continuing Contract Faculty and submitted to the faculty for discussion and a vote by the faculty. The process of consideration must include the right to offer amendments, and the vote may occur during a regular faculty meeting or by electronic ballot, as the faculty governance body may determine. This above process has been followed by the Center for Urban Science and Progress (CUSP), Faculty of Arts & Science, Gallatin, Institute for the Study of the Ancient World (ISAW), Liberal Studies, Abu Dhabi, Nursing, Law, and Tandon.

Recommendation:

Add the following language (paraphrased from the Liberal Studies Reappointment and Promotion Policy, 2018):

Having decided to consider the case, the grievance committee will then hear evidence and report to the Dean in writing on its findings of fact and its opinion on a fair disposition of the case. After considering the advice of the committee, the Dean will inform the grievant in writing of his or her decision, and include a copy of the committee’s report provided by the committee.

Recommendation:

Add the following language (paraphrased from the Liberal Studies Reappointment and Promotion Policy, February, 2018):

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. The same memorandum must be sent both to the grievant and to the committee.

**Recommendation:**

Add the following language (quoted from the Liberal Studies Reappointment and Promotion Policy, 2018)

“The majority of the members of the grievance committee must be contract faculty members.”

**Recommendation:**

Add the following language (quoted from the Liberal Studies and Tandon):

As a standing committee of the faculty, it must regularly report to the faculty on the number of cases heard or under study and the ultimate disposition of such cases, (for example, amicably settled, on appeal to the Provost or President, or committee report rejected by the Dean).
Committee on Faculty Benefits and Housing
Report to the C-FSC meeting of May 24, 2022

Thom Blaylock, Chris Dickey, Michael Ferguson, Ashley Maynor, Robin Mitnick

Vincent Renzi, chair

On May 9th, Michael Ferguson, Ashley Maynor, and myself attended a meeting of the Family Planning and Gender Affirmation Benefits subcommittee of the Ad Hoc Committee on Full-Time Non-Union Employee Benefits Review and Modeling. The group and its subcommittees are planning to continue with several meetings over the summer.

On June 15th, the Benefits Committee will be meeting jointly with our T-FSC counterpart for the annual presentation by the University’s actuarial consultants on utilization of benefits and projected costs for the coming calendar year.
NYU GRADUATE PROGRAM COMMITTEE

NYU GPC met May 4, 2022

The following MOI was presented for future discussion and proposal:

M.S. in Entrepreneurship and Innovation (SPS) Interdisciplinary Data Science, NYUAD

New Proposals:

Ph.D. in Astrophysics and Space Systems, NYUAD

OTD in Occupational Therapy (Steinhardt)

MPS in Virtual Production (Tisch)

M.S. in Genome Health Analysis (Medicine with Sarah Lawrence)

Respectfully submitted.

Iskender Sahin
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