



**Date:** May 12, 2016

**Memo to:** Katherine Fleming, Provost

**From:** Fred Carl  
Chairperson, C-Faculty Senators Council  
A/Y 2016-2017

**Subject:** C-Faculty Senators Council Review: Faculty of Arts & Science (FAS) Policies regarding Full-Time Continuing Contract Faculty

The C-Faculty Senators Council submits the attached recommendations regarding the Faculty of Arts & Science (FAS) Policies regarding Full-Time Continuing Contract Faculty, as approved at the May 11, 2017 Council meeting.

**cc:** Thomas Carew, Anne and Joel Ehrenkranz Dean, Faculty of Arts and Science  
Jonathan Lipman, Associate Dean, Faculty of Arts and Science  
Carol Morrow, Vice Provost  
Peter Gonzalez, Associate Provost for Academic Appointments

*C-FSC Steering Committee Members:*

Mary Killilea, C-FSC Vice Chairperson

Joseph Borowiec

John Halpin

Larry Slater

Susan Stehlik

Patrick Ying

Brian Mooney, C-FSC Personnel Policies & Contract Issues Committee Chair

**Recommendations of the C-FSC in regard to:  
FAS Policies and Procedures  
Recruitment of New Faculty  
Clinical Assistant Professor, Clinical Associate Professor,  
Clinical Professor  
NYU Faculty of Arts and Science**

**Background**

The Dean of the Faculty of Arts and Science, Thomas Carew, submitted to the NYU Provost, Katherine E. Fleming, the school's policies pertaining to the appointment, reappointment and promotion of Continuing Contract Faculty. These policies were produced with input from an FAS CCF Guidelines Review Committee that was convened by Dean Carew in November 2015; and that following the re-issuing of the University Guidelines for Full-Time Continuing Contract Faculty in July 2016, earlier drafts of the policies were modified to insure that they conform to the University Guidelines. In Spring 2017 the Dean's office also transmitted the policy to the FAS CCF Guidelines Review Committee, which in turn shared the documents with the FAS Continuing Contract Faculty Senate Council. The changes were discussed in a meeting between Dean Carew and the FAS C-FSC.

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 FAS policy for its Clinical Professors and Language Lecturers, Provost Fleming has invited the T-FSC and the C-FSC to comment on the document, adopting the same perspective.

(per the letter of February 21, 2017 from Katherine E. Fleming to C-FSC and T-FSC Chairs)

The following document will enumerate various questions, comments and recommendations to the submitted Policy.

**Major Substantive Recommendations**

1. Add a description of the faculty voting process for the approval of this document. If such a vote did not take place, we recommend the return of this document to FAS for such a vote, with the possibility of making amendments. This is in keeping with The New York University Guidelines for Full-Time Continuing Contract Faculty, page 1, **Formulation of School Policies**, paragraph 2, sentence 1, which states that:

“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 Continuing Contract Faculty shall participate in formulating and/or amending the school policy to the extent and manner in which school governance policies permit.”

Clarify specifically and explicitly the process of consultation with the Continuing Contract faculty.

We strongly recommend that any development of this policy follow the letter and the spirit contained in the above quote from the 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 forming and approving any new policy, which policy must necessarily include the grievance/appeal process.

2. The policy does not include any process for future amendments and revisions to it. The University Guidelines provide: “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 Full-Time Continuing Contract Faculty shall participate in formulating and/or amending the school policy to the extent and manner in which school governance policies permit.”

**Recommendation**

Include the following: “Mechanisms for timely distribution of any amendments to the Policy 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, should be included and stated explicitly.”

3. Page 1. Introduction, paragraph 2, sentence 6:  
“Clinical faculty are ineligible for NYU faculty housing and sabbaticals.”

**Recommendation**

Exceptional circumstances may exist for which a total ban on faculty housing will be an impediment to reasonable response. We recommend replacing the word “ineligible” with the phrase “generally ineligible”.

4. Page 1. Introduction, paragraph 2, sentence 6:  
“Clinical faculty are ineligible for NYU faculty housing and sabbaticals.”

**Recommendation**

Given the letter from President Andrew Hamilton of April 18, 2017, which promotes professional development for continuing contract faculty, we recommend the removal of a complete ban on sabbaticals and the consideration of semester long developmental or research leaves, similar to those granted in Gallatin, LS, and SPS.

5. Page 2, Titles and Qualifications, paragraph 3:  
"All but degree" doctoral candidates currently enrolled at NYU are not eligible to be considered for clinical positions.

**Recommendation**

Given that all ranks of the continuing contract faculty list an M.A. in the field of expertise as the minimum degree requirement, an "All but degree" doctoral candidate who possesses an M.A. should not be excluded. We recommend that this statement be deleted.

6. Page 2, Titles and Qualifications, paragraph 3:  
"All but degree" doctoral candidates currently enrolled at NYU are not eligible to be considered for clinical positions.

**Recommendation**

Given that there currently may be Clinical Faculty who are "All but degree" doctoral candidates currently enrolled at NYU, if the statement is not deleted as recommended in item 5, we recommend that the statement be modified to allow those individuals to retain their positions. Language such as, "'All but degree' doctoral candidates currently enrolled at NYU will not be considered for initial appointments to clinical positions." would protect those current faculty members.

7. Page 2. Areas of Responsibilities, item 2, "Service" sentence 1:  
Participation on departmental committees is expected.

**Recommendation**

We recommend that this sentence be extended to, "Participation on departmental committees is expected, and opportunity should be equitable." If participation is expected, every continuing contract faculty member must have the opportunity to meet that requirement.

8. Page 2. Terms of Appointment, item 3, sentence 1:  
For Clinical Assistant Professors, the initial appointment can be made for one to three years.

**Recommendation**

As per the University Guidelines, Page 4, Duration of Contracts, sentence 2, "Thus, Wherever possible, schools are encouraged to reduce reliance on one-year contracts.", we recommend that if a one-year contract is adopted, the Dean will provide a justification. We recommend adding language to the document similar to

the following: "If a one-year contract is adopted, the Dean will provide a justification, similar to the hiring plan submitted to the Provost, based upon programmatic and academic considerations, to the faculty through the FAS Faculty Assembly.

9. Page 2. Terms of Appointment, item 3, sentence 2:  
Subsequent reappointment can be made for one to three years.

**Recommendation**

To prevent the establishment of a permanent group of continuing contract faculty on one-year contracts, 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."

10. Page 2. Terms of Appointment, item 3, sentence 2:  
Subsequent reappointment can be made for one to three years.

**Recommendation**

Subsequent reappointment should be no shorter than the initial appointment. When promoted to a three-year contract, subsequent appointment shall be for at least three years. When promoted to a five-year contract, subsequent appointments shall be for at least five years.

11. Page 3. Terms of Appointment, item 4:  
For Clinical Associate Professors and Clinical Professors, the initial appointment is also for one to three years.

**Recommendation**

As per the University Guidelines, Page 4, Duration of Contracts, sentence 2, "Thus, Wherever possible, schools are encouraged to reduce reliance on one-year contracts.", we recommend that if a one-year contract is adopted, the Dean will provide a justification. We recommend adding language to the document similar to the following: "If a one-year contract is adopted, the Dean will provide a justification, similar to the hiring plan submitted to the Provost, based upon programmatic and academic considerations, to the faculty through the FAS Faculty Assembly.

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formal review, such as, "Faculty members on continuous one-year appointments who successfully complete their third year formal review shall move to at least a three-year appointment."

13. Page 3. Terms of Appointment, item 5

The passage reads, "Candidates are eligible for five-year reappointment contracts at all ranks only if they have been at NYU for at least six years and have had at least one contract renewal at NYU." There is no explanation as to what "eligibility" means, how "eligibility" is decided, or who decides "eligibility."

**Recommendation**

The word "eligible" needs to be replaced so that it reads, "Candidates are expected to receive five-year reappointment contracts at all ranks only if they have been at NYU for at least six years and have had at least one contract renewal at NYU. Written justification will be given if a reappointment contract is for less than five years."

14. Page 3. Terms of Appointment, item 6, sentence 2:

There is no expectation of renewal, ...

**Recommendation**

This item concerning visiting faculty does not pertain to continuing contract faculty, and should be deleted from the document.

15. Page 3. Terms of Appointment, item 7, sentence 2:

In rare instances, a one-semester appointment as a Clinical Assistant Professor may be made to ...

**Recommendation**

This item concerning visiting faculty does not pertain to continuing contract faculty, and should be deleted from the document. Further, the use of the title "Clinical Assistant Professor" is inappropriate for such a position.

16. Page 4. Procedures for Reappointment, General Considerations, paragraph 2, sentence:

Even in those cases in which a candidate satisfies the appropriate standards of achievement, the decision to reappoint or promote may be impacted by curricular and structural changes and improvement in academic programs.

**Recommendation**

We recommend adding the language that, "In such an event, a review should be conducted which will 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."

17. Page 5. Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion, paragraph 4:

When a position is to be eliminated at the end of the contract term and there is no similar position open, there is no reappointment process; however, the faculty member may request a performance review for career development.

**Recommendation**

We recommend that a date be provided prior to which the faculty member will be notified of the intention not to reappoint.

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**Recommendation**

We recommend adding the language that, "In such an event, the review should 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."

19. Page 5. Reappointment for Continuous Service on One-Year or Two-Year Contracts, sentence 1:

In addition to contracts of three years or more, clinical faculty may be recommended by the Department Chair or Director to a series of one-year or two-year full time contracts.

**Recommendation**

As per the University Guidelines, Page 4, Duration of Contracts, sentence 2, "Thus, Wherever possible, schools are encouraged to reduce reliance on one-year contracts.", we recommend that if a one-year contract is adopted, the Dean will provide a justification. We recommend adding language to the document similar to the following: "If a one-year contract is adopted, the Dean will provide a justification, similar to the hiring plan submitted to the Provost, based upon programmatic and academic considerations, to the faculty through the FAS Faculty Assembly."

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**Recommendation**

To prevent the establishment of a permanent group of continuing contract faculty on one-year or two-year contracts, add language allowing for a transition to an

appointment of at least three years for faculty on one-year or two-year appointments who successfully complete a formal review, such as, "Faculty members on continuous one-year or two-year appointments who successfully complete their formal review shall move to at least a three-year appointment."

21. Page 5. Formal Review Process, sentence 1:

The review, whether for renewal and/or promotion is undertaken by a committee appointed by the department Chair or Director, consisting of three to five full-time faculty, with a minimum of two tenured or tenure-track faculty and at least one clinical faculty member.

**Recommendation**

The committee should be made up of elected members, not appointed; additionally, the majority of the committee should be made up of Continuing Contract faculty members.

22. Page 5. Formal Review Process, sentence 4:

In any event, the committee shall not include a clinical faculty member under review for reappointment that year.

**Recommendation**

For small departments, or for departments with few Continuing Contract faculty, this constraint may be onerous and severely restrict the makeup of the review committee. We recommend that a clinical faculty member under review for reappointment and/or promotion simply recuse herself or himself from consideration of her/his case.

23. Page 6. Formal Review Process, Promotion, section I, following paragraph 2

There is no mention of an increase in contract length upon promotion.

**Recommendation**

Add the following, "When promoted to Clinical Associate Professor, the candidate will receive a 5-yr contract. Subsequent appointments shall be for at least five years."

24. Page 6. Formal Review Process, Promotion, section I, following paragraph 2

As an appointment of at least five years is the norm for Clinical Associate Professor, provide an increase in term of appointment for Clinical Professor. This is the case at certain schools (e.g., The Gallatin School).

**Recommendation**

Add the following, "When promoted to Clinical Professor, the candidate will receive a 6-yr contract. Subsequent appointments shall be for at least six years."

25. Page 6. Formal Review Process, section II, paragraph 1, sentence 1:

The candidate should submit a personal statement, curriculum vitae, course syllabi, and teaching evaluations to the Chair or Director of the Department; for candidates on multi-year appointments, this should be submitted on or before February 1 of the penultimate year of their current appointment.

**Recommendation**

We recommend replacing this sentence with, "The candidate should submit a review packet (see below for content) to the Chair or Director of the Department; for candidates on multi-year appointments, this should be submitted on or before February 1 of the penultimate year of their current appointment."

26. Page 6. Formal Review Process, section II, paragraph 3, sentence 1:

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

**Recommendation**

We recommend replacing this statement with, "The review packet prepared by the candidate to be presented to the faculty should normally include:"

27. Page 7. Formal Review Process, section II, paragraph 3, item 5:

An evaluation of teaching performance of the candidate, which should include:

- A. Course evaluations (provided by the department administration)
- B. Course syllabi (provided by the candidate)
- C. Reports of classroom observation (provided by department administration or committee)

**Recommendation**

Many other criteria might be used in order to assist the committee in assessing the teaching performance of the candidate. We recommend expanding the content of the review packet to include optional items that the candidate believes will support the assessment. Other items for consideration might include 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, student evaluations, etc.

24. The policy does not specify how the departmental review committee will make its determinations.

**Recommendation**

Specify that a majority vote of the departmental review committee shall be required for a successful review for a recommendation for reappointment and that all votes shall be by secret ballot. In the case of a split opinion, the minority opinion should also be included in the report as an appendix.

25. The policy does not specify the process governing the creation of the departmental review committee's report.

**Recommendation**

Add language detailing the process governing the creation of the review committee's report, similar to that found on the FAS website: "PROCEDURES for Reappointment and/or Promotion" for clinical faculty ([http:// HYPERSLINK](http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html)

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"The review may be written by the department Chair or a member of the committee, but all members of the committee should read the review before it is submitted to the department. The review should represent a collective judgment of the committee or, in the case of a divided opinion, a majority of the committee. If there is a division, the dissenting opinion should be appended to the majority review."

26. Page 8. Formal Review Process, section III, paragraph 1, sentence 3:

The Deans may consult with faculty from academic departments other than the candidate's home department.

**Recommendation**

Please include within this document examples of reasons for the Dean to consult with faculty from academic departments other than the candidate's home department, and any constraints upon such consultations. Further, if such consultations do occur, a written record of their nature and outcome should be added to the review packet.

27. The policy does not specify procedures for the Dean's review of and decision on the recommendations of the departmental review committee and the divisional dean.

**Recommendation**

Include the following language: "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 appointment. In the event that the Dean follows the recommendation of the committee to reappoint and/or for promotion, the summary letter to the faculty member with notification of intent to reappoint or for promotion should include the length of reappointment/appointment, and a signature block for the faculty member."

28. The policy does not specify the process according to which the divisional dean communicates with the Dean about the reappointment to ensure that the school Dean receives the full record and recommendation of the Review Committee, as well as the recommendations of the divisional dean.

**Recommendation**

Add the following language: "The divisional dean must forward the review packet to the school Dean along with the committee's recommendations and any comments from the faculty."

29. The policy does not specify a candidate's access to written review materials in the event of a negative decision on reappointment.

**Recommendation**

"In all cases of an appeal of a negative decision related to reappointment or promotion by the Dean, the candidate will have access to the Review/Promotion Committee's full report, with redactions of any confidential material such as names of evaluators, and including its recommendation and any comments from the faculty."

30. The policy does not specify the procedure to be followed if the decision of the Dean of Arts and Science is contrary to that of the divisional dean and/or the review committee.

**Recommendation**

Add language detailing the process to be followed if the decision of the Dean of Arts and Science is contrary to that of the divisional dean and/or the review committee, similar to that found on the FAS website: "PROCEDURES for Reappointment and/or Promotion" for clinical faculty:

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"If the decision of the Dean of Arts and Science is contrary to that of the departmental evaluation committee or the divisional dean, 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."

31. Page 9. Faculty Grievances, paragraph 2, item 4:

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

**Recommendation**

This statement removes all rights of grievance for faculty on one-year or two-year appointments, prior to their third year review. We recommend that this statement be deleted from the document.

### **Minor Substantive Recommendations**

32. Page 1. I Introduction, paragraph 1, sentence 2:  
"Appointees must be experienced in their particular fields ..."

#### **Recommendation**

Since initial appointment Clinical Assistant Professors might not have significant work experience in their field, we recommend the replacement of "experienced" by "highly knowledgeable".

33. Page 4. Procedures for Reappointment, General Considerations, title:

#### **Recommendation**

The title of this section should be changed to, "Procedures for Appointment and Reappointment, General Considerations"

34. Page 5. Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion, paragraph 5:

For faculty whose responsibilities are primarily administrative, greater weight will be given to performance in both multi-year appointments and recommendations for promotion.

#### **Recommendation**

We recommend changing, "greater weight will be given to performance in both ...", to " greater weight will be given to performance of those duties in both ..."

35. Page 6. Formal Review Process, section I, paragraph 1, sentence 2:  
Furthermore, the candidate must have been in his or her current rank for a minimum of three years and had at least one prior reappointment at the current rank to be eligible for promotion in rank.

#### **Recommendation**

This sentence is unnecessarily complex, and is redundant, given the statement in paragraph 3, "Candidates may request promotion during their second review in rank and any year after." We recommend deleting sentence 2 in paragraph 1 and keeping paragraph 3.

### **Editorial Recommendations**

36. Page 1. Titles and Qualifications, item 3:  
"Clinical Professor - A minimum ..."

**Recommendation**

This item requires a bullet point in order to remain consistent with the formatting of the two preceding items.

37. Page 3. Annual Review:  
28. Clinical faculty are subject to ...

**Recommendation**

Since there is only one paragraph in this section, a bullet is unnecessary, and should be deleted.

38. Page 5. Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion, paragraph 1, sentence 6:

In the event of a decision to reappoint the faculty member shall complete the remainder of his/her term and shall be reappointed, normally, for another multi-year term.

**Recommendation**

Two commas are incorrectly placed in the sentence. We recommend, "In the event of a decision to reappoint, the faculty member shall complete the remainder of his/her term and shall be reappointed, normally for another multi-year term."

39. Page 6. Formal Review Process, section I, title:  
*PROMOTION*

**Recommendation**

We recommend that the section title be changed to "*PROMOTION: GENERAL PROCEDURE*", to maintain consistency with the following two section titles.

40. Page 6. Formal Review Process, section II, title:  
*DEPARTMENT*

**Recommendation**

We recommend that the section title be changed to "*PROMOTION: DEPARTMENTAL PROCEDURE*"

41. Page 7. Formal Review Process, section III, title:  
*FAS DEAN'S OFFICE*

**Recommendation**

We recommend that the section title be changed to "*PROMOTION: FAS DEAN'S OFFICE PROCEDURE*"

**Recommendations of the C-FSC in regard to:  
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Recruitment of New Faculty  
Language Lecturer and Senior Language Lecturer  
Appointments  
NYU Faculty of Arts and Science**

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*Service* - participation on departmental committees involving language instruction is expected.

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**Recommendation**

To prevent the establishment of a permanent group of continuing contract faculty on one-year contracts, 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 third-year formal review shall move to at least a three-year appointment."

10. Page 3. Terms of Appointment, item 4, first bulletpoint: Senior Language Lecturers  
 The passage reads, "Senior Language Lecturers: the initial appointment is for one to three years. The subsequent reappointment(s) can be made for one to five years. There is no limit to the number of terms that a Senior Language Lecturer can be reappointed."

**Recommendation**

There is no mention if, and when, a Senior Language Lecturer will receive a five-year contract. It is our understanding that in the past, Language Lecturers were given a five-year contract after twelve years of service.

We recommend adding the following: "Senior Language Lecturers will move to five-year appointment after nine years of service."

11. Page 3. Terms of Appointment, item 4, first bulletpoint, Senior Language Lecturers  
 The passage reads, "The subsequent reappointment(s) can be made for one to five years." This passage may allow shorter subsequent contracts after promotion. Subsequent reappointment contracts should be no shorter than the previous appointment contract.

**Recommendation**

We recommend the following, "Subsequent contracts will be for at least 5 years."

12. Senior Language Lecturers: the initial appointment is for one to three years.

**Recommendation**

As per the University Guidelines, Page 4, Duration of Contracts, sentence 2, "Thus, Wherever possible, schools are encouraged to reduce reliance on one-year contracts.", we recommend that if a one-year contract is adopted, the Dean will provide a justification. We recommend adding language to the document similar to the following: "If a one-year contract is adopted, the Dean will provide a justification, similar to the hiring plan submitted to the Provost, based upon programmatic and academic considerations, to the faculty through the FAS Faculty Assembly."

13. Page 3. Terms of Appointment, item 3, sentence 1:

Language Lecturers: the initial appointment can be made for one to three years.

**Recommendation**

To prevent the establishment of a permanent group of continuing contract faculty on one-year contracts, 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 third-year formal review shall move to at least a three-year appointment."

14. Page 3. Terms of Appointment, item 4, sentence 2:

The subsequent reappointment(s) can be made for one to five years.

**Recommendation**

To prevent the establishment of a permanent group of continuing contract faculty on one-year contracts, 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 third-year formal review shall move to at least a three-year appointment."

Further, the subsequent reappointment should be no shorter than the initial appointment.

15. Page 3. Terms of Appointment, item 5, sentence 2:

There is no expectation of renewal, ...

**Recommendation**

This item concerning visiting faculty does not pertain to continuing contract faculty, and should be deleted from the document.

16. Page 3. Terms of Appointment, item 6, sentence 2:

In rare instances, a one-semester appointment as a Language Lecturer may be made to ...

**Recommendation**

This item concerning visiting faculty does not pertain to continuing contract faculty, and should be deleted from the document. Further, the use of the title "Language Lecturer" is inappropriate for such a position.

17. Page 4. Procedures for Reappointment, General Considerations, paragraph 2, sentence:

Even in those cases in which a candidate satisfies the appropriate standards of achievement, the decision to reappoint or promote may be impacted by curricular and structural changes and improvement in academic programs.

**Recommendation**

We recommend adding the language that, "In such an event, a review should be conducted which will 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."

18. Page 5. Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion, paragraph 4:

When a position is to be eliminated at the end of the contract term and there is no similar position open, there is no reappointment process; however, the faculty member may request a performance review for career development.

**Recommendation**

We recommend that a date be provided prior to which the faculty member will be notified of the intention not to reappoint.

19. Page 5. Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion, paragraph 4:

When a position is to be eliminated at the end of the contract term and there is no similar position open, there is no reappointment process; however, the faculty member may request a performance review for career development.

**Recommendation**

We recommend adding the language that, "In such an event, the review should 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."

20. Page 5. Reappointment for Continuous Service on One-Year or Two-Year Contracts, sentence 1:

In addition to contracts of three years or more, Language Lecturers and Senior Language Lecturers may be recommended by the Department Chair or Director to a series of one-year or two-year full time contracts.

**Recommendation**

As per the University Guidelines, Page 4, Duration of Contracts, sentence 2, "Thus, Wherever possible, schools are encouraged to reduce reliance on one-year

contracts.", we recommend that if a one-year contract is adopted, the Dean will provide a justification. We recommend adding language to the document similar to the following: "If a one-year contract is adopted, the Dean will provide a justification, similar to the hiring plan submitted to the Provost, based upon programmatic and academic considerations, to the faculty through the FAS Faculty Assembly.

21. Page 5. Reappointment for Continuous Service on One-Year or Two-Year Contracts, sentence 1:

**Recommendation**

To prevent the establishment of a permanent group of continuing contract faculty on one-year or two-year contracts, add language allowing for a transition to an appointment of at least three years for faculty on one-year or two-year appointments who successfully complete a formal review, such as, "Faculty members on continuous one-year or two-year appointments who successfully complete their third-year formal review shall move to at least a three-year appointment."

22. Page 5. Formal Review Process, sentence 1:

The review, whether for renewal and/or promotion is undertaken by a committee appointed by the department Chair or Director, consisting of three to five full-time faculty, with a minimum of two tenured or tenure-track faculty and at least one contract faculty member.

**Recommendation**

The committee should be made up of elected members, not appointed; additionally, the majority of the committee should be made up of Continuing Contract faculty members.

23. Page 5. Formal Review Process, sentence 4:

In any event, the committee shall not include a Language Lecturer or Senior Language Lecturer under review for reappointment that year.

**Recommendation**

For small departments, or for departments with few Continuing Contract faculty, this constraint may be onerous and severely restrict the makeup of the review committee. We recommend that a Language Lecturer or Senior Language Lecturer under review for reappointment and/or promotion simply recuse herself or himself from consideration of her/his case.

24. Page 5. Formal Review Process, section I, sentence 2:

A review for promotion to Senior Language Lecturer is mandatory in the sixth year of service.

**Recommendation**

Since reviews are now performed during the penultimate year of a contract, we recommend replacing this sentence with, "A review for promotion to Senior Language Lecturer is mandatory in the fifth year of the initial six years of service."

23. Page 6. Formal Review Process, section II, paragraph 1, sentence 1:  
The candidate should submit a personal statement, curriculum vitae, course syllabi, and teaching evaluations to the Chair or Director of the Department; for candidates on multi-year appointments, this should be submitted on or before February 1 of the penultimate year of their current appointment.

**Recommendation**

We recommend replacing this sentence with, "The candidate should submit a review packet (see below for content) to the Chair or Director of the Department; for candidates on multi-year appointments, this should be submitted on or before February 1 of the penultimate year of their current appointment."

24. Page 6. Formal Review Process, section II, paragraph 3, item 5:  
An evaluation of teaching performance of the candidate, which should include:
- A. Course evaluations (provided by the department administration)
  - B. Course syllabi (provided by the candidate)
  - C. Reports of classroom observation (provided by department administration or committee)

**Recommendation**

Many other criteria might be used in order to assist the committee in assessing the teaching performance of the candidate. We recommend expanding the content of the review packet to include optional items that the candidate believes will support the assessment. Other items for consideration might include 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, student evaluations, etc.

25. The policy does not specify how the departmental review committee will make its determinations.

**Recommendation**

Specify that a majority vote of the departmental review committee shall be required for a successful review for a recommendation for reappointment and that all votes shall be by secret ballot. In the case of a split opinion, the minority opinion should also be included in the report as an appendix.

26. The policy does not specify the process governing the creation of the departmental review committee's report.

**Recommendation**

Add language detailing the process governing the creation of the review committee's report, similar to that found on the FAS website: "PROCEDURES for Reappointment and/or Promotion" for language lecturers ([http:// HYPERLINK](http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html)

["http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html"](http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html)as.nyu.edu

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["http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html"](http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html)aboutas.pp.assocdean.recruitment.html), as adapted below:

“The review may be written by the department Chair or a member of the committee, but all members of the committee should read the review before it is submitted to the department. The review should represent a collective judgment of the committee or, in the case of a divided opinion, a majority of the committee. If there is a division, the dissenting opinion should be appended to the majority review.”

27. Page 7. Formal Review Process, section III, paragraph 1, sentence 3:

The Deans may consult with faculty from academic departments other than the candidate's home department.

**Recommendation**

Please include within this document examples of reasons for the Dean to consult with faculty from academic departments other than the candidate's home department, and any constraints upon such consultations. Further, if such consultations do occur, a written record of their nature and outcome should be added to the review packet.

- 28, The policy does not specify procedures for the Dean’s review of and decision on the recommendations of the departmental review committee and the divisional dean.

**Recommendation**

Include the following language: “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 appointment. In the event that the Dean follows the recommendation of the committee to reappoint and/or for promotion, the summary letter to the faculty member with notification of intent to reappoint or for promotion should include the length of reappointment/appointment, and a signature block for the faculty member.”

29. The policy does not specify the process according to which the divisional dean communicates with the Dean about the reappointment to ensure that the school Dean receives the full record and recommendation of the Review Committee, as well as the recommendations of the divisional dean.

**Recommendation**

Add the following language: "The divisional dean must forward the review packet to the school Dean along with the committee's recommendations and any comments from the faculty."

30. The policy does not specify a candidate's access to written review materials in the event of a negative decision on reappointment

**Recommendation**

"In all cases of an appeal of a negative decision related to reappointment or promotion by the Dean, the candidate will have access to the Review/Promotion Committee's full report, with redactions of any confidential material such as names of evaluators, and including its recommendation and any comments from the faculty."

31. The policy does not specify the procedure to be followed if the decision of the Dean of Arts and Science is contrary to that of the divisional dean and/or the review committee.

**Recommendation**

Add language detailing the process to be followed if the decision of the Dean of Arts and Science is contrary to that of the divisional dean and/or the review committee, similar to that found on the FAS website: "PROCEDURES for Reappointment and/or Promotion" for language lecturers:

([http:// HYPERLINK](http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html)

["http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html"](http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html)as.nyu.edu

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"http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html"aboutas.pp.assocdean.recruitment.html), as adapted below:

"If the decision of the Dean of Arts and Science is contrary to that of the departmental evaluation committee or the divisional dean, 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."

32. Page 9. Faculty Grievances, paragraph 2, item 4:

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

**Recommendation**

This statement removes all rights of grievance for faculty on one-year or two-year appointments, prior to their third year review. We recommend that this statement be deleted from the document.

### **Minor Substantive Recommendations**

33. Page 1. I Introduction, paragraph 1, sentence 2:  
"Appointees must be experienced in their particular fields ..."

#### **Recommendation**

Since initial appointment Language Lecturers might not have significant work experience in their field, we recommend the replacement of "experienced" by "highly knowledgeable".

34. Page 4. Procedures for Reappointment, General Considerations, title:

#### **Recommendation**

The title of this section should be changed to, "Procedures for Appointment and Reappointment, General Considerations"

35. Page 5. Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion, paragraph 5:  
For faculty whose responsibilities are primarily administrative, greater weight will be given to performance in both multi-year appointments and recommendations for promotion.

#### **Recommendation**

We recommend changing, "greater weight will be given to performance in both ...", to " greater weight will be given to performance of those duties in both ..."

36. Page 6. Formal Review Process, section II, paragraph 3, sentence 1:  
The review packet to be presented to the faculty should normally include:

#### **Recommendation**

We recommend replacing this statement with, "The review packet prepared by the candidate to be presented to the faculty should normally include:"

### **Editorial Recommendations**

37. Page 2. Terms of Appointment, item 3:  
"Length of Appointment - Language Lecturers: the initial appointment ..."

#### **Recommendation**

This is not a subsection heading, but rather a description of length of appointment for the language lecturer rank, much like item 4 is a description of length of

appointment for the senior language lecturer rank. To maintain consistency with other items in this list, the first component of this item, "**Length of Appointment -**", should be deleted.

38. Page 4. Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion, paragraph 1, sentence 6:

In the event of a decision to reappoint the faculty member shall complete the remainder of his/her term and shall be reappointed, normally, for another multi-year term.

**Recommendation**

Two commas are incorrectly placed in the sentence. We recommend, "In the event of a decision to reappoint, the faculty member shall complete the remainder of his/her term and shall be reappointed, normally for another multi-year term."

39. Page 5. Formal Review Process, section I, title:

*PROMOTION*

**Recommendation**

We recommend that the section title be changed to "*PROMOTION: GENERAL PROCEDURE*", to maintain consistency with the following two section titles.

40. Page 6. Formal Review Process, section II, title:

*DEPARTMENT*

**Recommendation**

We recommend that the section title be changed to "*PROMOTION: DEPARTMENTAL PROCEDURE*"

41. Page 7. Formal Review Process, section III, title:

*FAS DEAN'S OFFICE*

**Recommendation**

We recommend that the section title be changed to "*PROMOTION: FAS DEAN'S OFFICE PROCEDURE*"