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Date: September 26, 2017
To: Katherine Fleming, Provost
From: Joanna Waley-Cohen, Provost, NYU Shanghai
Subject: Responses to T- FSC/C-FSC Review of NYU Shanghai C-Faculty Guidelines

The attached memorandum provides responses from NYU Shanghai to the recommendations offered by the T-Faculty Senators Council and the C-Faculty Senators Council on the NYU Shanghai Guidelines on the Full-Time Continuing Contract Faculty Review Process for Reappointment and Promotion.

Responses to T-FSC Recommendations

1. RECOMMENDATION (Minor): Consider replacing with “establish”.

NYU Shanghai: Accepted and incorporated in revised version.

2. RECOMMENDATION (Substantive): Add description of CCF and other faculty involvement in the process of developing/reviewing the C - FSC guidelines and the formal documentation of their involvement through faculty vote. If that did not occur, suggest a review and vote be taken prior to approval of these guidelines.

NYU Shanghai: The NYU Shanghai CCF were actively involved in the process of developing the Guidelines through formal and information consultations. Provost Waley-Cohen and other NYU Shanghai administrators met several times with a CCF committee established to review the Guidelines and organized a meeting with the entire CCF in October 2015 to discuss the Guidelines. The Guidelines were sent to the entire CCF faculty in May 2016 for their review and approval. 14 CCF faculty voted in favor of the draft (0 against). A revised version of the Guidelines incorporating comments from the T-FSC/C-FSC was submitted to the NYU Shanghai CCF for their review and comment, and all comments that we were received were addressed. We do not believe it is necessary to describe this process in the Guidelines.

3. RECOMMENDATION (Substantive): The provost cover letter indicates that because of the early developmental stage of NYU Shanghai and the limited number of faculty these guidelines are likely to change in the future. Suggest specifying the process for future revision of the guidelines and process for faculty input through discussion and voting (ie timeline for review of proposed amendments, process for obtaining feedback).

NYU Shanghai: Incorporated a timeframe for review of the Guidelines in revised version. We believe the section on ‘Future Amendments’ adequately addresses the process for future revisions to the Guidelines, which will be similar to the process undertaken to develop the current version of the Guidelines.

4. RECOMMENDATION (Substantive); Consider including teaching load.

NYU Shanghai: We considered the recommendation but prefer to leave as is because teaching loads are addressed in the responsibilities section of the paragraph and in the offer letters and employment contracts that CCF sign with NYU Shanghai.

5. RECOMMENDATION (Substantive); Specify how CCF will participate in NYU Shanghai school wide governance (i.e. nominations by whom, elected or appointed) and what the voting rights for CCF on school wide governance bodies will be.

NYU Shanghai: CCF participation in NYU Shanghai school-wide governance is addressed in the NYU Shanghai Shared Governance Guidelines. Of relevance to this document, CCF with one year of service or contracts of at least one year are eligible to be voting members of the Faculty Council (except with respect to tenure-related matters), may be elected to the Faculty Council Steering Committee (the current chair is a CCF member) and may serve on faculty and leadership-appointed committees.

6. RECOMMENDATION: To support continued excellence in teaching and pedagogical innovation provide opportunities for and funds for growth of continuing contract faculty.

NYU Shanghai: NYU Shanghai provides CCF with discretionary funds, which are annual allocations of funds provided for in the faculty member's offer letter and employment contract. Discretionary funds typically are granted for a period of one year or on an annual recurring basis with a specific amount to be allocated and used during each Fiscal Year. Discretionary Funds are granted to support a faculty member's professional development. We do not believe it is necessary to describe these funds in the Guidelines.

7. RECOMMENDATION (Substantive): Suggest clarification with some more description of what "fully engaged" means as that can be subjective.

NYU Shanghai: Accepted. Deleted "to be fully engaged in Shanghai" in the revised version.

8. RECOMMENDATION (Substantive): In the case of a one year appointment, the Dean or Program Director will provide a written justification to the Provost.

NYU Shanghai: NYU Shanghai follows all Provostial directives for submitting a faculty hiring plan for provostial review, including justifications for one-year appointments. We do not believe it is necessary to describe the Provost's requirements in the Guidelines.

9. RECOMMENDATION (Substantive): This statement need clarification or should be deleted as it implies an arbitrary process of decision making about an employee who has performed in accordance with the contract ("has met or exceeded expectations").

NYU Shanghai: We considered the recommendation but decided to leave as is. In NYU Shanghai's initial years of development, NYU Shanghai needs flexibility to attract and retain top CCF. This issue has been discussed extensively with the NYU Shanghai CCF, who understand and have accepted the rationale.

10. RECOMMENDATION: This statement needs clarification or deletion as it creates the possibility of an arbitrary ad hoc review of an employee's performance not consistent with university guidelines.

NYU Shanghai: We note that this language is taken directly from the University guidelines. In addition, CCF in Shanghai have asked for the possibility of additional reviews. We have amended to note that such reviews may not be conducted more than once a year.

11. RECOMMENDATION: As NYU Shanghai increases the size of the faculty consider election of faculty review committees in future revision of these guidelines.

NYU Shanghai: We will keep this recommendation in mind as the size of the faculty increases and consider in future revisions of the Guidelines.

12. RECOMMENDATION: Inclusion of at least one contract faculty member of appropriate rank in the review committee. 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, and that all votes of both Committees shall be by secret ballot.

NYU Shanghai: Accepted and incorporated in revised version.

13. RECOMMENDATION: Suggest adding: The review may be written by one or more members of the Review and Reappointment Committee, but all members of the committee should read the review before it is submitted to the Dean. The review should represent a collective judgment of the committee or, in the case of a divided opinion, a majority of the committee. If there is a division of opinion, the minority opinion should be appended to the majority review.

NYU Shanghai: Accepted in part and related language incorporated in revised version.

14. RECOMMENDATION: 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, and that all votes of both Committees shall be by secret ballot.

NYU Shanghai: Accepted and incorporated in revised version.

15. RECOMMENDATION (minor): Consider preplacing with indicated, described, or specified.

NYU Shanghai: Accepted and incorporated in revised version.

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 NYU Shanghai 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,

NYU Shanghai: The NYU Shanghai CCF were actively involved in the process of developing the Guidelines through formal and information consultations. Provost Waley-Cohen and other NYU Shanghai administrators met several times with a CCF committee established to review the Guidelines and organized a meeting with the entire CCF in October 2015 to discuss the Guidelines. The Guidelines were sent to the entire CCF faculty in May 2016 for their review and approval. 14 CCF faculty voted in favor of the draft (0 against). A revised version of the Guidelines incorporating comments from the T-FSC/C-FSC was submitted to the NYU Shanghai CCF for their review and comment, and all comments that we were received were addressed. We do not believe it is necessary to describe this process in the Guidelines.

2. Describe the composition of this Council, and provide information concerning where its policies may be found (perhaps as a footnote). If Continuing Contract Faculty are not part of this Council, then we recommend that they be included. This is in keeping with the University Guidelines, page 3, Titles and Terms of Employment, Participation in School Governance, paragraph 2,

NYU Shanghai: These matters are all addressed in the NYU Shanghai shared governance guidelines. As background, CCF with one year of service are eligible to be voting members of the Faculty Council (except with respect to tenure-related matters) and may be elected to the Faculty Council Steering Committee (the current chair is a CCF member) and may serve on faculty and leadership-appointed committees.

3. Clarify - does "be represented" constitute elected clinical faculty membership within these committees, and if so, will the representative have full voting rights? If Continuing Contract Faculty are not members of these committees, then we recommend that they be included. This is in keeping with the University Guidelines, page 3, Titles and Terms of Employment, Participation in School Governance, paragraph 2,

NYU Shanghai: These matters are all addressed in the NYU Shanghai shared governance guidelines. As background, CCF with one year of service are eligible to be voting members of the Faculty Council (except with respect to tenure-related matters) and may be elected to the Faculty Council Steering Committee (the current chair is a CCF member) and may serve on faculty and leadership-appointed committees.

4. Page 2, 1. Introduction, paragraph 5, sentence 5: "In cases where the incumbent is not selected for the tenure track position, ...:

Recommendation: Add that if the search committee does not select the faculty member for the tenure track position that the decision must be justified and the reasoning revealed to the candidate.

NYU Shanghai: We considered the recommendation but decided to leave as is since this is not the approach taken with respect to other candidates for tenure track positions.

5. Page 3, 1. Introduction, paragraph 6, sentence 1: Any amendment to these Guidelines must be in writing and must be approved by the Provost of NYU Shanghai, who will consult with the NYU Shanghai Faculty Council, and the Provost of NYU.

Recommendation: Add a mechanism for timely distribution of any amendments to the Policy to the Shanghai faculty, including Continuing Contract Faculty, and that allows for 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 Shanghai: We considered and believe the section on 'Future Amendments' adequately addresses the process for future revisions to the Guidelines, which will be similar to the robust consultative process undertaken to develop the current version of the Guidelines.

6. Page 3, 2. Review Principles, paragraph 3, sentence 2: "... formal assessments of teaching effectiveness (e.g. class observation), and student evaluation; ..."

Recommendation: Add other reasonable instruments of assessment. For example, the following factors might be considered: course materials (e.g., syllabi, 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.

NYU Shanghai: Accepted in part and related language incorporated in revised version.

7. Page 3, 2. Review Principles, paragraph 4, sentence 1: "Continuing Contract Faculty are expected to be fully engaged at NYU Shanghai to help build and strengthen the school, and ..."

Recommendation: Given that the phrase "to be fully engaged at NYU Shanghai" is subjective, the phrase should be removed from the Guidelines.

NYU Shanghai: Accepted. Deleted “to be fully engaged in Shanghai” in the revised version.

8. Page 3, 2. Review Principles, paragraph 5: Continuing Contract Faculty are welcomed to contribute to NYU Shanghai’s overall research portfolio and professionalism through research projects in their field, professional development, publications, conference attendance, and related activities. While scholarship and practice in the arts or professional fields are highly valued, these are not required for reappointment or promotion, except as set forth in the faculty member’s employment contract.

Recommendation: Given that scholarly and/or creative activity is welcomed and encouraged for reappointment and promotion, professional development funds and research leave or sabbatical should be provided to further support professional, scholarly, or creative work. A description of that eligibility, and the process governing it, should be added. Given that scholarly work is not required (unless specified as such in the individual's contract), professional development funds that support that faculty member’s continued growth in teaching their field should be provided.

NYU Shanghai: NYU Shanghai provides CCF with discretionary funds, which are annual allocation of funds provided for in the faculty member’s employment contract. Discretionary funds typically are granted for a period of one year or on an annual reoccurring basis with a specific amount to be allocated and used during each Fiscal Year. Discretionary Funds typically are granted to support a faculty member’s professional development. We do not believe it is necessary to describe these funds in the Guidelines.

9. Page 3, 2. Review Principles, paragraph 6, sentence 2: In certain limited circumstances, including but not limited to, at the faculty member’s request or to address a specific academic need, Continuing Contract Faculty may be appointed for a period of one or two years.

Recommendation: Add "If a one-year contract is adopted, the Dean will provide a justification, similar to the hiring plan submitted annually to the NYU Provost, based on programmatic and academic considerations, to the faculty through the formal governance structure established at the school (the NYU Shanghai Faculty Council)."

NYU Shanghai: We prefer not to require written justification since one-year appointments are only given in certain limited circumstances. As background, the overwhelming majority of CCF receive appointments with terms of 3-5 years. One-year appointments are given primarily to visiting faculty (i.e. faculty from other institutions who come to NYU Shanghai to teach for a year or so and who are not technically covered by these Guidelines) and to faculty who want to come to Shanghai and see if they like living here (i.e. they are not prepared to make a long-term

commitment to a place they have never been). In the early years of NYU Shanghai's development, a one-year appointment can be beneficial to CCF and to NYU Shanghai to give both sides a change to see if such an appointment is a good fit. This issue can be revisited when the Guidelines are updated.

10. Page 3, 2. Review Principles, paragraph 6, sentence 3: Continuing Contract Faculty may be reappointed and, in the event they are, the reappointment will be governed by a new contract the length of which is to be determined by the relevant NYU Shanghai Dean or Program Director following consultation with the Provost of NYU Shanghai.

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 normally move to at least a three-year appointment."

NYU Shanghai: Accepted in part and related language incorporated in revised version.

11. Page 3, 2. Review Principles, paragraph 6, sentence 3: Continuing Contract Faculty may be reappointed and, in the event they are, the reappointment will be governed by a new contract the length of which is to be determined by the relevant NYU Shanghai Dean or Program Director following consultation with the Provost of NYU Shanghai.

Recommendation: Introduce a policy to determine the contract length for an initial appointment at a given rank and for reappointment upon promotion, rather than ad hoc decisions by the Dean or Director.

NYU Shanghai: We will keep this recommendation in mind as the CCF develops and consider in future revisions of the Guidelines.

12. Page 4, 2. Review Principles, paragraph 10: These Guidelines are intended to ensure the distinct excellence of NYU Shanghai's educational programs. A faculty member's eligibility to be considered for reappointment does not create a presumption in favor of reappointment, even if the faculty member has met or exceeded the expectations set out in the contract. Should NYU Shanghai elect to conduct a search for a new position, the faculty member in question may apply as a candidate in the new search. That faculty member may also request a review for purposes of career development, and such review will be conducted within a time framework agreed upon by the faculty member and the relevant NYU Shanghai Dean or Program Director.

Recommendation: Arbitrary replacement of a faculty member who has "met or exceeded the expectations set out in the contract" is not in keeping with the spirit of the University Guidelines. Those guidelines specify only that "... the decision to reappoint or promote may be impacted by curricular and structural changes and improvements in academic programs." We recommend the removal of the paragraph in question because it violates the spirit of the University Guidelines and will decrease the stability of the affected programs.

NYU Shanghai: We considered the recommendation but decided to leave as is. In NYU Shanghai's initial years of development, NYU Shanghai needs flexibility to attract and retain top CCF. This issue has been discussed extensively with the NYU Shanghai CCF, who understand and have accepted the rationale.

13. Page 5, 2. Review Principles, paragraph 12, sentence 2: In addition, NYU Shanghai may carry out formal performance assessments from time to time in the course of multi-year appointments that are longer than three years.

Recommendation: We recommend the removal of this sentence. The University Guidelines provide for performance assessments when appropriate. Arbitrary assessments violate the spirit of those Guidelines. No other school policy document reviewed by this committee has had such a provision.

NYU Shanghai: We note that this language is taken directly from the University guidelines. In addition, CCF in Shanghai have asked for the possibility of additional reviews. We have amended to note that such reviews may not be conducted more than once a year.

14. Page 5, 3. Review Process for Reappointment, paragraph 2, subparagraph iii: Demonstration of teaching effectiveness (e.g., faculty course evaluations, peer observations of teaching, formal assessments of teaching effectiveness, syllabi or URL, and other relevant documents).

Recommendation: We recommend the more complete list: course materials (e.g., syllabi, 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.

NYU Shanghai: Accepted in part and related language incorporated in revised version.

15. Page 5, 3. Review Process for Reappointment, paragraph 3, subparagraph i: The relevant NYU Shanghai Dean, in consultation with the Program Director (when applicable), appoints an ad-hoc faculty review committee (FRC), which consists of three or five faculty members from the ranks of both the tenured and contract faculty.

Recommendation: We recommend that the committee should be made up of elected, not appointed, members; additionally, the majority of committee should be made up of Continuing Contract faculty members.

NYU Shanghai: We will keep this recommendation in mind as the size of the faculty increases and consider in future revisions of the Guidelines. The recommendation that a majority of the committee be made up of CCF members is not required by the NYU Guidelines. We have considered this recommendation but prefer to leave as is.

16. Page 5, 3. Review Process for Reappointment, paragraph 3, subparagraph i: "The relevant NYU Shanghai Dean, in consultation with the Program Director (when applicable), appoints an ad-hoc faculty review committee (FRC), ...".

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

NYU Shanghai: We will keep this recommendation in mind as the size of the faculty increases and consider in future revisions of the Guidelines.

17. Page 5, 3. Review Process for Reappointment, paragraph 3, subparagraph i: "... an ad-hoc faculty review committee (FRC), which consists of three or five faculty members from the ranks of both the tenured and contract faculty."

Recommendation: We recommend that the majority of committee should be made up of Continuing Contract faculty members.

NYU Shanghai: The recommendation that a majority of the committee be made up of CCF members is not required by the NYU Guidelines. We have considered this recommendation but prefer to leave as is.

18. Page 6, 3. Review Process for Reappointment, paragraph 3, subparagraph iv: Insofar as is possible, at least one member of the committee must be an NYU Shanghai faculty member.

Recommendation: We again recommend that the majority of committee should be made up of Continuing Contract faculty members. If insufficient senior Continuing Contract Faculty are available at NYU Shanghai, then we recommend drawing senior Continuing Contract Faculty from across New York University's global network.

NYU Shanghai: The recommendation that a majority of the committee be made up of CCF members is not required by the NYU Guidelines. We have considered this recommendation but prefer to leave as is because we believe that CCF are adequately represented on the FRC.

19. Page 6, 3. Review Process for Reappointment, paragraph 4: NYU Shanghai Dean/Program Director and Provost of NYU Shanghai

Recommendation: We recommend adding the following subparagraph: iv. 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, and that all votes of both Committees shall be by secret ballot.

NYU Shanghai: Accepted and incorporated in revised version.

20. Page 6, 3. Review Process for Reappointment, paragraph 4: NYU Shanghai Dean/Program Director and Provost of NYU Shanghai

Recommendation: We recommend adding the following subparagraph: v. The review may be written by one or more member of the Review and Reappointment Committee, but all members of the committee should read the review before it is submitted to the Dean. The review should represent a collective judgment of the committee or, in the case of a divided opinion, a majority of the committee. If there is a division of opinion, the minority opinion should be appended to the majority review.

NYU Shanghai: Accepted in part and related language incorporated in revised version.

21. Page 6, 3. Review Process for Reappointment, paragraph 4: NYU Shanghai Dean/Program Director and Provost of NYU Shanghai

Recommendation: We recommend adding the following subparagraph: vi. 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.

NYU Shanghai: As a matter of practice and compliance with Chinese law, reappointment/promotion involve updated offer letters for the faculty and new employment contracts (or amendments to existing employment contracts) that incorporate the suggested terms. We do not believe it is necessary to describe this in the Guidelines.

22. Page 6, 3. Review Process for Reappointment, paragraph 4: NYU Shanghai Dean/Program Director and Provost of NYU Shanghai

Recommendation: We recommend adding the following subparagraph: vii. If the school Dean's decision is contrary on appointment, title, or length of contract to that of the Review

and Reappointment Committee or the Promotion Committee or the divisional dean, the Dean will provide the committee and candidate 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.

NYU Shanghai: We have considered the recommendation and we feel that the current process includes adequate opportunity for input by the FRC.

23. Page 6, 3. Review Process for Reappointment, paragraph 4: NYU Shanghai Dean/Program Director and Provost of NYU Shanghai

Recommendation: We recommend adding the following subparagraph: viii. 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 and any comments from the faculty, with the exception of letters designated as "confidential".

NYU Shanghai: We have considered this recommendation but prefer to leave as is. We note that in tenure cases the candidate does not have access to the report.

24. Page 6, 4. Review Process for Promotion, subparagraph v: Promotion is granted by the Provost of NYU Shanghai on the recommendation of the relevant NYU Shanghai Dean or Program Director to candidates based on the following factors: distinguished professional accomplishments, an outstanding teaching record, and years served in previous institutions (if applicable).

Recommendation: We recommend adding to the list of factors, "exceptional service to the program, school, or university."

NYU Shanghai: Accepted and incorporated in revised version.

25. Page 6, 4. Review Process for Promotion:

Recommendation: We recommend the insertion of a new subparagraph following the existing subparagraph v, that "A negative decision on promotion by the Provost of NYU Shanghai or the NYU Shanghai Dean or Program Director will be explained to both the committee and the candidate."

NYU Shanghai: Accepted in part and related language incorporated in revised version.

26. Page 7, 5. Grievance Procedure, paragraph 2, sentence 2: Within 15 business days of receipt of a grievance by the relevant NYU Shanghai Dean or Program Director, the faculty

member will meet privately with the relevant NYU Shanghai Dean or Program Director to try to reach an informal resolution.

Recommendation: We recommend that a mutually agreed upon third person be present at an informal discussion between the faculty member and the relevant NYU Shanghai Dean or Program Director, rather than having them "meet privately".

NYU Shanghai: We have considered the recommendation but prefer to leave as is.

27. Page 7, 5. Grievance Procedure, paragraph 3: In the event that the grievance is not settled informally, the faculty member may appeal to the Provost of NYU Shanghai to convene the NYU Shanghai Grievance Committee, appointed in accordance with the NYU Shanghai Shared Governance Guidelines, within 15 business days of receipt by the Provost of NYU Shanghai of written notice of the faculty member's appeal. For grievances brought by a member of the Continuing Contract Faculty, the NYU Shanghai Grievance Committee will be expanded to include at least one senior member of the Continuing Contract Faculty, if a senior member of the Continuing Contract Faculty is not already on the faculty appointed Grievance Committee.

Recommendation: We recommend that the NYU Shanghai Grievance Committee appointees, including any Continuing Contract Faculty, be drawn from a pool of elected individuals. This is in keeping with the University Guidelines, page 7, Grievance Procedures, The School Grievance Process.

NYU Shanghai: Members of the Grievance Committee are elected by the faculty. With respect to a particular grievance, a subset of the members of the grievance committee (or the entire committee) is appointed by the Chair of the Grievance Committee and Chair of the Faculty Council Steering Committee, in consultation with the FCSC to hear a grievance. The procedure is laid out in the Faculty Grievance Committee charter developed by the NYU Shanghai FCSC. Related language has been incorporated in revised version of the Guidelines.

28. Page 7, 5. Grievance Procedure, paragraph 3: In the event that the grievance is not settled informally, the faculty member may appeal to the Provost of NYU Shanghai to convene the NYU Shanghai Grievance Committee, appointed in accordance with the NYU Shanghai Shared Governance Guidelines, within 15 business days of receipt by the Provost of NYU Shanghai of written notice of the faculty member's appeal. For grievances brought by a member of the Continuing Contract Faculty, the NYU Shanghai Grievance Committee will be expanded to include at least one senior member of the Continuing Contract Faculty, if a senior member of the Continuing Contract Faculty is not already on the faculty appointed Grievance Committee.

Recommendation: We recommend that the NYU Shanghai Grievance Committee appointees, including any Continuing Contract Faculty, be drawn from a pool of elected individuals,

NYU Shanghai: Members of the Grievance Committee are elected by the faculty. With respect to a particular grievance, a subset of the members of the grievance committee (or the entire committee) is appointed by the Chair of the Grievance Committee and Chair of the Faculty Council Steering Committee, in consultation with the FCSC to hear a grievance. The procedure is laid out in the Faculty Grievance Committee charter developed by the NYU Shanghai FCSC.

Minor Substantive Revisions

1. Page 2, 1. Introduction, paragraph 5, sentence 5: "... he or she will remain in employment until the expiration of the existing contract and will be eligible for contract renewal or promotion following the review procedures set out by these Guidelines."

Recommendation: If the incumbent has not been selected for the tenure track position, but "will be eligible for contract renewal", is this paragraph describing the conversion of one line, or the creation of a new line? If it is just one line, what will happen to the non-selected incumbent, and if the outcome is termination, what calendar will the process follow? The original paragraph should be rewritten to address these questions.

NYU Shanghai: Accepted and incorporated in revised version.

2. Page 4, 2. Review Principles, paragraph 11, sentence 1: In connection with reviews for reappointment and promotion of Continuing Contract Faculty on a contract of three or more years, these Guidelines will include, or NYU Shanghai will make available (in print and/or on the faculty portal):

Recommendation: Remove the phrase "on a contract of three or more years", so that all Shanghai Continuing Contract Faculty, regardless of contract length, are addressed by these Guidelines.

NYU Shanghai: We have considered the recommendation but prefer to leave as is.

3. Page 4, 2. Review Principles, paragraph 11, sentence 1: In connection with reviews for reappointment and promotion of Continuing Contract Faculty on a contract of three or more years, these Guidelines will include, or NYU Shanghai will make available (in print and/or on the faculty portal):

Recommendation: With regard to the phrase "these Guidelines will include", is this not referring to the document under review? If so, the Guidelines should simply include the criteria and calendar described, or should state that they will be made available ("in print

and/or on the faculty portal"). Further, the location of the faculty portal should be specified. If other Guidelines are being referenced, please identify them.

NYU Shanghai: Accepted and incorporated in revised version.

4. Page 5, 2. Review Principles, paragraph 12, sentence 1: In addition to reviews at the time of potential reappointment, Continuing Contract Faculty on a contract of three or more years must submit annually to the relevant NYU Shanghai Dean or Program Director an activity report, comparable in scope to reports required of tenured/tenure track faculty but as appropriate for Continuing Contract Faculty appointments and whose format will be designed in accordance with NYU Shanghai policy as in effect at that time.

Recommendation: Is this activity report the one used for the Annual Merit Increase (AMI) or something completely separate?

NYU Shanghai: This activity report is used for AMI.

Editorial Recommendations

1. Page 2, 1. Introduction, paragraph 2, sentence 1: The purpose of these Guidelines is to outline the policies and procedures ...

Recommendation: Replace the word "outline" with "establish".

NYU Shanghai: Accepted and incorporated in revised version.

2. Page 4, 2. Review Principles, paragraph 8, subparagraph iii, sentence 1: Continuing Contract Faculty on multi-year contracts may be reappointed following the completion of the review process outlined below.

Recommendation: Replace the word "outlined" with "specified".

NYU Shanghai: Accepted and incorporated in revised version.

3. Page 5, 2. Review Principles, paragraph 11, subparagraph iii, sentence 1: Calendar for reviews and communication to faculty members that accords fair and timely notice of a review to take place and of its outcome.

Recommendation: Delete the phrase "to take place".

NYU Shanghai: Accepted and incorporated in revised version.

4. Page 4, 2. Review Principles, paragraph 11: In connection with reviews for reappointment and promotion of Continuing Contract Faculty on a contract of three or more years, these

Guidelines will include, or NYU Shanghai will make available (in print and/or on the faculty portal):

- i. Statement of the academic criteria in the areas of teaching, program development, research (where appropriate), the creative and performance arts (where appropriate), and department and school service that will guide the committee's evaluation.
- ii. Statement of the criteria of assessment in effect at the time.
- iii. Calendar for reviews and communication to faculty members that accords fair and timely notice of a review to take place and of its outcome. Adequate notice for individuals to pursue alternative employment in the event of a negative decision.

Recommendation: This list is not well constructed.

NYU Shanghai: Accepted in part and related language incorporated in revised version.

5. Page 6, 4. Review Process for Promotion, subparagraph iii, sentence 1: A faculty member may submit a request for early promotion to the relevant NYU Shanghai Dean or Program Director, but will be granted only under extraordinary circumstances.

Recommendation: Change "but will" to "which will".

NYU Shanghai: Accepted and incorporated in revised version.

6. Page 6, 4. Review Process for Promotion, subparagraph iv, sentence 1: The review process for promotion is the same as the review process for reappointment outlined in Section 3 above and typically takes place in conjunction with reappointment.

Recommendation: Change "outlined" to "specified".

NYU Shanghai: Accepted in part and related language incorporated in revised version