

NYUFSC

Faculty Senators Council

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1/31/13

MEMORANDUM

TO: David McLaughlin, Provost
Robert Berne, Executive Vice President for Health

FROM: Ted Magder,
Chairperson, Faculty Senators Council
A/Y 2012-2013

RE: Faculty Senators Council Review: School of Medicine Proposal for Extension of the Tenure Clock

Please find the attached memo regarding the Faculty Senators Council's review of the proposal of the School of Medicine to extend the tenure clock for individuals impacted by Hurricane Sandy.

CC: Steven B. Abramson, Senior Vice President and Vice Dean for Education, Faculty and Academic Affairs
Annette Johnson, Senior Vice President and General Counsel
Robert I. Grossman, Dean and CEO of NYU Medical Center
Carol Morrow, Associate Provost
Marie Monaco, FSC Vice Chairperson and Tenure Modifications Committee Chair
Mary Ann Jones, FSC Secretary

**To: David McLaughlin, Provost
Robert Berne, EVP for health Affairs
From: The Faculty Senators Council
Re: The proposal of the School of Medicine to extend the tenure clock for
individuals impacted by Hurricane Sandy**

The Tenure Modifications Committee met on January 23, 2013 to discuss the proposal of the School of Medicine to extend the tenure clock from 1 to 3 years for individuals negatively impacted by Hurricane Sandy. The members are in agreement that steps are necessary to ensure that those tenure-track faculty members who experienced significant losses will have sufficient time to demonstrate their qualifications for attaining tenure. The attached annotated version of the proposal describes two sections (9 and 10) where the committee felt that modifications were appropriate.

In section 9, it is recommended that any grievance of the chair's recommendation to the Dean be brought before the duly elected Grievance Committee of the School of Medicine, rather than an *ad hoc* committee appointed by the Dean. The committee felt that there was no reason to constitute a separate committee to perform a function charged to the existing Grievance Committee. In addition, any perception of bias that might ensue as a result of the appointment of an *ad hoc* committee would be precluded.

In section 10, the committee felt that the decision by the Dean should also be amenable to grievance at the level of the University Grievance Committee.

MEMO:

To: Robert Berne Ph.D., Executive Vice President for Health
David McLaughlin Ph.D., Provost
From: Robert I. Grossman MD, Dean and CEO
Re: School of Medicine Proposal for Extension of the Tenure Clock
Date: December 14, 2012

RLG

I am writing to ask your approval of a School of Medicine proposal to permit extension of the time for consideration for tenure (the “tenure clock”) for clinical and research faculty of the School of Medicine whose progress in completing requirements for tenure was significantly impacted by Superstorm Sandy. This proposal will permit a faculty who requests an extension of the tenure clock to receive an extension of the tenure clock for one, two or three years, in accordance with this policy and procedures. The proposal includes criteria for extension eligibility, and will require approval by the department chair and dean. Nothing in this policy shall require a faculty member to request an extension of the tenure clock. A faculty member who does not request extension of the tenure clock shall continue on the established tenure track and time for consideration for tenure.

Requests for extension of the tenure clock emanated from many faculty members, individually and at town hall meetings, during the recovery from Hurricane Sandy. Consultation with the Vice Dean for Research from Tulane University indicated that a similar extension of the probation period was offered to faculty following Hurricane Katrina. The essential elements of the proposal were discussed and approved unanimously by the School of Medicine Faculty Council in its meeting of December 3.

Thank you for your consideration of this request. Please let me know if you have any questions.

Cc: Annette Johnson
Steven Abramson
Nathaniel Landau

New York University School of Medicine
Proposal on Hurricane-Related Changes in Tenure Clock

This proposal is presented to permit extension of the time for consideration for tenure (the “tenure clock”) for clinical and research faculty of the School of Medicine whose progress in completing requirements for tenure was significantly impacted by Superstorm Sandy.

1. A faculty member on the tenure track whose progress toward completion of requirements for tenure has been significantly impacted by Superstorm Sandy, and who requests an extension of the tenure clock, will be entitled to receive an extension of the tenure clock for one, two or three years, in accordance with this policy and procedures.
2. There are suggested criteria for extension eligibility, which reflect the severity of the hurricane-induced research impediment(s); none are absolute and should be viewed on a case-by-case basis. Among the criteria for eligibility would be:
 - Loss of animals
 - Loss of key reagents
 - Loss of data, including patient databases
 - Loss of key technology
 - Loss of access to important collaborators
 - Physical relocation of laboratories
3. Beginning immediately there will be a period of evaluation of the impact of disruptions caused by Superstorm Sandy on the progress of faculty who are on the tenure-track.
4. The Chair of each department will request each faculty member who is on the tenure track to describe the faculty member’s situation with respect to the impact of Superstorm Sandy on the faculty member’s progress toward completion of requirements for tenure.
5. Each faculty member on the tenure track will confer with the faculty member’s Mentoring Committee.
6. If a faculty member, after consultation with the Mentoring Committee, believes that the impact of Superstorm Sandy is substantial and makes it less likely that the faculty member will advance toward tenure under the established tenure timetable, the faculty member may request an extension of the tenure clock. The request for extension must be submitted no later than February 28, 2013 and must be made to the Chair in writing, and

accompanied by a recommendation of the faculty member's Mentoring Committee.

7. Upon review of the faculty member's request, the Chair will make a recommendation to the Departmental Promotions and Appointments Committee with respect to extension of the tenure clock.
8. The Departmental Promotions and Appointments Committee shall review the faculty member's request, the recommendation of the Mentoring Committee and the Chair's recommendation and make a recommendation to the Chair. The Chair will convey the recommendation to the faculty member and to the Dean.
9. A faculty member whose request for extension of the tenure clock is denied, or is granted for a shorter period than the faculty member requested, in the recommendation of the Departmental Promotions and Appointments Committee, may appeal to an *ad hoc* panel of tenured faculty, which shall be appointed by the Dean to advise him on individual appeals. The *ad hoc* panel will consist of one member each of the Faculty Council Benefits and Tenure and Academic Affairs Committees, and a full member of the Medical School Promotions Committee. This panel will interview the faculty member, Mentoring Committee and the Chair, on separate occasions and will render their recommendation to the Dean. 
10. The Dean will review the recommendation of the Departmental Promotion and Appointments Committee, if there is no appeal, or the recommendation of the *ad hoc* panel, if there is an appeal. If the Dean concludes that the tenure clock should be extended, he will forward his recommendation, including the number of years of tenure clock extension, to the University, to be reviewed by the Executive Vice President for Health and the Provost. The decision of the Executive Vice President for health/Provost will be final. 
11. Cases approved under this policy will not require individual NYU Board of Trustee exceptions; each faculty member will need to sign a letter acknowledging the exception. Each September, the School of Medicine will submit a list of faculty who are affected by the extension to the Executive Vice President for Health.
12. Nothing in this policy shall require a faculty member to request an extension of the tenure clock. A faculty member who does not request extension of the tenure clock shall continue on the established tenure track and time for consideration for tenure.