MINUTES OF THE T-FACULTY SENATORS COUNCIL MEETING OF FEBRUARY 28, 2019

The New York University Tenured/Tenure Track Faculty Senators Council (T-FSC) met at noon on Thursday, February 28, 2019 in the Global Center for Academic & Spiritual Life, at 238 Thompson Street, 5th Floor Colloquium Room.

In attendance were Senators Cappell, Das, Economides, Fenton, Figlewski, Frankl, Garabedian, Higham, Hoffman, Irving, Kamer, Ling, Logan, Longuenesse, Merritt, Mincer, Quinn, Romig, Shapley, Smoke, Taylor, Waltzman, Watson, and Zamir; Active Alternates Alter and Regaignon; and Alternate Senators Geppert (for Weslake), Ompad (for Parekh), Schlick (for Tranchina), and Tannenbaum.

APPROVAL OF THE MINUTES OF THE MEETING HELD JANUARY 31, 2019

Upon a motion duly made and seconded, the minutes of the January 31, 2019 meeting were approved unanimously.

ANNOUNCEMENT OF THE LIST OF CANDIDATES FOR T-FSC VICE CHAIRPERSON AND T-FSC SECRETARY 2019-2020

Chairperson Ling, on behalf of the Nominating Committee, announced the list of candidates for the positions of T-FSC Vice Chairperson and T-FSC Secretary 2019-2020. For the position of Vice Chairperson, the candidates include André Fenton of the Faculty of Arts and Science and Darcey Merritt of the Silver School of Social Work. For the position of Secretary, the candidates include David Irving of the Tisch School of the Arts and Angela Kamer of the College of Dentistry. Additional nominations may be made prior to the election and from the floor on the day of the election.

REPORT FROM THE CHAIRPERSON: WEN LING

Committees of the Board of Trustees

Chairperson Ling noted the link to the twelve Committees of the Board of Trustees.

This includes the Executive Committee, Academic Affairs Committee, Alumni Affairs and Community Life Committee, Audited Compliance Committee, Committee on Information Technology, Committee of Trustees, Compensation Committee, Development Committee, Real Estate Committee, Finance Committee, Global Initiatives Committee, and Investment Committee.

In terms of joint meetings, the Academic Affairs Committee has met with the Senate Academic Affairs Committee. It was suggested the Global Network University (GNU) Committee meet with the Global Initiative Committee of the Board of Trustees. Ling will discuss with the GNU Committee.

Executive Committee (EC) Meeting with Provost

The EC asked the Provost to address undergraduate attrition and graduation rates at the three campuses.

MJ Knoll-Finn, Senior Vice President for Enrollment Management, presented information on admissions. She reported the current retention rate at Washington Square is about 94%, and the graduation rate is
The graduation rate has improved drastically in the past ten years when compared to other institutions. She noted the University hopes to improve the graduation rate to 90% for Washington Square.

At NYU Abu Dhabi, the first-year graduation rate was 97%. It was noted students at NYU Abu Dhabi are fully funded, so the difference in these financial packages may be affecting the higher graduation rate. Students may be leaving Washington Square because of financial burden.

NYU Shanghai’s first-year retention rate was 94% and second year was 85%.

She noted NYU Abu Dhabi has had four classes of graduates and NYU Shanghai has had two classes of graduates.

**University Retirement Plan Investment Committee**

Ling reported that she received communication from the Provost Office providing guidelines for the T-FSC’s participation in the University Retirement Plan Investment Committee, as well as meeting dates and confidentiality principles. Vice Chairperson Nick Economides serves as the representative.

**Meeting with Carebridge**

Ling asked Senator Kamer to report on the Benefits Committee meeting with Carebridge. Kamer explained Carebridge is an employee assistance program that provides advice, counseling, and resources regarding a broad range of life issues. The program is available 24 hours a day, 365 days per year. Employees may call the service and they will be connected to various resources, based on the issue; for example mental health providers, lawyers, etc. This is a free service for employees and spouses and/or dependents listed in medical plans. They provide five free in-person counseling sessions per issue. Kamer noted the service has a low utilization rate and the Council is encouraged to communicate Carebridge services to their constituents.

**Faculty of Arts and Science (FAS) C-Faculty Policies**

The response to the Council’s review and the final FAS C-Faculty Policies were distributed. See attached Document E.

**SPECIAL PRESENTATION: PRESIDENT HAMILTON**

**General Discussion**

President Hamilton began with a few discussion points.

He noted the core mission of the University is the creation of knowledge through research, dissemination of knowledge through teaching, and the preservation of knowledge through libraries and galleries. He commented research is a critical pillar of activities, and he finds it gratifying to see the trajectory of NYU’s research funding. He reported NYU rose five spots, to number 18 in the country in the National Science Foundation (NSF)’s Higher Education Research and Development Survey (Herd) ranking. The survey collects information on R&D expenditures by field of research and source of funds and also gathers information on types of research, expenses, and headcounts of R&D personnel.

In terms of faculty excellence, NYU has 128 members of the Membership of the American Academy of Arts and Sciences (AAAS); which places NYU as number nine in the United States.

In addition, NYU ranks number 9 in the country in Fulbright Awards.
In terms of applications, NYU received over 84,000 applications for undergraduate study at NYU, which is up by 12% from the last year. In addition, early decision 1 (ED1) applications this year were up by 41%, compared to last year.

Based on the ED1 students, the University can predict the median SATs will be go up by at least 30 points. He noted last September, there was a median SAT score of 1430, which went up by 80 points in the last 5 years.

NYU was recently ranked number 15 in the Time’s higher education global ranking for employability.

**Council Questions**

**NYU Abu Dhabi Past Labor Issues**

The Council asked for an update on the past labor issues at NYU Abu Dhabi (NYUAD) campus and the administration’s commitment to rectifying the situation.

President Hamilton invited Josh Taylor, Associate Vice Chancellor, Global Programs and Mobility Services, to provide an update.

Taylor reported that in May of 2014, NYU, along with the general public, learned of issues that took place during the construction of the campus of Saadiyat Island. They appointed Nardello and Co., an international investigative firm, to review what had transpired.

In Spring 2015, Nardello came back with findings that stated that a majority of workers on the NYUAD site were treated in accordance with NYU’s standards. However, the report estimated about ⅓ of the workers, approximately 10,000 individuals, had not received those benefits. The reason identified was a compliance gap. This gap affected workers servicing small and/or short-term subcontracts, most of whom worked on the project during the final stages of construction.

Taylor provided an update on the wage remediation process, as published on the NYUAD website. Currie & Brown, a global construction consultancy, were appointed in June 2015 as the project’s independent administrators to identify and find the relevant workers, and to make the payments. This process presented significant challenges. Typical of major construction projects, workers were employed by several hundred different subcontractors and sub-subcontractors. Amongst these subcontractors, the degree of record keeping was varied; several companies were no longer operating, and many workers had changed employers or left the UAE.

The overall approach employed several strategies to identify, contact, and pay the workers, beginning with employer outreach, and concluding with direct outreach to workers. The process involved several thousand phone calls and pieces of correspondence with employers; 1,000 visits to more than 260 worker accommodation sites by a team of multilingual staff; an advertising campaign including the distribution of posters and flyers in seven languages; and a toll-free SMS and 24/7 hotline service to allow workers who had seen the posters to reach out directly.

As of May 2018, 9,200 workers have been identified; of these 7,400 have been paid, and 1,800 are eligible pending receipt of further contact details.

Senator Zamir of NYUAD commented Taylor offered a clear and accurate account of what took place and the efforts made to remedy the situation. He noted that the faculty were very concerned about the information that had been released by the report; both Tamkeen and NYUAD recognized the importance of transparency with the faculty. Various committees were created, including a labor compliance group, which Zamir served as a faculty representative. He commented, given the challenge of tracking down the people involved, the numbers they were able to identify were impressive.
A Senator asked how this news was communicated. Taylor noted there have been press releases by NYU Public Affairs, and that all of this information is available on the NYU website.

Taylor noted if there was a future interest, he could also present on the current educational programs and other programming for NYUAD contracted workers and domestic workers.

Faculty Voice on Board of Trustees

The Council asked for the President’s comments on faculty voice on the Board of Trustees (BOT). Ling noted the faculty have a unique role in their day-to-day interactions with students and colleagues and commitment to advancing scholarship and the academic mission of NYU. It was noted that the Council understands there are confidentiality issues and conflict of interest issues with serving on the Board, but is interested in brainstorming different ways for faculty to be involved with the BOT and their decision-making processes.

President Hamilton noted the recent commitments made by the Board of Trustees to establish a stronger set of opportunities for engagement with different constituencies in the University and with the University Senate. He noted this year, for the first time, they established formalized and regular meetings between the Executive Committee of the Board and the Executive Committee of the Senate. They also developed formalized and casual meetings between the T-FSC, C-FSC, Student Senators Council, and Administrative Management Council.

A Senator suggested including academically experienced individuals on the Board and Hamilton supported this suggestion. Hamilton also noted the interest in increasing younger alumni on the board, diversity, and overall improving the breadth of representation.

A Senator asked about the long-term strategy of the President and the Board to increase the University’s trajectory.

Hamilton identified a key priority for the University is affordability. He noted the focus on controlling costs without compromising quality.

He also noted individual schools and their new ventures, including the medical school in Long Island.

He noted the key priority of a strong and evolving global network, and bringing a broader range of academics to the University.

He noted the increased presence and academic connection to Los Angeles, noting NYU is one of the great producers of professionals, creative professionals, and business professionals in the entertainment industry.

In Washington Square, he noted the Mercer Street building project, which will be transformative for the Faculty of Arts and Science (FAS); as well as Steinhardt and Tisch, who will benefit from new performance and teaching spaces. There is also a focus on improving research space in the core academic sciences at Washington Square.

Hamilton noted plans for a new campus in Shanghai, which will expand the site in scale and allow new students to maintain an upward trajectory.

A Senator inquired on opportunities and funding for social opportunities outside the classroom for faculty and students. He noted it seems these were more common in the past. Hamilton commented these opportunities often take place at the local level in school and departments.

PRESENTATION, DISCUSSION, AND VOTE
Committee Co-Chair Merritt described a recent incident at the Silver School of Social Work.

A Silver School graduate student was in Paris and emailed his classmates to ask if someone could connect him via FaceTime during a class session. No one responded.

After class, one of the students emailed the student and explained why he did not answer, stating: “I found it easier to lead the discussion without black presence in the room, since I do feel somewhat uncomfortable with the (perceived) threat that it poses — something which I have been working on, but it will take more time than I would like it to be.”

The student posted this email to Twitter and the story became published in the Chronicle of Higher Education, Insider, Atlanta Blackstar, and Washington Post.

It was noted the Dean’s response acknowledged ‘institutional racism’ at the Silver School.

A Senator commented that this is an opportunity to use the momentum from this response to address institutional racism across the schools. She noted her concern that among non-tenured or tenure-track faculty, there is a culture of silence and fear of retaliation when discussing these issues.

A Senator inquired on what actions will be taken and if this falls under the student conduct policy. Merritt reported the student has been referred to a student standing committee and the situation is under review.

Committee Co-Chair Fenton noted that the results of the climate survey reported 19% of faculty have reported in the last year some incident of exclusionary, intimidating, offensive, and/or hostile conduct. Of those 19%, 49% assert that the offender was another member of the faculty.

Senators discussed mandatory diversity trainings for students and faculty. Merritt noted the MSW and BSW students are required to take a class on diversity, oppression, privilege, and racism. This is a class particular to CSWE accreditation requirements. A senator noted at the College of Global Public Health, members of a committee that make decisions on tenure, promotion, and admissions are required to go through diversity trainings.

Senators discussed how the Council should address this issue. Senators noted the importance of sending a strong message and not delaying the response.

At the end of discussion, Ling summarized the general consensus of the room was for the Council to have a focused response in the form of a resolution passed by the Council to address this issue and ask for specific actions by the University. Ling asked if Senators wanted to vote on the resolution at the next meeting or vote by email. The general consensus was to address it immediately. Wen summarized the plan as the Diversity, Equity, Inclusion Committee will draft a resolution, and send it to the Council for comments and/or amendments; and then for vote via email.
Amendments to T-FSC Rules of Procedure

See attached Document B.

Committee Co-Chair Shapley stated the Committee was given the task of revising the T-FSC Rules of Procedure.

These changes including updating the Council name, number of Senators, committee descriptions, and other title changes to match the current procedures. He noted the one significant change is to add a current bylaw under meetings. The bylaw text reads: “The Tenured/Tenure Track Faculty Senators Council will meet at least twice a year at the call and under the chairpersonship of the President and Chancellor and the Provost, and as many other times under its own chairperson as it may choose. It may meet from time to time with the Executive Committee of the Board.”

It was noted this bylaw appears in the original bylaws and every revision; however it has not been observed in recent history.

Shapley noted the Committee believes this rule addition would be beneficial by leading to more interaction with the president and provost.

A Senator expressed concerns over the president presiding over Council meetings versus attending as a guest.

It was noted the administration would still need to be willing to implement this policy. If passed, this rule addition would be communicated to the President’s Office.

The resolution to amend the rules was passed by vote of the Council.

Seat for the Liberal Studies (LS) Dean on the Dean's Council

See attached Document A.

Ling reported the C-FSC Senator representing Liberal Studies, Heidi White, presented a proposed resolution regarding a seat for the LS Dean on the Dean’s Council. The resolution notes the LS program has about 2,600 students, 84 full-time faculty members, and 73 part-time faculty members. The Deans Council approved the resolution on November 28 and SCOG approved on February 22.

In response to a Senator’s inquiry, Ling confirmed this would be an additional seat and would not remove a current seat.

It was noted LS has been represented under the Faculty of Arts and Science (FAS). However, because of its growing numbers and structure, they are asking for a seat for the Dean.

The resolution was supported by the Council by vote of the Council.

The Establishment of the NYU Long Island School of Medicine

See attached Document C.

Ling reported, as discussed at the University Senate, NYU and NYU Winthrop Hospital have joined together to launch a new medical school: NYU Long Island School of Medicine.
A School of Medicine Senator reported the model is a three-year program that will focus on primary care. The first class will be 25-26 students, and every year the class size will increase until it is around 75 students total. Full tuition scholarships will be offered to all students.

T-FSC COMMITTEE REPORTS

See attached Document D.

There was no discussion or questions on the following submitted reports:

Administration & Technology: Carol Reiss & Amanda Watson
EP & Faculty/Student Relations: David Irving & Robert Lapiner

ADJOURNMENT

The meeting adjourned at 2:00 PM.
DRAFT RESOLUTION OF THE UNIVERSITY SENATE

REPRESENTATION OF LIBERAL STUDIES IN THE DEANS COUNCIL OF THE UNIVERSITY SENATE

WHEREAS, Liberal Studies ("LS") is an academic unit under the umbrella of the Faculty of Arts and Science ("FAS") comprised of a two-year Core Program and the four-year Bachelor of Arts degree; and

WHEREAS, LS has approximately 2,600 students, 84 full-time faculty, and 73 part-time faculty; and

WHEREAS, FAS designates one of its Full-Time Continuing Contract Faculty Senators Council seats to LS, and the LS Dean has traditionally participated in the Senate as an alternate for the FAS Dean; and

WHEREAS, in recognition of LS’s many important attributes of a college or school within the University, including, among other things, degree-granting status, infrastructure, unique identify, dedicated faculty, alumni, student council, and student life programing, in June 2018, the Board of Trustees, on the recommendation of the Senate, approved the addition of a regular Senate seat for LS students; and

WHEREAS, the Deans Council voted on November 28, 2018 and the Senate Committee on Organization and Governance voted on February 22, 2019 to recommend to the Senate that the LS Dean be granted a seat on the Deans Council of the Senate.

NOW, THEREFORE, BE IT RESOLVED, that the Senate recommends to the University’s Board of Trustees that the University’s Bylaws be amended to add a seat for the LS Dean on the Deans Council of the Senate and to make such other changes to the Bylaws as are necessary to reflect this addition.
Report of the T-FSC Governance Committee, 2/28/19

The Governance Committee has revised The T-FSC Rules of Procedure and submits the revision to the T-FSC for its approval.

The Committee thanks Karyn Ridder for her great help with the revision.

Many of the changes to the Rules are simply corrections/updates of titles. However, there are significant changes on p5 about council Meetings and pp 6-7 about Committees of the council. The meetings text was to bring the Council’s Rules in conformity with University Bylaw 65 about the T-FSC, as you can read in the attached Bylaw copied from the Web.
**Rules of Procedure Proposed Amendments:**

- New amendment date
- Change "Faculty Senators Council" to “Tenured/Tenure Track Faculty Senators Council”
- Update number of Senators, distribution across school, and remove Senator-at-large positions
- Change "Coordinator of the Faculty Senators Council" to “Manager of Faculty Governance”
- Re-order so “Meetings”, “Regular and Special Meetings” and “Other Meetings” all appear in one section titled “Meetings”
- Discuss the current Bylaw on Meetings versus the current T-FSC Rule of Procedure:
  - Bylaw text: “The Tenured/Tenure Track Faculty Senators Council will meet at least twice a year at the call and under the chairpersonship of the President and Chancellor and the Provost, and as many other times under its own chairperson as it may choose. It may meet from time to time with the Executive Committee of the Board.”
  - T-FSC Rule text: “The Faculty Senators Council shall meet at least six times a year at the call of its own chairman, including at least twice a year with the President. At the first meeting of the Faculty Senators Council under its own Chair in the new academic year the new representatives shall be introduced.”
- Update committee descriptions to match current. Update administrative name for Diversity office.
- Change “Faculty Affairs Committee of the University Senate” to “Faculty Personnel Committee of the Senate with respect to the Tenured/Tenure Track Faculty”
- Create 1 section titled “Reports” with 3 subsections of “Receiving Reports”, “Reporting as a Council and as a Committee”, and “Reporting as Senators”
- Remove mention of the “Tenured/Tenure Track Faculty Senators Council Newsletter”
- Maintain consistent heading formatting, etc. throughout document
RULES OF PROCEDURE
TENURED/TENURE TRACK FACULTY SENATORS COUNCIL
NEW YORK UNIVERSITY

I. Composition

1. **Representation.** The Tenured/Tenure Track Faculty Senators Council will consist of not more than thirty-eight members of the Tenured/Tenure Track Faculty elected by the voting members of the several faculties of the University in the manner prescribed by the rules adopted by the Council for its own governance and consistent with these Rules of Procedure.

   (a) **Number.** The Tenured/Tenure Track Faculty Senators Council will consist of not more than thirty-eight members of the Tenured/Tenure Track Faculty elected by the voting members of the several faculties of the University in the manner prescribed by the rules adopted by the Council for its own governance and consistent with these Rules of Procedure.

   (b) **Distribution.** The thirty-eight elected representatives will be selected as follows: one from the Division of the Libraries of the University; six from the School of Medicine; and thirty-one apportioned among the colleges, schools, and the Abu Dhabi and Shanghai portal campuses by the method of equal proportions with the proviso that each college and school and each of the two portal campuses will be entitled to at least one elected Senator. Each year, the University Secretary and General Counsel will provide to the Tenured/Tenure Track Faculty Senators Council and the dean of each college and school and the vice chancellor of each of the two portal campuses the number of faculty members assigned to each for the purpose of Senate elections and will at the same time state the number of Tenured/Tenure Track Faculty Senator Council Senators to which each is entitled.

   (c) **Eligibility.** A Tenured/Tenure Track Faculty Senators Council Senator whose term has expired will be eligible for reelection. For purposes of the election, any Tenured/Tenure Track Faculty member who is a member of more than one faculty will be assigned by the President and Chancellor to one faculty only, and any Tenured/Tenure Track Faculty member, otherwise
eligible to vote, who is not formally attached to a faculty will be assigned by the President and Chancellor to one of the faculties of the University. Any Tenured/Tenure Track Faculty member who holds an administrative office and whose administrative responsibilities encompass a college, school, portal campus, the Division of the Libraries, or the University will not be eligible for election to the Tenured/Tenure Track Faculty Senators Council. Final determination of eligibility for membership rests with the extant Tenured/Tenure Track Faculty Senators Council.

(d) Time of Elections. In order to best assure the effective operation of the Council, all elections for members of the Tenured/Tenure Track Faculty Senators Council should be held prior to the University Commencement in May. The name of each representative to the Senate should be transmitted to the Secretary of the Senate within five days of the University Commencement in May.

2. Term of Office.
   a) Each representative shall serve for a term of three years, from September 1 of the first year until August 31 of the third year, inclusive.
   b) The membership of the Tenured/Tenure Track Faculty Senators Council shall be divided into three groups, serving in staggered three-year terms, in order to provide continuity. In no event shall the terms of a single faculty end in the same year, except when a school has only one Senator. One third of the representatives shall be chosen each year.
   c) The term of office of one class shall expire August 31 each year, and the names of the new representatives shall be presented and their offices confirmed at the first meeting of each academic year.

3. Nomination and Election of Faculty Senators: Best Practices
   
   (a) Nominations may be made and elections may be held in any manner adopted by the tenured and tenure-track professorial members of the faculty of each school, provided that there is reasonable opportunity for the presentation of at least three nominees for each Senatorial position (whenever possible), that reasonable notice of the nominations and the election is given to the members of the faculty, and that the nominating and electoral process is conducted by secret ballot, by the faculty free from interference by School or University administrators. These administrators include but are not limited to those represented on the Deans Council and Administrative Management Council, and officers of the University as described in the NYU Bylaws.

   (b) Alternatively, if the voting professorial members of the faculty of any School fail to adopt nominating and electoral procedures as provided in subsection (a), the nomination and election of Senators shall be conducted in the following manner. The School’s faculty shall appoint a nominating committee to present at least three names for each Senatorial position, whenever applicable, to the voting professorial members of their faculty by mail at least one week before an election. The notice calling the meeting at which an election is to take place shall specify that the election is among the purposes of the meeting. At such a meeting, nominations may be made from the floor. The meeting shall be held before university commencement in May of the final year of the three-year term of the representative(s) then in office. This entire process shall be conducted by secret ballot, and by the faculty free from interference by School or University administrators, as specified above.
(c) Each school’s procedures shall be published on the T-FSC website so that members of each school can know and monitor them. Whenever applicable, these should include who solicits nominations, when and how; how nominees are validated as eligible; whether biographies of nominees are provided; who conducts the election and counts the votes, including when and how; and who reports results to the Manager of Faculty Governance.

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

4. Alternates and Vacancies.

(a) Each faculty shall elect an alternate representative for each Senator who shall serve if the elected representative is unable to attend a meeting of the Tenured/Tenure Track Faculty Senators Council. If it is known that a representative shall be unable to serve for three consecutive months during one academic year, the nominating committee authorized to present names for election shall decide whether the alternate shall serve as a replacement for the period of such absence, or for the remainder of the unexpired term, or only until the vacancy can be filled at the next regular election of members.

(b) In cases where an alternate is representing or replacing a Senator he/she shall have full voting privileges.

(c) Alternate Senators are encouraged to attend occasional meetings of the Tenured/Tenure Track Faculty Senators Council in a non-voting capacity and to attend occasional Senate meetings as guests of their Senators in order to acquaint themselves with the operation of these bodies.

(d) If they have particular interest or expertise, alternate Senators may be asked to serve on committees, with the right to vote on committee matters should that be required. However, alternates should generally not be asked to serve as committee chairs unless they are in an extended period of active service (see 4 a and b).

(e) A faculty failing to elect a representative to fill a vacancy shall be without such representative until one is elected in accordance with these rules.
II. Officers

1. Executive Committee. The officers of the Tenured/Tenure Track Faculty Senators Council shall consist of a Chair, Vice Chair, Secretary, Past Chair, and the Chair-elect, which together shall comprise the Executive Committee.

(a) The Chair shall preside at all meetings of the Tenured/Tenure Track Faculty Senators Council. In the absence of the Chair, the Vice Chair shall preside at the meeting. In absence of both the Chair and the Vice Chair, the Secretary shall preside.

(b) All meetings of the Tenured/Tenure Track Faculty Senators Council are conducted in accordance with Robert’s Rules of Order.

(c) The Secretary shall bear the ultimate responsibility for the minutes.

2. Nominations.

(a) Nominating Committee: The Executive Committee shall appoint a Nominating Committee at the start of the fall semester to consist of 3 members of the Council in the second year of their first terms or the first or second year of any successive terms.

(b) The Nominating Committee for the election of the Chair and the election of Vice Chair and Secretary shall also include, as an ex-officio non-voting member, the current Chair of the Council. The Nominating Committee for the election of the Vice Chair and Secretary shall also include, as an ex-officio voting member, the Chair-elect.

(c) The Nominating Committee should make every effort to prepare a list of at least two candidates for the position of Chair-elect. The list of candidates will be announced in the notice prior to the November meeting.

(d) The Nominating Committee should make every effort to prepare a list of at least two candidates for the positions of Vice Chair and Secretary. The list of candidates will be announced in the notice prior to the February meeting.

(e) T-FSC members in any year of their term are eligible for election to the position of Chair, Vice Chair, or Secretary. If the Chair-elect or Vice Chair-elect or Secretary-elect is in final year of his/her Senatorial term, then his/her term will automatically be extended by one year and the school election normally scheduled for that Senator’s seat will be postponed for one year. In no event, however, may a Senator’s term be extended by more than two years under this provision.

(f) No person may serve as Chair for more than two academic years without interruption. There is no lifetime limit.

3. Elections.

(a) The Chair-elect shall be elected by secret ballot at the December meeting and will sit with the Executive Committee thereafter.
(b) The Vice Chair and the Secretary shall be elected by secret ballot at the March meeting.

(c) Absentee ballots are permitted for T-FSC members (senators or active alternates only) in good standing.

(d) For each of these elections, members of the Nominating Committee shall act as Tellers. Election results will be announced at the end of the meeting when the election took place. The vote tally will not be made public.

(e) Nominations from the floor, duly seconded, shall be permitted after the list of candidates has been announced

4. Terms of Service.

(a) The Chair-elect, Vice Chair-elect, and Secretary-elect will assume their offices following the May meeting of the Council and serve until the following May.

(b) To ensure continuity, the Past Chair, Past Vice Chair, and Past Secretary will continue to serve on the Executive Committee without voting privileges for one year, even if they have completed their elected terms of office as Faculty Senators.

III. Meetings

1. Regular meetings.

(a) The Tenured/Tenure Track Faculty Senators Council will meet at least twice a year at the call and under the chairpersonship of the President and Chancellor and the Provost, and as many other times under its own chairperson as it may choose. It may meet from time to time with the Executive Committee of the Board.

(b) The Tenured/Tenure Track Faculty Senators Council shall meet at least six times a year at the call of its own chairperson, including at least twice a year with the President. At the first meeting of the Council under its own Chair in the new academic year the new representative shall be introduced.

(c) A calendar of meetings shall be sent to the members of the Tenured/Tenure Track Faculty Senators Council at the beginning of each academic year.

(d) Reminders of regular meetings of the Tenured/Tenure Track Faculty Senators Council shall be sent to the members one week before each meeting.

(e) Materials pertinent to the meeting will be provided in advance, in so far as possible.
(f) The text of all substantive motions to be considered at a regular meeting of the Tenured/Tenure Track Faculty Senators Council must be submitted to the Manager of Faculty Governance by Monday 10:00 am of the week of the regular T-FSC meeting. The agenda, text of motions, and supporting materials shall be distributed to the members by Tuesday, mid-day before regular T-FSC meetings. A motion from the floor is possible but, without this prior notice and documentation, the vote will normally take place at the next T-FSC meeting following the debate and in exceptional cases by e-mail no less than one week after the debate.

2. Special meetings. Special meeting of the Tenured/Tenure Track Faculty Senators Council may be held on three days’ notice, if called by the Executive Committee or if five or more members, in consultation with the Executive Committee, request it.

3. Other Meetings.

(a) The agenda for a meeting with the President or with the Provost or Chancellor or with a Committee of the Board of Trustees shall be prepared in consultation with the Chair of the Tenured/Tenure Track Faculty Senators Council.

4. Quorum. At least one half of the voting members of the Tenured/Tenure Track Faculty Senators Council plus one shall be present at a meeting to constitute a quorum.

5. Voting. A member of the Tenured/Tenure Track Faculty Senators Council or his alternate representative present at a meeting shall be entitled to one vote. There shall be no voting by proxy.

6. Order of Business. The usual order of business shall be as follows:
   (a) Consideration of the minutes
   (b) Report of the Chair
   (c) Reports of Committees
       1. Tenured/Tenure Track Faculty Senators Council Committees
       2. University Senate Committees
       3. Special Committees
   (d) Old business
   (e) New business
   (f) Adjournment

IV. Committees of the Tenured/Tenure Track Faculty Senators Council

1. Standing Committees.

(a) Executive Committee: oversees and organizes all Council activities; appoints the chairs of the other committees and appoints the committee members; reviews all communications of the Tenured/Tenure Track Faculty Senators Council; meets with the Provost, Vice Provosts, and the President on behalf of the Council, presenting the concerns of the Council and reporting to the Council on substantive matters discussed.
(b) **Administration & Technology:** examines administrative issues which affect faculty, including technology-related issues such as technology-enhanced education.

(c) **Educational Policies & Faculty/Student Relations:** acts as the T-Faculty Senators Council counterpart to the Academic Affairs Committee of the University Senate; interacts with the Center for the Advancement of Teaching; proposes, develops, and implements new programs to enhance faculty participation in campus and student life.

(d) **Faculty Benefits & Housing:** reviews and makes recommendations with regard to faculty benefits; discusses issues related to housing for faculty; monitors University policies and practices that affect faculty in University housing.

(e) **Finance and Policy Planning:** studies faculty salaries, working conditions, negotiation processes; examines long-range issues; addresses other relevant financial matters.

(f) **Global Network University:** analyzes academic issues regarding portal campuses and the implementation of the Global Network University.

(g) **Governance:** monitors University-wide governance and the governance process in the several schools; considers the impact of policies that affect faculty governance; conducts regular periodic reviews of the NYU Faculty Handbook.

(h) **Grievance:** hears faculty appeals from a dean’s decision on appointment, reappointment, promotion, or tenure; ascertains compliance with school grievance procedural safeguards; makes recommendations to the President.

(i) **Inclusion, Equity, & Diversity:** collects, reviews, and disseminates institutional data as it relates to the representation and academic standing of underrepresented groups of faculty and students; serves as a liaison between the T-Faculty Senators Council and the Office of Equal Opportunity and the Office of Global Inclusion, Diversity, and Strategic Innovation on policies and procedures that affect matters related to inclusion, equity, and diversity; develops proposals for programs to further advance the university’s mission in these areas.

(j) **Nominating Committee:** calls for nominations and prepares a list of at least two candidates for the position of Chair-elect, Vice Chairperson, and Secretary. The list of candidates will be announced in the meeting notice one month prior to the election.

(k) **Personnel Policies & Tenure Modifications:** reviews University personnel policies and practices, including inclusion, equity & diversity, which affect the faculty; considers any proposals affecting tenure; examines problems experienced under tenure rules and considers alternative solutions.

2. **Ad Hoc Committees.** The Executive Committee of the Tenured/Tenure Track Faculty Senators Council shall have the power to appoint other committees, as it may deem necessary, to aid it in carrying out its responsibilities. Such committees shall report to the Tenured/Tenure Track Faculty Senators Council.

3. **Membership of Committees.** The Executive Committee of the Tenured/Tenure Track Faculty Senators Council shall have the power to appoint to its committees such faculty members as it may deem useful to the accomplishment of the work of its committees to serve ex-officio as advisors or consultants.
V. Reports

1. **Receiving Reports.** The Tenured/Tenure Track Faculty Senators Council shall from time to time receive reports from its representatives on the committees or boards of other bodies.

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

3. **Reporting as Senators.** Senators are expected to make periodic reports to their own faculties regarding the deliberations of the Council and its Committees.
Appendix A

There are 5 basic features of shared governance:

1. Representation

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

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

2. Information

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

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

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

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

3. Consultation

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

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

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

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

4. **Reasoned Justifications**

WHEREAS: Accountability is an important element of the consultation process,

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

5. **Communications**

WHEREAS: Access to information is fundamental to policymaking,

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

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

**Appendix B**

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

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

- University Bylaws
- University Charter
- Senate Rules of Procedure
- Faculty Handbook
- T-FSC Rules of Procedure

University Bylaw 65
The Tenured/Tenure Track Faculty Senators Council

- **Functions.** The Tenured/Tenure Track Faculty Senators Council may consider any matters of educational and administrative policy and will function as the Faculty Personnel Committee of the Senate with respect to the Tenured/Tenure Track Faculty. It will designate representatives on the other standing committees, and in appropriate instances on the ad hoc committees, of the Senate. It may bring to the attention of the various committees of the Senate any matters that it believes should be presented to the entire Senate. It may bring to the attention of the President and Chancellor any matters that it wishes to discuss with him or her. It may perform such other functions as are requested of it by the President and Chancellor, by the Board, or by the Senate.

- **Members.** The Tenured/Tenure Track Faculty Senators Council will consist of not more than thirty-eight members of the Tenured/Tenure Track Faculty elected by the voting members of the several faculties of the University in the manner prescribed by the rules adopted by the Council for its own governance and consistent with these Bylaws.

- **Elections and Appointments.** In order to best assure the effective operation of the Tenured/Tenure Track Faculty Senators Council, all elections for members of the Tenured/Tenure Track Faculty Senators Council should be held prior to the University Commencement in May. The name of each representative to the Senate should be transmitted to the Secretary of the Senate within five days of the University Commencement in May. The thirty-eight elected representatives will be selected as follows:
one from the Division of the Libraries of the University; six from the School of Medicine; and thirty-one apportioned among the colleges, schools, and the Abu Dhabi and Shanghai portal campuses by the method of equal proportions with the proviso that each college and school and each of the two portal campuses will be entitled to at least one elected Senator. Each year, the University Secretary and General Counsel will provide to the Tenured/Tenure Track Faculty Senators Council and the dean of each college and school and the vice chancellor of each of the two portal campuses the number of faculty members assigned to each for the purpose of Senate elections and will at the same time state the number of Tenured/Tenure Track Faculty Senator Council Senators to which each is entitled. A Tenured/Tenure Track Faculty Senators Council Senator whose term has expired will be eligible for reelection. For purposes of the election, any Tenured/Tenure Track Faculty member who is a member of more than one faculty will be assigned by the President and Chancellor to one faculty only, and any Tenured/Tenure Track Faculty member, otherwise eligible to vote, who is not formally attached to a faculty will be assigned by the President and Chancellor to one of the faculties of the University. Any Tenured/Tenure Track Faculty member who holds an administrative office and whose administrative responsibilities encompass a college, school, portal campus, the Division of the Libraries, or the University will not be eligible for election to the Tenured/Tenure Track Faculty Senators Council. Final determination of eligibility for membership rests with the extant Tenured/Tenure Track Faculty Senators Council.

- **Officers of the Faculty Senate.** The Tenured/Tenure Track Faculty Senators Council will elect its own chairperson and such other officers as it may determine.

- **Meetings.** The Tenured/Tenure Track Faculty Senators Council will meet at least twice a year at the call and under the chairpersonship of the President and Chancellor and the Provost, and as many other times under its own chairperson as it may choose. It may meet from time to time with the Executive Committee of the Board.

- **Rules.** The Tenured/Tenure Track Faculty Senators Council will adopt for its governance rules of procedure not inconsistent with the Charter and these Bylaws.
Election Procedures by School

Meeting Minutes

Contact the T-FSC

Office of Faculty Governance
411 Lafayette Street
Room 327
New York, NY 10003
(212) 998-2230
t-fsc@nyu.edu
February 19, 2019

Dear Colleagues,

We are pleased to announce that New York University (NYU) and NYU Winthrop Hospital have joined together to launch a new medical school: NYU Long Island School of Medicine.

NYU’s second medical school, NYU Long Island School of Medicine will serve a special role: fulfilling the pressing need for the creation of the next generation of medical leaders in the field of primary care medicine.

Born of a shared commitment to academic and clinical excellence, NYU Long Island School of Medicine will be the only accelerated three-year MD program in New York State focused on primary care, including internal and community medicine, pediatrics, OB/GYN, and surgery. NYU will now have a bi-modal medical school model, with a new primary care-focused medical school in Long Island complementing the more specialty-focused NYU School of Medicine in Manhattan.

Upon matriculation, NYU Long Island School of Medicine students will be offered conditional acceptance to an NYU Winthrop residency through the National Resident Matching Program. Additionally, full-tuition scholarships will be offered to all students in its MD degree program, regardless of need or merit, just as they are to students at the NYU School of Medicine in Manhattan.

NYU recently received preliminary accreditation by the Liaison Committee on Medical Education (LCME®)–the accrediting body for educational programs at schools of medicine in the United States and Canada–to create the three-year medical school on NYU Winthrop’s campus in Mineola. The LCME’s approval signifies the committee’s confidence in NYU’s plans and paves the way for recruiting the first class of 24 students, who will begin in July. The proposal is pending final approval by the New York State Education Department, which is expected in the early spring.

We are confident that the school will attract the very finest talent, who will immerse themselves in a rigorous learning environment founded on the principles of translational science, outstanding clinical science, population health, a commitment to primary care, and the application of health systems science.

NYU Long Island School of Medicine fulfills a vision shared by many NYU and NYU Winthrop faculty and administrative leaders, and is enthusiastically supported by NYU Langone Health as a unique program that will facilitate earlier entry to clinical practice.
We know we speak for all our colleagues in expressing our excitement on the announcement of this truly innovative development in our University’s approach to medical education, an endeavor that will, without question, prepare the next generation of physicians to become leaders of both our community’s and nation’s healthcare system.

Andrew D. Hamilton
President, New York University

Katherine E. Fleming
Provost, New York University

Steven Shelov, MD
Founding Dean, NYU Long Island School of Medicine

John F. Collins
President and CEO, NYU Winthrop Hospital

Robert I. Grossman, MD
Dean and CEO, NYU Langone Health
Report from the Administration & Technology Committee
February 2019

T-FSC members: Carol Shoshkes Reiss and Amanda Watson (co-chairs), Stephen Figlewski, Jacquelyn Taylor, Thomas Wisniewski

In response to the growing use of social media in classroom teaching at NYU, the Administration & Technology Committee has been drafting a document entitled “Considerations for the Use of Social Media and Non-NYU Third-Party Digital Platforms for Teaching and Learning.” This document is intended to make faculty more aware of the privacy, accessibility, and intellectual property issues at stake when students are asked to use third-party social media platforms. An earlier version of the document was approved by the T-FSC and the Full-Time Continuing Contract Faculty Senators Council; it was also sent to the Deans Council for further feedback.

The committee met on February 21, 2019, to finalize revisions to the document in response to comments and questions from the Deans Council. Committee members are working on an updated version, which will be sent to Clay Shirky, Vice Provost for Educational Technologies.

Respectfully submitted,
Amanda Watson
Carol Shoshkes Reiss
T-FSC Report

Educational Policy and Faculty/Student Relations Committee

On Line Teaching Evaluations

The goal of the committee is to write a report by the end of the spring semester with recommendations for NYU’s system of on-line teaching evaluations. The committee plans to do this in tandem with the C-FSC. The committee will interview several university stakeholders in this process.

Specific issues related to on-line teaching evaluations the committee seeks to address include; how to increase the student response rate; how the instrument is used in reviews; inherent bias in the process; and identifying best practices.

Committee members each took on the responsibility to research a particular strand of the topic to include in the report.

Faculty/Student Relations

The committee will arrange a meeting/gathering with counterpart committee of student’s later in the spring. The agenda is TBD.

Respectfully submitted by:

Robert Lapiner and David K Irving
February 8, 2019

Memorandum To: Thomas Carew, Dean, Faculty of Arts and Science
Wen Ling, Chair, T-FSC
Mary Killilea, Chair, C-FSC

From: Katherine E. Fleming, Provost

Subject: Faculty of Arts and Science Policies and Procedures for the Appointment, Reappointment and Promotion of Continuing Contract Faculty

I write to formally conclude the iterative process to establish FAS Continuing Contract Faculty policies.

The final steps of this process involved a review of the recommendations of the T-FSC and the C-FSC on earlier drafts of the policies. In considering these recommendations, FAS undertook an extended consultative process that is described in the attached memo from Dean Carew. My office also reviewed these recommendations with reference to University policies and the Faculty Handbook, keeping in mind that the Handbook provides general principles while leaving schools the flexibility to develop policies that are consistent with their culture, history, and organization. That process has now been completed and FSC recommendations have been incorporated into the final documents.

I am attaching the two sets of guidelines titled FAS Policies and Procedures – Language Lecturer and Senior Language Lecturer Appointments, and FAS Policies and Procedures – Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor. These policies are effective as of February 15, 2019 and FAS will post the policies on its website.

I am also attaching the FAS responses to the FSC recommendations. I thank the T-FSC and the C-FSC for your thoughtful review of the FAS policies, which your recommendations have helped to strengthen.

Attachments

Copy to: Jonathan Lipman, Associate Dean for Faculty Advancement and Associate Dean for the Humanities
Carol Morrow, Vice Provost
Peter Gonzalez, Associate Provost, Faculty Appointments
Karyn Ridder, Manager of Faculty Governance
To: Provost Katherine Fleming
   Vice Provost Carol Morrow

From: Thomas Carew

Re: Continuing Contract Faculty Guidelines

Date: February 7, 2019

I am pleased to notify you that the FAS faculty have voted to approve the revised FAS Guidelines for the appointment, reappointment and promotion of Continuing Contract Faculty.

The two sets of guidelines titled *FAS Policies and Procedures – Language Lecturer and Senior Language Lecturer Appointments*, and *FAS Policies and Procedures – Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor* were presented at a meeting of the full FAS Faculty on December 5, 2018 and were unanimously approved by an open vote of the Continuing Contract Faculty and Tenured/Tenure Track faculty in attendance.

Both sets of guidelines take into consideration the recommendations of the Tenured-Faculty Senators Counsel (submitted to the Provost on May 4, and October 18, 2017) and the Continuing Contract Faculty Senators Counsel (submitted to the Provost on May 22, 2017). These recommendations were incorporated as appropriate.

The guidelines also reflect two independent reviews undertaken by CCF ad-hoc committees in Fall 2015 and again in 2018. The latter was convened by Dean Carew in January 2018 and concluded its work in November 2018. That committee, consisting of 4 CCF faculty, including one member of the CCF Faculty Senators Counsel and three members of the FAS Faculty Assembly, formally submitted the guidelines to the full FAS faculty on December 5, 2018.

With approval we will formally adopt the revised policies and procedures for both classifications of Continuing Contract Faculty.

I am attaching the following documents:

1) Clean copies of the revised guidelines

   FAS Policies and Procedures – Language Lecturer and Senior Language Lecturer Appointments
FAS Policies and Procedures – Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor

2) FAS Responses to the recommendations of the Faculty Senators Counsels

FAS response to the recommendations of the Tenured/Tenure Track Faculty Senators Counsel in regard to Faculty of Arts and Sciences Proposed: Policies and procedures for Continuing Contract Faculty Appointment, Reappointment, Promotion and Grievance Procedures, and Voting Rights for Clinical Faculty.

FAS response to the recommendations of the T-Faculty Senators Counsel
Recommendations for Language Lecturer and Senior Language Lecturer Appointments.

FAS Response to Recommendations of the C-FSC in regard to FAS Policies and Procedures Recruitment of New Faculty Language Lecturer and Senior Language Lecturer Appointment NYU Faculty of Arts and Science.

FAS Response to 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.

Please let me, or Jonathan Lipman know if you need any additional information or clarification.

cc: Jonathan Lipman
FAS Policies and Procedures

Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor

This document supplements NYU policies applicable to full-time continuing contract faculty. If any part of this document is inconsistent with NYU policies, the NYU policies then in effect will control. As with all NYU and FAS policies, this document is subject to change, and the policies in effect at the time of an action will apply to that action.

Introduction

Clinical faculty are full-time Continuing Contract Faculty positions that provide coordination, continuity, and consistency in instruction and/or administration. Appointees must be experienced or highly knowledgeable in their particular fields and, where relevant, have had experience in curriculum development and supervision of laboratory facilities and teaching assistants. Appointees should possess relevant advanced degree or scholarly or professional credentials, which may vary by discipline and department, as developed in consultation with the Divisional Dean.

Clinical appointments are primarily teaching positions, and often include some administrative and/or supervisory responsibilities. Research is not part of the clinical faculty’s formal obligations; however, research activities may be considered when being reviewed for reappointment, promotion, or annual reviews. Although clinical appointments are without tenure, they are typically multi-year appointments. Clinical faculty members are protected by academic freedom. They receive the same health, retirement and tuition remission benefits as tenured and tenure track faculty. Clinical faculty are ineligible for sabbaticals and generally ineligible for NYU faculty housing.

The appointment processes for Continuing Contract Faculty, including clinical faculty, shall reflect the University’s overriding commitment to enhance academic excellence and to provide students with the best available educational experience. Thus, each Continuing Contract Faculty appointment and reappointment shall be evaluated in the light of the contribution it makes to the distinct excellence of the school, including its educational and training programs, and shall exemplify the University’s commitment to appoint and retain the best faculty in all disciplines.

Titles and Qualifications

- **Clinical Assistant Professor** - Teaching experience, minimum of a master's degree in the field of expertise, or other appropriate advanced degree.
- **Clinical Associate Professor** – At least six years of relevant teaching and professional experience at NYU or elsewhere; evidence of supervisory experience (where relevant); superior contributions to the teaching program; as well as recognition for excellence in the professional field and innovation in the area of instruction. Minimum of a master's degree in the field of expertise or other appropriate advanced degree.
- **Clinical Professor** - A minimum of 12 years of teaching and related professional experience at NYU or elsewhere, evidence of extraordinary contribution to the NYU teaching program, and evidence of recognition for leadership and innovation in the professional field (e.g. leadership in a relevant national organization or recognition for excellence and innovation in teaching). Minimum of master's
degree in the field of expertise or other appropriate advanced degree.
As per University Bylaw 81(c), “Degree Programs” a degree candidate who accepts appointment as
a full-time Continuing Contract Faculty member must there upon relinquish candidacy for a degree
at NYU. As appropriate, the FAS Dean can request an exception from the NYU Board of Trustees.

Continuing Contract Faculty also include Language Lecturers and Senior Language Lecturers, who
are addressed separately under {LINK}

**Areas of Responsibilities** – Responsibilities include some, but not necessarily all of the following, and
need not be restricted to them:

- **Teaching** - The normal course load for clinical faculty is three courses per term. This load may be
  reduced depending on other assigned duties or responsibilities. With the approval of the relevant
  Divisional and School Deans, administrative and professional duties and other professional activities that
  serve FAS may, if comparable in time demands to one or more courses, substitute for such courses.
- **Service** - Participation on departmental, FAS and/or University-wide committees is expected.
  Individual departments and programs will determine the appropriate opportunities for service. Clinical
  faculty are also expected to be available to provide advice to the department chair or director of
  undergraduate studies or director of graduate studies regarding curriculum, teaching assignments, and any
  other matters related to their area of instruction.
- **Research** – Although there is no obligation to conduct research, clinical faculty may be eligible
  to be principal investigators on curriculum grants, training and teaching grants and other non-research
  grants in accordance with University policy. Approval to serve as principal investigator on research-
  related grants will be considered on a case by case basis in accordance with University policy.
- **Administration** – In some cases, clinical faculty will have program-related administrative duties,
  including but not limited to: curriculum development, selection of textbooks and instructional
  methodologies, implementation of technologies, class schedules, student advisement, supervision of
  laboratories (if applicable), supervision and training of clinical faculty and adjuncts, and program
  management.

**Terms of Appointment**

- Unless stipulated otherwise in an appointment letter, clinical faculty are appointed for the
  academic year (September to May) and paid over twelve months (starting October 1). If appointed mid-
  year, the term of the appointment should be aligned to include the partial year and subsequent full
  academic year (i.e., the initial appointment would be for at least 1.5 years).
- Summer teaching appointments are optional and are made, subject to curricular needs and the
  faculty member’s desire to teach, with additional compensation. Administrative duties that carry over
  beyond the nine-month academic year and require service during the summer may carry additional
  summer compensation.
- For **Clinical Assistant Professors**, the initial appointment can be made for one to three years.
  Subsequent reappointment can be made for one to three years. For **Clinical Associate Professors**
  and **Clinical Professors**, the initial appointment is also for one to three years. In no case will a series of one
  year contracts exceed 3 years.
- 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 prior contract renewal at NYU.
- The length of reappointment is determined by performance as well as curricular needs of the
  department or program.
- One-year appointments are exceptional and typically reserved to address temporary
  programmatic needs (e.g., a leave or resignation), though appointments may be renewed on an annual
basis for up to 3 years on the recommendation of the chair or director.
• There is no limit to the number of terms that a clinical faculty member at any rank can be reappointed.
• Appointments automatically terminate at the close of the period of time stipulated in the contract, unless there is an official notice of renewal.

Annual Review

Clinical faculty are subject to the annual merit increase (AMI) review, conducted for all full-time faculty members by the department chair or program director, with input from the appropriate faculty committee, as per department or program procedure. Clinical Faculty will submit an Annual Faculty Personnel Record Supplement, usually in January of each academic year, to report on their teaching and service. This report will be used in the annual merit review, which typically considers the faculty member’s teaching performance, contribution to the effectiveness of the program or department, and relevant administrative performance. Note that additional weight will be given to the performance of administrative duties for faculty whose duties are primarily administrative. Scholarly and research activities (e.g. publications) are not required, but may be considered.

Governance

Full Faculty meeting attendance and voting rights can be found under University Bylaw 82 (c). FAS practice is to hold joint full faculty meetings inclusive of continuing contract faculty, including clinical faculty, and tenure/tenure track faculty. Clinical faculty are also eligible to participate and vote in the FAS Faculty Assembly.

At the department level, continuing contract faculty, including clinical faculty, may participate as members of the department faculty in department governance, with the exclusion of matters related to promotion and tenure, and hiring of tenured and tenure-track faculty\(^1\), and matters directly or indirectly affecting the individual’s candidacy for a degree, or matters affecting his or her status on the faculty of NYU (e.g. curricular changes that impact their contract renewal or relate to their personal degree program (if an exception to Bylaw 81(c) has been approved).

Procedures for Recruitment and Appointment

As part of the Annual Planning Report, each chair/director forwards to the Divisional Dean a Faculty Staffing Plan outlining requests for new faculty hiring. In particular, the request should include a justification that there is an important teaching need, and that this need can best be met with a continuing contract faculty appointment, including a clinical faculty appointment, rather than a tenured or tenure-track faculty member. Detailed procedures for recruitment of new full time faculty, including clinical faculty, are available online at [http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment](http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment).

Contracts specifying the terms and length of employment are issued by the Divisional Dean.

\(^1\) Note that continuing contract faculty may be invited by the department chair to participate in the hiring of tenured/tenure track faculty.
**Procedures for Reappointment General Considerations**

Reappointment is based on departmental criteria of overall performance as a teacher and, if applicable, as an administrator. Research activities are not required for reappointment, but may be considered. In addition, reappointment is subject to the academic and curricular needs of FAS and the University; thus, review for reappointment and promotion shall consider curricular or structural changes and improvements in academic programs. 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. In this case, the basis for non-reappointment will be clearly stated in the notice given to the faculty member. The review will also comment on whether the faculty member would be able to teach in the revised curriculum and or new academic structure, and in what capacity.

**Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion**

University guidelines require Continuing Contract Faculty, including clinical faculty, to be reviewed in the penultimate year of a multi-year contract. Penultimate year reviews must be submitted by the department or program to the appropriate Divisional Dean by March 15. If the department has any concerns that a clinical faculty member is not fulfilling the requirements of the position or that the position may not be needed to fulfill the teaching mission of the department or program, these should be clearly outlined in the report submitted to the Divisional Dean. Any reservations must be shared in writing and in person with the faculty member, who is obliged to acknowledge receipt of this information by countersigning the report on a summary of the report, so that he or she is under no misunderstanding regarding the expectations for him or her. The chair or director must submit a written report to the Divisional Dean that includes the substance of the review and a recommendation for reappointment, promotion or termination. 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.

Following a review, if the decision is not to offer a reappointment, the faculty member shall be notified of the decision no later than August 31st of the penultimate year, and shall continue to be under contract for the final year.

Upon request, the timing of a review may be delayed by stopping the contract clock for reasonable cause that has been approved by the Divisional Dean, e.g., medical, personal, as primary caregiver for child, spouse, parent, same sex domestic partner, or by contractual stipulation or negotiation.

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 and the faculty member will be notified in the penultimate year; however, the faculty member may request a performance review for career development.

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

**Reappointment for One-Year or Two-Year Contracts**

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. Notification of reappointment decisions should be made to the Divisional Dean by March 15th. In the third year of
continuous one-year appointments, the faculty member shall be subject to formal review comparable to those to which faculty members on longer multiyear contracts are subject.

Clinical faculty members will be limited to no more than three consecutive one-year contracts. After three such contracts they will either be provided with a multi-year contract or not reappointed at all. In the case of continuing two-year contracts, the faculty member shall be subject to formal review comparable to those which faculty members on longer multi-year contracts are subject to in the first semester of the third year of continuous service.

**Formal Review Processes**

The review, whether for renewal and/or promotion is undertaken by a committee appointed by the department chair or director or elected by the department or faculty as per the custom of the department or program. The committee must consist of three to five full-time faculty, with a minimum of one tenured or tenure-track faculty and at least one Continuing Contract Faculty member. Any deviation from this configuration of the committee must be approved by the appropriate Divisional Dean. If a department or program does not have sufficient tenured or tenure track faculty to participate in the review process, the department or program committee may consist entirely of Continuing Contract Faculty from the program, or at the discretion of the Divisional Dean, an ad hoc committee of Continuing Contract Faculty from other FAS departments or programs may be formed.

In the case of promotion to Clinical Associate Professor, Clinical Assistant Professors are not eligible to serve. In the case of promotion to Clinical Professor, Clinical Assistant Professors and Clinical Associate Professors are not eligible to serve.

In the case of reappointment, the committee shall not include clinical faculty under review for reappointment that year.

**I. PROMOTION: General Procedures**

If the review packet is for promotion, it also must describe how the candidate meets the qualifications for Clinical Associate Professor or Clinical Professor as prescribed by the “Titles and Qualifications” section of this document. 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 for promotion should be made to the Divisional Dean by March 15th.

In addition to the consideration of teaching, administration, and service activities, recommendations regarding promotion also may be based on a prognosis of the clinical faculty member’s future achievements based on dependability, growth, potential, and versatility of the faculty member as he or she will contribute to the evolving mission of FAS. Research activities are not required for promotion, but may be considered.

Candidates may request promotion during their second review in rank and any year after.

**II. DEPARTMENTAL PROCEDURES**

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. These materials are to be made available to the review committee for their evaluation. The review committee
should prepare a report of their evaluation and recommendation, which has been read, approved, and
signed by all committee members before it is submitted to the department. The review may be written
by the committee chair or a member of the committee. The committee report 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. The committee
report may be supplemented by input from other members of the department. Depending on the norms
of the department, the committee report and supporting materials may be made available to all eligible
faculty for a vote. Eligible faculty include all full-time members of the faculty that are of equal or higher
rank than the faculty member being reviewed or promoted as determined by the department.

The review packet to be presented to the department chair/director and/or the full faculty should normally
include:

- An up-to-date curriculum vitae of the candidate
- A description of the candidate's teaching and administrative responsibilities
- A list of all courses taught since the last review
- Committee service
- An evaluation of teaching performance of the candidate, which should include:
  - Course evaluations (provided by the department administration)
  - Course syllabi (provided by the candidate)
  - Reports of classroom observation (provided by department administration or committee)
- An evaluation by the committee of the candidate’s other contributions to the instructional
  program, for example, curriculum development
- If applicable, an evaluation of the candidate’s administrative performance, including any role in
  the training and supervising of other faculty. Note that additional weight will be given to the
  performance of administrative duties for faculty whose duties are primarily administrative
- A personal statement from the candidate assessing his or her contributions
- If applicable, scholarship including, but not limited to, research and publications related to their
  specific discipline or field, to the pedagogy of their field, or to the work of the
  department/program/university may be included.
- Candidates may include additional documents to support their renewal and/or promotion.

The committee will consider all work activity, as listed above, since the last review, including materials
from the ultimate year of the previous contract.

The recommendation of the chair/director should be forwarded to the Divisional Dean along with a draft
of the candidate’s summary letter, the review packet, the committee’s recommendation and, in the case of
a full faculty vote, the vote of the faculty by March 15th.

Following approval of the Divisional Dean a summary of the review, prepared by the chair or director in
the form of a letter, must be given to the candidate and discussed with him or her by the chair or director.
The candidate must sign the letter to indicate that he or she has read it and discussed it with the chair or
director. This summary must cover both strengths and weaknesses of the candidate's performance.

The summary letter to the candidate must include the recommendations of the evaluation committee as
well as the chair/director’s recommendation to the Divisional Dean, including promotion, the length of
reappointment (if that is the decision), and a signature block for the candidate. It must also include the
following sentences:
1. Regardless of the merits for reappointment/promotion at this time, this letter does not constitute a guarantee of future reappointment.

2. Candidates will be judged for reappointment/promotion in the future according to the conditions and standards in effect at the time of their next review.

3. I have read this letter and understand its content.

III. FAS DEAN’S OFFICE PROCEDURE

The departmental review and all relevant supporting materials will be reviewed by the relevant Divisional Dean. Additional input from the Dean of the College of Arts and Science, and the Dean of the Graduate School of Arts and Science may also be sought, as appropriate. In the event of a split vote or other reasons deemed necessary to insure a thorough review the Deans may consult with faculty from academic departments other than the candidate's home department. If there are questions in any particular case, the chair of the department review committee may be asked to provide additional information to the Divisional Dean.

The Divisional Dean makes his or her recommendation to the Dean of Arts and Science. If the recommendation of the Divisional Dean is contrary to the recommendation of the chair/director or if the case produces a negative or split committee vote, the Divisional Dean will also forward the review packet to the Dean of Arts and Science. After receiving the Divisional Deans advice and relevant materials, the Dean of Arts and Science will inform the department chair of the advice provided by the Divisional Dean as well as his or her own decision. If the decision of the Arts and Science Dean is contrary to that of the departmental evaluation committee, the Dean will provide the department chair with the reasons. The chair or director has an opportunity to respond to the Dean’s decision in writing and provide additional information within ten days.

Notice of intention not to reappoint shall be sent to the faculty member not later than August 31st of the penultimate year of the contract.

Faculty Grievances

Faculty Grievances are classified into two main types: 1) those connected with reappointment or promotion and 2) those concerned with other matters, such as duties, salaries, perquisites, and working conditions.

As per university guidelines, with respect to grievances related to reappointment and promotion, outcomes of the review process or decisions reached through the review process can be grieved only to the extent that they involve violation of University-protected rights of faculty members. Thus, a grievance of either type must allege that 1) the procedures used to reach the decision were improper, or that the case received inadequate consideration; or 2) that the decisions violated the academic freedom of the faculty member in question, in which case the burden of proof falls to the grievant.

• The decision not to undertake the reappointment process where a position is to be eliminated at the end of the contract term, and where no similar position is open, is not the basis for a grievance.

• A clinical faculty member whose contract is non-renewable or who is not eligible for reappointment cannot grieve a decision not to reappoint.
• Individuals on multi-year contracts of three years or more who are subject to a review process to determine whether they are to be reappointed do have a right to grieve the process in the event it leads to a negative decision with respect to reappointment or promotion, under the same criteria as cited in the preceding paragraph.

• 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.

If a faculty member’s grievance is not settled informally at a level below the Dean, or by the Dean himself or herself, the faculty member may appeal to the Dean to convoke the FAS Grievance Committee, to hear grievances in order to advise the Dean.

The FAS Grievance Committee is composed of nine tenured full professors elected by the FAS, with three members from each academic division, and six at large continuing contract faculty (senior language lecturer, clinical associate and full professors), two from the Expository Writing Program and four from other units in FAS. Sitting department chairs and program heads may not serve on the Committee on Grievance. The Dean shall convoke the committee within fifteen working days of receiving the faculty member’s appeal.

**Appeal**

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

**General Disciplinary Regulations**

All faculty members have an obligation to comply with the rules and regulations of the University and its schools, colleges, and departments. These rules protect the rights and freedoms of all members of the academic community. In particular, the faculty member is obligated to comply with the standards of academic freedom as outlined in the Faculty Handbook.

Disciplinary action may follow when the faculty member engages in other conduct unbecoming a member of the faculty, such as violation of the New York University Rules for the Maintenance of Public Order, any action which interferes with the regular operations of the University or the rights of others, any serious violation of the law, or any other conduct prejudicial to the teaching, research, or welfare of the University as set forth in the Faculty Handbook.
FAS Policies and Procedures

Language Lecturer and Senior Language Lecturer Appointments

This document supplements NYU policies applicable to full-time continuing contract faculty. If any part of this document is inconsistent with NYU policies, the NYU policies then in effect will control. As with all NYU and FAS policies, this document is subject to change, and the policies in effect at the time of an action will apply to that action.

Introduction

Language Lecturers (LL) and Senior Language Lecturers (SLL) are full-time continuing contract faculty positions that provide coordination, continuity, and consistency in instruction and/or administration. Appointees must be experienced or highly knowledgeable in their particular fields and, where relevant, have had experience in language acquisition and curriculum development. Appointees should possess relevant advanced degree or scholarly or professional credentials, which may vary by discipline and department, as developed in consultation with the Divisional Dean.

Language Lecturer and Senior Language Lecturer appointments are primarily teaching positions, but may include some administrative and/or supervisory responsibilities. Research is not part of the LL or SLL faculty’s formal obligations; however, research activities may be considered when being reviewed for reappointment, promotion, or annual reviews. Although LL and SLL appointments are without tenure, they are typically multi-year appointments. LL and SLL faculty members are protected by academic freedom. They receive the same health, retirement and tuition remission benefits as tenured and tenure track faculty. LLs and SLLs are ineligible for sabbaticals and generally ineligible for NYU faculty housing.

The appointment processes for Continuing Contract Faculty, including Language Lecturers and Senior Language Lecturers, shall reflect the University’s overriding commitment to enhance academic excellence and to provide students with the best available educational experience. Thus, each continuing contract faculty appointment and reappointment shall be evaluated in the light of the contribution it makes to the distinct excellence of the school, including its educational and training programs, and shall exemplify the University’s commitment to appoint and retain the best faculty in all disciplines.

Titles and Qualifications

Language Lecturer – Teaching experience, minimum of a master’s degree in foreign language teaching or other appropriate advanced degree and professional attainment in relevant teaching.

Senior Language Lecturer – minimum of a master’s degree in foreign language teaching; or other appropriate advanced degree; demonstrated excellence in teaching and instruction; and at least six years of teaching and related professional experience at NYU or elsewhere: evidence of supervisory experience (where relevant); superior contributions to the teaching program, as well as recognition for excellence in the professional field (e.g. leadership in a relevant national organization or recognition for excellence and innovation in teaching).
As per University Bylaw 81(c), “Degree Programs” a degree candidate who accepts appointment as a full-time Continuing Contract Faculty member must there upon relinquish candidacy for a degree at NYU. As appropriate, the FAS Dean can request an exception from the NYU Board of Trustees.

Continuing Contract Faculty also include Clinical Assistant Professors, Clinical Associate Professors, and Clinical Professors, who are addressed separately under {LINK}

Areas of Responsibilities– Responsibilities include some, but not necessarily all of the following, and need not be restricted to them:

- Teaching - the normal course load for Language Lecturers and Senior Language Lecturers is three courses per term. This load may be reduced depending on other assigned duties or responsibilities. With the approval of the relevant Divisional and School Deans, administrative and professional duties and other professional activities that serve FAS may, if comparable in time demands to one or more courses, substitute for such courses.
- Service - participation on departmental, FAS and /or University-wide committees. Individual departments and programs will determine the appropriate opportunities for service. Language Lecturers and Senior Language Lecturers are also expected to be available to provide advice to the department chair or director of undergraduate studies or director of graduate studies regarding curriculum, teaching assignments, and any other matters related to their area of instruction.
- Research - Although there is no obligation to conduct research, Language Lecturers and Senior Language Lecturers may be eligible to be principal investigators on curriculum grants, training and teaching grants and other non-research grants in accordance with University policy. Approval to serve as principal investigator on research-related grants will be considered on a case by case basis in accordance with University policy.
- Administrative - In some cases, Language Lecturers and Senior Language Lecturers will have program-related administrative duties, including but not limited to: curriculum development, selection of textbooks and instructional methodologies, implementation of technologies, class schedules, student advisement, supervision of laboratories (if applicable), supervision and training of full time language faculty and adjuncts, and program management.

Terms of Appointment

- Unless stipulated otherwise in an appointment letter, Language Lecturers and Senior Language Lecturers are appointed for the academic year (September to May) and paid over twelve months (starting October 1). If appointed mid-year, the term of the appointment should be aligned to include the partial year and subsequent full academic year (i.e., the initial appointment would be for at least 1.5 years).
- Summer teaching appointments are optional and are made, subject to curricular needs and the faculty member’s desire to teach, with additional compensation. Administrative duties that carry over beyond the nine-month academic year and require service during the summer may carry additional summer compensation.
- Language Lecturers: the initial appointment can be made for one to three years. Subsequent reappointment can be made for one to three years. Appointments in this rank cannot be made for more than a total of six years. However, in no case will a series of one year appointments exceed three years. After three one year contracts, Language Lecturers will either be provided with a multi-year contract or not be reappointed at all. A Language Lecturer who is not promoted to Senior Language Lecturer at the expiration of six years shall be ineligible for reappointment as a Language Lecturer in FAS.
- Senior Language Lecturers: the initial appointment is for one to three years. The subsequent reappointment(s) can be made for one to five years. Senior Language Lecturers are eligible for a five year reappointment contract if they have been at NYU at least six years and have at least one prior contract renewal at NYU. There is no limit to the number of terms that a Senior Language Lecturer can be reappointed.
• The length of reappointment is determined by performance as well as curricular needs of the department or program.
• One-year appointments are considered exceptions and are typically reserved to address temporary programmatic needs (e.g., a leave or resignation), though one year appointments may be renewed on an annual basis for up to three years on the recommendation of the chair or director.
• Appointments automatically terminate at the close of the period of time stipulated in the contract, unless there is an official notice of renewal.

Annual Review

Language Lecturers and Senior Language Lecturers are subject to the annual merit increase (AMI) review, conducted for all full-time faculty members by the department chair or program director, with input from the appropriate faculty committee, as per department or program procedure. Language Lecturers and Senior Language Lecturers will submit an Annual Faculty Personnel Record Supplement, usually in January of each academic year, to report on their teaching and service. This report will be used in the annual merit review, which typically considers the faculty member’s teaching performance, contribution to the effectiveness of the program or department, and relevant administrative performance. Note that additional weight will be given to the performance of administrative duties for faculty whose duties are primarily administrative. Scholarly and research activities (e.g. publications) are not required, but may be considered.

Governance

Full Faculty meeting attendance and voting rights can be found under University Bylaw 82 (c). FAS practice is to hold joint full faculty meetings inclusive of continuing contract faculty, including Language Lecturers, Senior Language Lecturers, and tenure/tenure track faculty. Language Lecturers and Senior Language Lecturers are also eligible to participate and vote in the FAS Faculty Assembly.

At the department level, Continuing Contract Faculty, including Language Lecturers and Senior Language Lecturers, may participate as members of the department faculty in department governance, with the exclusion of matters related to promotion and tenure, and hiring of tenured and tenure-track faculty¹, and matters directly or indirectly affecting the individual’s candidacy for a degree, or matters affecting his or her status on the faculty of NYU (e.g. curricular changes that impact their contract renewal or relate to their personal degree program (if an exception to Bylaw 81(c) has been approved).

Procedures for Recruitment and Appointment

As part of the Annual Planning Report, the chair/director forwards to the Divisional Dean a Faculty Staffing Plan outlining requests for new faculty hiring. In particular, the request should include a justification that there is an important teaching need, and that this need can best be met with a Language Lecturer or Senior Language Lecturer. Detailed procedures for recruitment of new full-time faculty, including Language Lecturers and Senior Language Lecturers, are available online at http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment. Contracts specifying the terms and length of employment are issued by the Divisional Dean.

¹ Note that continuing contract faculty may be invited by the department chair to participate on search committees in the hiring of tenured/tenure track faculty.
Procedures for Reappointment General Considerations

Reappointment is based on departmental criteria of overall performance as a teacher and, if applicable, as an administrator. Research activities are not required for reappointment, but may be considered. In addition, reappointment is subject to the academic and curricular needs of FAS and the University; thus, review for reappointment and promotion shall consider curricular or structural changes and improvements in academic programs. 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. In this case, the basis for non-reappointment will be clearly stated in the notice given to the faculty member. The review will also comment on whether the faculty member would be able to teach in the revised curriculum and or new academic structure, and in what capacity.

Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion

University guidelines require continuing contract faculty, including Language Lecturers and Senior Language Lecturers, to be reviewed in the penultimate year of a multi-year contract. Penultimate year reviews must be submitted by the chair/director to the appropriate Divisional Dean by March 15th. If the department has any concerns that a Language Lecturer or Senior Language Lecturer is not fulfilling the requirements of the position or that the position may not be needed to fulfill the teaching mission of the department or program, these should be clearly outlined in the report submitted to the Divisional Dean. Any reservations must be shared in writing and in person with the faculty member, who is obliged to acknowledge receipt of this information by countersigning the report on a summary of the report, so that he or she is under no misunderstanding regarding the expectations for him or her. The Chair or Director must submit a written report to the Divisional Dean that includes the substance of the review and a recommendation for reappointment, promotion or termination. 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.

Following a review, if the decision is not to offer a reappointment, the faculty member shall be notified of the decision no later than August 31st of the penultimate year, and shall continue to be under contract for the final year.

Upon request, the timing of a review may be delayed by stopping the contract clock for reasonable cause that has been approved by the Divisional Dean, e.g., medical, personal, as primary caregiver for child, spouse, parent, same sex domestic partner, or by contractual stipulation or negotiation.

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 and the faculty member will be notified in the penultimate year; however, the faculty member may request a performance review for career development.

For faculty whose responsibilities are primarily administrative (e.g. lab manager, director of a program, etc.), greater weight will be given to performance of these duties in both multi-year appointments and recommendations for promotion.

Reappointment for Service on One-Year or Two-Year Contracts

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. Notification of reappointment decisions should be made to the Divisional Dean by March 15th.
In the third year of continuous one-year appointments, the faculty member shall be subject to formal review comparable to those to which faculty members on longer multi-year contacts are subject.

Language Lecturers will be limited to no more than three consecutive one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all. In the case of continuing two year contracts, the faculty member shall be subject to formal review comparable to those which faculty members on longer multi-year contacts are subject to in the first semester of the third year of continuous service.

**Formal Review Processes**

The review, whether for renewal and/or promotion, is undertaken by a committee appointed by the department chair or director or elected by the department or faculty as per the custom of the department or program. The committee must consist of three to five full-time faculty, with a minimum of one tenured or tenure-track faculty and at least one Continuing Contract Faculty member. Any deviation from this configuration of the committee must be approved by the appropriate Divisional Dean. If a department or program does not have sufficient tenured or tenure track faculty to participate in the review process, the department or program committee may consist entirely of Continuing Contract Faculty from the program, or at the discretion of the Divisional Dean, an ad hoc committee of Continuing Contract Faculty from other FAS departments or programs may be formed.

In the case of promotion to Senior Language Lecturer, Language Lecturers are not eligible to serve.

In the case of reappointment, the committee shall not include lecturers under review for reappointment that year.

**I. PROMOTION: General Procedures**

If the review packet is for promotion, it also must describe how the candidate meets the qualifications for Senior Language Lecturer as prescribed by the “Titles and Qualifications” section of this document. A review for promotion to Senior Language Lecturer is mandatory in the fifth year of the initial six years of service.

In addition to the consideration of teaching, administration, and service activities, recommendations regarding promotion also may be based on a prognosis of the faculty member’s future achievements based on dependability, growth, potential, and versatility of the faculty member as he or she will contribute to the evolving mission of FAS. Research activities are not required for promotion, but may be considered.

**II. DEPARTMENT: Procedures**

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. These materials are to be made available to the review committee for their evaluation. The review committee should prepare a report of their evaluation and recommendation, which has been read, approved and signed by all committee members before it is submitted to the chair/director. The review may be written by the committee chair or a member of the committee. The committee report 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. The committee report may be supplemented by input from other members of the department. Depending on the norms of the department, the committee report and supporting materials may be made available to all eligible
faculty for a vote. Eligible faculty include all full-time members of the faculty that are of equal or higher rank than the faculty member being reviewed or promoted as determined by the department.

The review packet to be presented to the department chair/director and/or the full faculty should normally include:

- An up-to-date curriculum vitae of the candidate
- A description of the candidate's teaching and administrative responsibilities
- A list of all courses taught since the last review
- Committee service
- An evaluation of teaching performance of the candidate, which should include:
  - Course evaluations (provided by the department administration)
  - Course syllabi (provided by the candidate)
  - Reports of classroom observation (provided by department administration or committee)
- An evaluation by the committee of the candidate's other contributions to the instructional program, for example, curriculum development
- If applicable, an evaluation of the candidate's administrative performance, including any role in the training and supervising of adjunct instructors or other Language Lecturers.
- A personal statement from the candidate assessing his or her contributions
- If applicable, scholarship including, but not limited to, research and publications related to their specific discipline or field, to the pedagogy of their field, or to the work of the department/program/university may be included.
- Candidates may include additional documents to support their renewal and or promotion.

The committee will consider all work activity, as listed above, since the last review, including materials from the ultimate year of the previous contract.

The recommendation of the chair/director should be forwarded to the Divisional Dean along with a draft of the candidate’s summary letter, the review packet, the committee’s recommendation and if applicable the vote of the faculty by March 15th.

Following approval of the Divisional Dean a summary of the review, prepared by the chair or director in the form of a letter, must be given to the candidate and discussed with him or her by the chair or director. The candidate must sign the letter to indicate that he or she has read it and discussed it with the chair or director. This summary must cover both strengths and weaknesses of the candidate's performance.

The summary letter to the candidate must include the recommendations of the evaluation committee and the recommendation that the chair/director is making to the Divisional Dean, including promotion, the length of reappointment (if that is the decision), and a signature block for the candidate. It must also include the following sentences:

1. Regardless of the merits for reappointment/promotion at this time, this letter does not constitute a guarantee of future reappointment.

2. Candidates will be judged for reappointment/promotion in the future according to the conditions and standards in effect at the time of their next review.

3. I have read this letter and understand its contents.
III. FAS DEAN’S OFFICE PROCEDURE

The departmental review and all relevant supporting materials will be reviewed by the relevant Divisional Dean. Additional input from the Dean of the College of Arts and Science, and the Dean of the Graduate School of Arts and Science may also be sought, as appropriate. In the event of a split committee vote or other reasons deemed necessary to insure a thorough review process, the Deans may consult with faculty from academic departments other than the candidate's home department. If there are questions in any particular case, the chair/director may be asked to provide additional information to the Divisional Dean.

The Divisional Dean makes his or her recommendation to the Dean of Arts and Science. If the recommendation of the Divisional Dean is contrary to the recommendation of the chair/director or if the case produces a negative or split department vote, the Divisional Dean will also forward the review packet to the Dean of Arts and Science.

After receiving the Divisional Dean's advice and relevant materials, the Dean of Arts and Science will inform the department chair/director of the advice provided by the Divisional Dean as well as his or her own decision. If the decision of the Arts and Science Dean is contrary to that of the departmental evaluation committee, the Dean will provide the department chair/director with the reasons. The chair or director has an opportunity to respond to the Dean’s decision in writing and provide additional information within ten days.

Notice of intention not to reappoint shall be sent to the faculty member not later than August 31st of the penultimate year of the contract.

Faculty Grievances

Faculty Grievances are classified into two main types: 1) those connected with reappointment or promotion and 2) those concerned with other matters, such as duties, salaries, prerequisites, and working conditions.

As per university guidelines, with respect to grievances related to reappointment and promotion, outcomes of the review process or decisions reached through the review process can be grieved only to the extent that they involve violation of University-protected rights of faculty members. Thus, a grievance of either type must allege that 1) the procedures used to reach the decision were improper, or that the case received inadequate consideration; or 2) that the decisions violated the academic freedom of the faculty member in question, in which case the burden of proof falls to the grievant.

- The decision not to undertake the reappointment process where a position is to be eliminated at the end of the contract term, and where no similar position is open, is not the basis for a grievance.
- A Language Lecturer or Senior Language Lecturer whose contract is non-renewable or who is not eligible for reappointment cannot grieve a decision not to reappoint.
- Individuals on multi-year contracts of three years or more who are subject to a review process to determine whether they are to be reappointed do have a right to grieve the process in the event it leads to a negative decision with respect to reappointment or promotion, under the same criteria as cited in the preceding paragraph.
- 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.

If a faculty member’s grievance is not settled informally at a level below the Dean, or by the Dean himself or herself, the faculty member may appeal to the Dean to convoke the FAS Faculty Grievance Committee, to hear grievances in order to advise the Dean.

The FAS Grievance Committee is composed of nine tenured full professors elected by the FAS, with three members from each academic division, and six at large continuing contract faculty (senior language lecturer, clinical associate and full professors), two from the Expository Writing Program and four from other units in FAS. Sitting department chairs and program heads may not serve on the Committee on Grievance. The Dean shall convoke the committee within fifteen working days of receiving the faculty member’s appeal.

Appeal

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

General Disciplinary Regulations

All faculty members have an obligation to comply with the rules and regulations of the University and its schools, colleges, and departments. These rules protect the rights and freedoms of all members of the academic community. In particular, the faculty member is obligated to comply with the standards of academic freedom as outlined in the Faculty Handbook.

Disciplinary action may follow when the faculty member engages in other conduct unbecoming a member of the faculty, such as violation of the New York University Rules for the Maintenance of Public Order, any action which interferes with the regular operations of the University or the rights of others, any serious violation of the law, or any other conduct prejudicial to the teaching, research, or welfare of the University as set forth in the Faculty Handbook.
FAS RESPONSE TO
T-Faculty Senators Council Recommendations
Language Lecturer and Senior Language Lecturer Appointments

December 17, 2018

FAS Policies and Procedures Recruitment of New Faculty

1.6 Language Lecturer and Senior Language Lecturer Appointments

This document supplements NYU policies applicable to full-time continuing contract faculty. If any part of this document is inconsistent with NYU policies, the NYU policies then in effect will control. As with all NYU and FAS policies, this document is subject to change, and the policies in effect at the time of an action will apply to that action.

Introduction

Language Lecturers (LL) and Senior Language Lecturers (SLL) are full-time continuing contract faculty positions that provide coordination, continuity, and consistency in instruction and/or administration. Appointees must be experienced in their particular fields and, where relevant, have had experience in language acquisition and curriculum development. Appointees should possess relevant advanced degree or scholarly or professional credentials, which may vary by discipline and department, as developed in consultation with the Divisional Dean.

Language Lecturer and Senior Language Lecturer appointments are primarily teaching positions, but may include some administrative and/or supervisory responsibilities. Research is not part of the LL or SLL faculty’s formal obligations. Although LL and SLL appointments are without tenure, they are typically multi-year appointments. LL and SLL faculty members are protected by academic freedom. They receive the same health, retirement and tuition remission benefits as tenured and tenure track faculty. LLs and SLLs are ineligible for sabbaticals and generally ineligible for NYU faculty housing.

Titles and Qualifications

Language Lecturer – Teaching experience, minimum of M.A. in foreign language teaching or other appropriate advanced degree and professional attainment in relevant teaching.

Senior Language Lecturer – minimum of M.A. in foreign language teaching; or other appropriate advanced degree; demonstrated excellence in teaching and instruction; and at least six years of teaching and related professional experience at NYU or elsewhere, evidence of supervisory experience (where relevant); superior contributions to the teaching program, as well as recognition for excellence in the professional field.

1. RECOMMENDATION: Define “recognition for excellence in the professional field”.

1
This could include leadership in a national organization, or recognition by professional organizations for excellence and innovation in teaching. We will note this in the guidelines.

“All but degree” doctoral candidates currently enrolled at NYU are not eligible to be considered for Language Lecturer or Senior Language Lecturer positions.

Continuing contract faculty also include Clinical Assistant Professors, Clinical Associate Professors, and Clinical Professors, who are addressed separately under [Link to Clinical Faculty Guidelines]

2. RECOMMENDATION: Describe the differences between Clinical Faculty and Language Lecturers responsibilities.

A link to Clinical Faculty Guidelines will be referenced (see above)

Areas of Responsibilities—Responsibilities include some, but not necessarily all of the following, and need not be restricted to them:

- **Teaching** - the normal course load for Language Lecturers and Senior Language Lecturers is three courses per term. This load may be reduced depending on other assigned duties or responsibilities. With the approval of the relevant Divisional and School deans, administrative and professional duties and other professional activities that serve FAS may, if comparable in time demands to one or more courses, substitute for such courses.

3. RECOMMENDATION: Add “course load may not exceed three per semester without negotiated additional compensation.”

Individual teaching loads are determined by departments and are specified in the offer letter made to all Language Lecturers and Senior Language Lecturers.

- **Service** - participation on departmental committees involving language instruction is expected. Language Lecturers and Senior Language Lecturers are also expected to be available to provide advice to the department Chair or Director of Undergraduate Studies or Director of Graduate Studies regarding curriculum, teaching assignments, and any other matters related to their area of instruction.
- **Research** - Although there is no obligation to conduct research, Language Lecturers and Senior Language Lecturers may be eligible to be principal investigators on curriculum grants, training and teaching grants and other non-research grants in accordance with University policy. Approval to serve as principal investigator on research-related grants will be considered on a case by case basis in accordance with University policy.
- **Administrative** - In some cases, Language Lecturers and Senior Language Lecturers will have program-related administrative duties, including but not limited to: curriculum development, selection of textbooks and instructional methodologies, implementation of technologies, class schedules, student advisement, supervision of laboratories (if applicable), supervision and training of language faculty and adjuncts, and program management.
Terms of Appointment

- Unless stipulated otherwise in an appointment letter, Language Lecturers and Senior Language Lecturers are appointed for the academic year (September to May) and paid over twelve months (starting October 1). If appointed mid-year, the term of the appointment should be aligned to include the partial year and subsequent full academic year (i.e., the initial appointment would be for at least 1.5 years).

- Summer teaching appointments are optional and are made, subject to curricular needs and the faculty member’s desire to teach, with additional compensation. Administrative duties that carry over beyond the nine-month academic year and require service during the summer may carry additional summer compensation.

- Length of Appointment – Language Lecturers: the initial appointment can be made for one to three years. Subsequent reappointment can be made for one to three years. Appointments in this rank cannot be made for more than a total of six years. A Language Lecturer who is not promoted to Senior Language Lecturer at the expiration of six years shall be ineligible for reappointment as a Language Lecturer in FAS.

4. RECOMMENDATION: NYU Guidelines for clinical faculty state “wherever possible schools are encouraged to reduce reliance on one year contracts.” Suggest including this language above and below.

- 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.

- One-year appointments are typically reserved to address temporary programmatic needs (e.g., a leave or resignation). There is no expectation of renewal, though appointments may be renewed on an annual basis on the recommendation of the Chair or Director.

- In rare instances, a one-semester appointment as a Language Lecturer may be made to meet an immediate short-term gap in teaching coverage. In these instances there is no expectation of renewal.

- Appointments automatically terminate at the close of the period of time stipulated in the contract, unless there is an official notice of renewal.

It is typical that if a Continuing Contract Faculty member on an initial one-year appointment is renewed, reappointment will be for a multiyear contract of three years. However, to be responsive to specific programmatic needs we need to maintain the flexibility of a one-year option for both initial appointments and contract renewals. To avoid the establishment of a permanent group of CCF on one year appointments we will revise the text to include the statement that “In no case will a series of one year appointments exceed three years”.

Annual Review

Language Lecturers and Senior Language Lecturers are subject to the annual merit increase (AMI) review, conducted for all full-time faculty members by the department chair or program director, with input from the appropriate faculty committee, as per department or program procedure. Language Lecturers and Senior Language Lecturers will submit an Annual Faculty Personnel Record Supplement, usually in January of each academic year, to report on their teaching and
service. This report will be used in the annual merit review, which typically considers the faculty member’s teaching performance, contribution to the effectiveness of the program or department, and relevant administrative performance. Note that additional weight will be given to the performance of administrative duties for faculty whose duties are primarily administrative.

5. RECOMMENDATION There is no mention above of consideration of research as there is in the reviews for reappointment and promotion. Suggest adding the same language above for consistency.

While there is some moderate flexibility in departmental AMI procedures to allow for review of research, the bulk of the review is teaching and then service. However, we will include the statement: “Scholarly and research activities (e.g. publications) are not required, but may be considered when being reviewed for reappointment, promotion, or annual reviews”.

Governance

Full Faculty meeting attendance and voting rights can be found under University Bylaw 82 (c). FAS practice is to hold joint full faculty meetings inclusive of continuing contract faculty, including Language Lecturers, Senior Language Lecturers, and tenure/tenure track faculty. Language Lecturers and Senior Language Lecturers are also eligible to participate and vote in the FAS Faculty Assembly.

At the department level, continuing contract faculty, including Language Lecturers and Senior Language Lecturers, may participate as members of the department faculty in department governance, with the exclusion of matters related to promotion and tenure, and hiring of tenured and tenure-track faculty, and matters directly or indirectly affecting the individual’s candidacy for a degree, or matters affecting his or her status on the faculty of NYU.

Procedures for Recruitment and Appointment

As part of the Annual Planning Report, the Chair/Director forwards to the Divisional Dean a Faculty Staffing Plan outlining requests for new faculty hiring. In particular, the request should include a justification that there is an important teaching need, and that this need can best be met with a Language Lecturer or Senior Language Lecturer. Detailed procedures for recruitment of new full time faculty, including Language Lecturers and Senior Language Lecturers, are available online at http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment.

Appointment letters specifying the terms and length of employment are issued by the Divisional Dean.

Procedures for Reappointment General Considerations:

Appointment processes for continuing contract faculty, including Language Lecturers and Senior Language Lecturers, shall reflect the University’s overriding commitment to enhance academic excellence and to provide students with the best available educational experience. Thus, each continuing contract faculty appointment and reappointment shall be evaluated in the light of the contribution it makes to the distinct excellence of the school, including its educational and training programs, and shall exemplify the University’s commitment to appoint and retain the best faculty in all disciplines.
Reappointment is based on departmental criteria of overall performance as a teacher and, if applicable, as an administrator. In addition, reappointment is subject to the academic and curricular needs of FAS and the University; thus, review for reappointment and promotion shall consider curricular or structural changes and improvements in academic programs. 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. In this case, the basis for non-reappointment will be clearly stated in the notice given to the faculty member.

**Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion**

University guidelines require continuing contract faculty, including Language Lecturers and Senior Language Lecturers, to be reviewed in the penultimate year of a multi-year contract. Penultimate year reviews must be submitted by the department or program to the appropriate Divisional Dean by March 15. If the department has any concerns that a Language Lecturer or Senior Language Lecturer is not fulfilling the requirements of the position or that the position may not be needed to fulfill the teaching mission of the department or program, these should be clearly outlined in the report submitted to the Divisional Dean. Any reservations must be shared in writing and in person with the faculty member, who is obliged to acknowledge receipt of this information by countersigning the report on a summary of the report, so that he or she is under no misunderstanding regarding the expectations for him or her. The Chair or Director must submit a written report to the Divisional Dean that includes the substance of the review and a recommendation for reappointment, promotion or termination. 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.

Following a review, if the decision is not to offer a reappointment, the faculty member shall be notified of the decision no later than August 31st of the penultimate year, and shall continue to be under contract for the final year.

Upon request, the timing of a review may be delayed by stopping the contract clock for reasonable cause that has been approved by the Divisional Dean, e.g., medical, personal, as primary caregiver for child, spouse, parent, same sex domestic partner, or by contractual stipulation or negotiation.

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.

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

**6. RECOMMENDATION:** Clarify this statement. To what aspect of performance will be given additional weight be given.

*We will specify that “for faculty whose responsibilities are primarily administrative (e.g. lab manager or Director of a Masters’ Program) greater weight will be given to performance of these duties.*
Reappointment for Continuous Service on One-Year or Two-Year Contracts

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. Notification of reappointment decisions should be made to the Divisional Dean by March 15th. In the third year of continuous appointments, the faculty member shall be subject to formal review comparable to those to which faculty members on longer multi-year contacts are subject.

7. RECOMMENDATION: A “series of one-year or two year contracts” described above is inconsistent with NYU guidelines for Contract faculty. See Recommendation 3 above.

To be responsive to specific programmatic needs we need to maintain the flexibility of reappointing to contracts of varying lengths, including one year appointments. however, we will stipulate that Language Lecturers and Senior Language Lecturers will be limited to no more than three one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all.

Formal Review Processes

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. In the case of promotion to Senior Language Lecturer, Language Lecturers are not eligible to serve. In any event, the committee shall not include a Language Lecturer or Senior Language under review for reappointment that year. Any deviation from this configuration of the committee must be approved by the Divisional Dean.

8. RECOMMENDATION: Suggest revision of this language to account for the following: Feedback from FAS- TFSC faculty suggests that the Expository Writing Program, which employs one third of the 300 LL and SLL in FAS, does not have the requisite number of T/TT faculty to meet this requirement, nor is it feasible to have the only T/TT faculty member (the Director) participate in all 20-30 reviews per year.

We will revise the guidelines to include the following statement: If a department or program does not have sufficient tenured or tenure track faculty to participate in the review process, the department or program committee may consist entirely of Continuing Contract Faculty from the program, or at the discretion of the Divisional Dean, an ad hoc committee of Continuing Contract Faculty from other FAS departments or programs may be formed.

I. PROMOTION

If the review packet is for promotion, it also must describe how the candidate meets the qualifications for Senior Language Lecturer as prescribed by the “Titles and Qualifications” section of this document. A review for promotion to Senior Language Lecturer is mandatory in the sixth year of service.
In addition to the consideration of teaching, administration, and service activities, recommendations regarding promotion also may be based on a prognosis of the faculty member’s future achievements based on dependability, growth, potential, and versatility of the faculty member as he or she will contribute to the evolving mission of FAS.

II. DEPARTMENT

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. These materials are to be made available to the review committee for their evaluation. The review committee should prepare a report of their evaluation and recommendation, which has been read, approved and signed by all committee members. The committee report 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. The committee report may be supplemented by input from other members of the department. The committee report and supporting materials must be made available to and discussed by the eligible faculty. Faculty members in the department may propose amendments to the report.

The departmental committee must present its final recommendations to the faculty for a vote. The recommendation must take the form of a written report. In the case of reappointment of a Language Lecturer, all tenure-track and tenured faculty members and Senior Language Lecturers are eligible to vote. For promotion to, or reappointment as Senior Language Lecturer, only tenure-track and tenured faculty members and Senior Language Lecturers are eligible to vote. There should be an open discussion among the eligible faculty members in advance of a vote, which must be conducted by secret ballot. Faculty not present at the discussion should be invited to submit a vote and opinion in writing; these votes and opinions must be recorded separately from those who attended the discussion.

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

- An up-to-date curriculum vitae of the candidate
- A description of the candidate's teaching and administrative responsibilities
- A list of all courses taught since the last review
- Committee service
- An evaluation of teaching performance of the candidate, which should include:
  - Course evaluations (provided by the department administration)
  - Course syllabi (provided by the candidate)
  - Reports of classroom observation (provided by department administration or committee)
- An evaluation by the committee of the candidate's other contributions to the instructional program, for example, curriculum development.
- If applicable, an evaluation of the candidate's administrative performance, including any role in the training and supervising of adjunct instructors or other Language Lecturers.
- A personal statement from the candidate assessing his or her contributions
- If applicable, scholarship including, but not limited to, research and publications related to their specific discipline or field, to the pedagogy of their field, or to the work of the
The committee will consider all work activity, as listed above, since the last review, including materials from the ultimate year of the previous contract.

A summary of the review, prepared by the Chair or Director in the form of a letter, must be given to the candidate and discussed with him or her by the Chair or Director. The candidate must sign the letter to indicate that he or she has read it and discussed it with the Chair or Director. This summary must cover both strengths and weaknesses of the candidate's performance.

The summary letter to the candidate must include the recommendation that the evaluation committee is making to the Divisional Dean, including promotion, the length of reappointment (if that is the decision), and a signature block for the candidate. It must also include the following sentences: “Regardless of the merits for reappointment/promotion at this time, this letter does not constitute a guarantee of future reappointment.” “Candidates will be judged for reappointment/promotion in the future according to the conditions and standards in effect at the time of their next review.” “I have read this letter and understand its contents.”

A draft of the candidate’s summary letter should be forwarded to the Divisional Dean along with the review packet and the committee’s recommendation by March 15. Once approved by the Divisional Dean, the candidate’s summary letter must be signed by both the Chair and the candidate.

**III FAS DEAN’S OFFICE**

The Departmental Review and all relevant supporting materials will be reviewed by the relevant Divisional Dean. Additional input from the Dean of the College of Arts and Science, and the Dean of the Graduate School of Arts and Science may also be sought, as appropriate. The Deans may consult with faculty from academic departments other than the candidate's home department. If there are questions in any particular case, the chair of the department review committee may be asked to provide additional information to the Divisional Dean.

The Divisional Dean makes his or her recommendation to the Dean of Arts and Science. After receiving the Divisional Dean's advice, the Dean of Arts and Science will inform the Department Chair of the advice provided by the Divisional Dean as well as his or her own decision. If the decision of the Arts and Science Dean is contrary to that of the departmental evaluation committee, the Dean will provide the department chair with the reasons. The Chair or Director has an opportunity to respond to the Dean’s decision in writing and provide additional information within ten days.

Notice of intention not to reappoint shall be sent to the faculty member not later than August 31st of the penultimate year of the contract.

**Faculty Grievances**

Faculty Grievances are classified into two main types: 1) those connected with reappointment or promotion and 2) those concerned with other matters, such as duties, salaries, perquisites, and
working conditions.

As per university guidelines, with respect to grievances related to reappointment and promotion, outcomes of the review process or decisions reached through the review process can be grieved only to the extent that they involve violation of University-protected rights of faculty members. Thus, a grievance of either type must allege that 1) the procedures used to reach the decision were improper, or that the case received inadequate consideration; or 2) that the decisions violated the academic freedom of the faculty member in question, in which case the burden of proof falls to the grievant.

- The decision not to undertake the reappointment process where a position is to be eliminated at the end of the contract term, and where no similar position is open, is not the basis for a grievance.

- A Language Lecturer or Senior Language Lecturer whose contract is non-renewable or who is not eligible for reappointment cannot grieve a decision not to reappoint.

- Individuals on multi-year contracts of three years or more who are subject to a review process to determine whether they are to be reappointed do have a right to grieve the process in the event it leads to a negative decision with respect to reappointment or promotion, under the same criteria as cited in the preceding paragraph.

- 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.

If a faculty member’s grievance is not settled informally at a level below the Dean, or by the Dean himself or herself, the faculty member may appeal to the Dean to invoke the FAS Grievance Committee, to hear grievances in order to advise the Dean.

N.B FAS has updated the structure of its Grievance Committee.

The FAS Grievance Committee is composed of nine tenured full professors elected by the FAS, with three members from each academic division, and six at large continuing contract faculty (senior language lecturer, clinical associate and full professors), two from the Expository Writing Program and four from other units in FAS. Sitting department chairs and program heads may not serve on the Committee on Grievance.

The Dean shall convoke the committee within fifteen working days of receiving the faculty member’s appeal.

Appeal

Following the review of the FAS Grievance Committee, in the event the decision of the Dean of Arts and Science is not to reappoint or promote, an appeal can be made to the Provost, following the procedures enumerated in the Faculty Handbook.
**General Disciplinary Regulations**

All faculty members have an obligation to comply with the rules and regulations of the University and its schools, colleges, and departments. These rules protect the rights and freedoms of all members of the academic community. In particular, the faculty member is obligated to comply with the standards of academic freedom as outlined in the [Faculty Handbook](#).

Disciplinary action may follow when the faculty member engages in other conduct unbecoming a member of the faculty, such as violation of the New York University Rules for the Maintenance of Public Order, any action which interferes with the regular operations of the University or the rights of others, any serious violation of the law, or any other conduct prejudicial to the teaching, research, or welfare of the University as set forth in the [Faculty Handbook](#).
FAS RESPONSE TO
Recommendations of
The Tenured/Tenure Track Faculty Senators Council In
regard to:

Faculty of Arts and Sciences
Proposed: Policies and procedures for Continuing Contract Faculty Appointment,
Reappointment, Promotion and Grievance Procedures, and Voting Rights

December 17, 2018

FAS Policies and Procedures Recruitment of New Faculty

1.7 Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor

This document supplements NYU policies applicable to full-time continuing contract faculty. If any part of this
document is inconsistent with NYU policies, the NYU policies then in effect will control. As with all NYU and FAS
policies, this document is subject to change, and the policies in effect at the time of an action will apply to that action.

Introduction

Clinical faculty are full-time continuing contract faculty positions that provide coordination, continuity, and
consistency in instruction and/or administration. Appointees must be experienced in their particular fields and, where
relevant, have had experience in curriculum development and supervision of laboratory facilities and teaching
assistants. Appointees should possess relevant advanced degree or scholarly or professional credentials, which may
vary by discipline and department, as developed in consultation with the Divisional Dean.

Clinical appointments are primarily teaching positions, and often include some administrative and/or supervisory
responsibilities. Research is not part of the clinical faculty’s formal obligations.

1. Recommendation: Suggest adding “though each contract is individually negotiated and in some cases research
may be an expectation.”

FAS does not require research in any continuing contract faculty appointment, however, we will add that research
activities may be considered when being reviewed for reappointment, promotion, or annual reviews.

Although clinicals are without tenure, they are typically multi-year appointments. Clinical faculty members are
protected by academic freedom. They receive the same health, retirement and tuition remission benefits as tenured and
tenure track faculty. Clinical faculty are ineligible for NYU faculty housing and sabbaticals.

Titles and Qualifications

- **Clinical Assistant Professor** - Teaching experience, minimum of M.A. in the field of expertise, or other
appropriate advanced degree.

- **Clinical Associate Professor** – At least six years of relevant teaching and professional experience at NYU or
elsewhere; evidence of supervisory experience
(where relevant); superior contributions to the teaching program; as well as recognition for excellence in the professional field and innovation in the area of instruction. Minimum of M.A. in the field of expertise or other appropriate advanced degree.

- **Clinical Professor** - A minimum of 12 years of teaching and related professional experience at NYU or elsewhere, evidence of extraordinary contribution to the NYU teaching program, and evidence of recognition for leadership and innovation in the field or in teaching in the field. Minimum of M.A. in the field of expertise or other appropriate advanced degree.

2. **Recommendation: Change M.A. to Masters’ Degree.**

*We approve of this requested change.*

“All but degree” doctoral candidates currently enrolled at NYU are not eligible to be considered for clinical positions.

Continuing Contract Faculty also include Language Lecturers and Senior Language Lecturers, who are addressed separately under {LINK}

3. **Recommendation: Suggest deleting this sentence as it seems to violate NYU Bylaws and practices.**

*FAS will amend this text to site University Bylaw 81(c), Degree Programs. A degree candidate who accepts appointment as a full time Continuing Contract Faculty member in FAS must thereupon relinquish candidacy for a degree at NYU. As appropriate the FAS Dean can request an exception from the NYU Board of Trustees.*

**Areas of Responsibilities** – Responsibilities include some, but not necessarily all of the following, and need not be restricted to them:

- **Teaching** - The normal course load for clinical faculty is three courses per term. This load may be reduced depending on other assigned duties or responsibilities. With the approval of the relevant Divisional and School deans, administrative and professional duties and other professional activities that serve FAS may, if comparable in time demands to one or more courses, substitute for such courses.
- **Service** - Participation on departmental committees is expected. Clinical faculty are also expected to be available to provide advice to the department Chair or Director of Undergraduate Studies or Director of Graduate Studies regarding curriculum, teaching assignments, and any other matters related to their area of instruction.
- **Research** – Although there is no obligation to conduct research, clinical faculty may be eligible to be principal investigators on curriculum grants, training and teaching grants and other non-research grants in accordance with University policy. Approval to serve as principal investigator on research-related grants will be considered on a case by case basis in accordance with University policy.

4. **Recommendation: Suggest clinical faculty be allowed to be PIs as there are in other schools at NYU.**

*We believe our language adequately conveys how Continuing Contract Faculty can be principal investigators.*

- **Administration** – In some cases, clinical faculty will have program-related administrative duties, including but not limited to: curriculum development, selection of textbooks and instructional methodologies, implementation of technologies, class schedules, student advisement, supervision of laboratories (if applicable), supervision and training of clinical faculty and adjuncts, and program management.
Terms of Appointment

• Unless stipulated otherwise in an appointment letter, clinical faculty are appointed for the academic year (September to May) and paid over twelve months (starting October 1). If appointed mid-year, the term of the appointment should be aligned to include the partial year and subsequent full academic year (i.e., the initial appointment would be for at least 1.5 years).
• Summer teaching appointments are optional and are made, subject to curricular needs and the faculty member’s desire to teach, with additional compensation. Administrative duties that carry over beyond the nine-month academic year and require service during the summer may carry additional summer compensation.

For Clinical Assistant Professors, the initial appointment can be made for one to three years. Subsequent reappointment can be made for one to three years.

5. Recommendation: FAS uses the term one year visiting professor for 1 year appointments and otherwise uses 2-3 year contracts. Suggest changing the statement above to “two to three years”

To be responsive to specific programmatic needs we need to maintain the flexibility of appointing clinical faculty to contracts of varying length. We will, however, remove the reference to visiting clinical faculty and stipulate that Clinical faculty members will be limited to no more than three one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all.

For Clinical Associate Professors and Clinical Professors, the initial appointment is also for one to three years.
• 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 prior contract renewal at NYU.
• One-year appointments are typically reserved to address temporary programmatic needs (e.g., a leave or resignation). There is no expectation of renewal, though appointments may be renewed on an annual basis on the recommendation of the Chair or Director.
• In rare instances, a one-semester appointment as a Clinical Assistant Professor may be made to meet an immediate short-term gap in teaching coverage. In these instances there is no expectation of renewal.

6. Recommendation: Delete as FAS one year appointments are not used for clinical faculty.

It is typical that if a Continuing Contract Faculty member on an initial one-year contract is renewed, reappointment will be for a multiyear contract of three years. However, to be responsive to specific programmatic needs we need to maintain the flexibility of a one-year option. To avoid the establishment of a permanent group of CCF on one year appointments we will revise the text to include the statement that “In no case will a series of one year appointments exceed three years”. There is no limit to the number of terms that a clinical faculty member at any rank can be reappointed.
• Appointments automatically terminate at the close of the period of time stipulated in the contract, unless there is an official notice of renewal.

Annual Review

• Clinical faculty are subject to the annual merit increase (AMI) review, conducted for all full-time faculty members by the department chair or program director, with input from the appropriate faculty committee, as per department or program procedure. Clinical Faculty will submit an Annual Faculty Personnel Record Supplement, usually in January of each academic year, to report on their teaching and service. This report will be used in the annual merit review, which typically considers the faculty member’s teaching performance, contribution to the effectiveness of the program or department, and relevant administrative performance. Note that additional weight will be given to the performance of administrative duties for faculty whose duties are primarily administrative.
7. **Recommendation: Add evaluation of research to the Annual Faculty Evaluation.**

*While there is some moderate flexibility in departmental AMI procedures to allow for review of research, the bulk of the review is teaching and then service. However, we will include the statement: Scholarly and research activities (e.g., publications) are not required, but may be considered.*

**Governance**

Full Faculty meeting attendance and voting rights can be found under University Bylaw 82 (c). FAS practice is to hold joint full faculty meetings inclusive of continuing contract faculty, including clinical faculty, and tenure/tenure track faculty. Clinical faculty are also eligible to participate and vote in the FAS Faculty Assembly.

At the department level, continuing contract faculty, including clinical faculty, may participate as members of the department faculty in department governance, with the exclusion of matters related to promotion, tenure, and hiring of tenured and tenure-track faculty, and matters directly or indirectly affecting the individual’s candidacy for a degree, or matters affecting his or her status on the faculty of NYU.

8. **Recommendation: Please clarify this statement.**

*Examples would include curriculum changes that impact their contract renewal or relate to their personal degree program (if an exception to Bylaw 81(c) has been approved).*

**Procedures for Recruitment and Appointment**

As part of the Annual Planning Report, each Chair/Director forwards to the Divisional Dean a Faculty Staffing Plan outlining requests for new faculty hiring. In particular, the request should include a justification that there is an important teaching need, and that this need can best be met with a continuing contract faculty appointment, including a clinical faculty appointment, rather than a tenured or tenure-track faculty member. Detailed procedures for recruitment of new full time faculty, including clinical faculty, are available online at [http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment](http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment).

9. **Recommendation: Suggest deleting as it is not directly relevant to personnel policy for clinical faculty.**

*We believe this information is relevant to hiring procedures and should remain a part of the guidelines for the continuing contract faculty.*

Appointment letters specifying the terms and length of employment are issued by the Divisional Dean.

10. **Recommendation: Change appointment letter to contract.**

*We accept this recommendation.*

**Procedures for Reappointment General Considerations:**

Appointment processes for Continuing Contract Faculty, including clinical faculty, shall reflect the University’s overriding commitment to enhance academic excellence and to provide students with the best available educational experience. Thus, each Continuing Contract Faculty appointment and reappointment shall be evaluated in the light of the contribution it makes to the distinct excellence of the school, including its educational and training programs, and shall exemplify the University’s commitment to appoint and retain the best faculty in all disciplines.
Reappointment is based on departmental criteria of overall performance as a teacher and if applicable, as an administrator or researcher. In addition, reappointment is subject to the academic and curricular needs of FAS and the University; thus, review for reappointment and promotion shall consider curricular or structural changes and improvements in academic programs. 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. In this case, the basis for non-reappointment will be clearly stated in the notice given to the faculty member.

Research is not a stated criterion for reappointment, however, we will add to the guidelines that: research activities are not required for reappointment, but may be considered.

11. Recommendation: Suggest adding specific time frames for evaluation and notification of continuation per Provost guidelines either here or below.

We do include timeline information under the heading below.

Reappointment for Multi-Year Contracts of Three Years or More, and/or Promotion

University guidelines require Continuing Contract Faculty, including clinical faculty, to be reviewed in the penultimate year of a multi-year contract. Penultimate year reviews must be submitted by the department or program to the appropriate Divisional Dean by March 15. If the department has any concerns that a clinical faculty member is not fulfilling the requirements of the position or that the position may not be needed to fulfill the teaching mission of the department or program, these should be clearly outlined in the report submitted to the Divisional Dean. Any reservations must be shared in writing and in person with the faculty member, who is obliged to acknowledge receipt of this information by countersigning the report on a summary of the report, so that he or she is under no misunderstanding regarding the expectations for him or her. The Chair or Director must submit a written report to the Divisional Dean that includes the substance of the review and a recommendation for reappointment, promotion or termination. 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.

Following a review, if the decision is not to offer a reappointment, the faculty member shall be notified of the decision no later than August 31st of the penultimate year, and shall continue to be under contract for the final year.

Upon request, the timing of a review may be delayed by stopping the contract clock for reasonable cause that has been approved by the Divisional Dean, e.g., medical, personal, as primary caregiver for child, spouse, parent, same sex domestic partner, or by contractual stipulation or negotiation.

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.

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

12. Recommendation: Clarify rationale for this statement or delete

If part of a faculty members course load has been reduced and replaced with administrative duties (e.g. lab manager or Director of a Program) those duties should be taken into consideration in the review process.
Reappointment for Continuous Service on One-Year or Two-Year Contracts

13. Recommendation: Suggest delete one year

To be responsive to specific programmatic needs we need to maintain the flexibility of reappointing to contracts of varying lengths, including one year appointments.

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. Notification of reappointment decisions should be made to the Divisional Dean by March 15th. In the third year of continuous appointments, the faculty member shall be subject to formal review comparable to those to which faculty members on longer multi-year contacts are subject.

14. Recommendation: Provost guidelines suggest continuous single year contracts should be discouraged.

To be responsive to programmatic needs we need to maintain the flexibility to use one year contracts; however, to avoid the establishment of a permanent group of CCF on one year appointments we will stipulate that Clinical faculty members will be limited to no more than three one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all.

Formal Review Processes

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. In the case of promotion to Clinical Associate Professor, Clinical Assistant Professors are not eligible to serve. In the case of promotion to Clinical Professor, Clinical Assistant Professors and Clinical Associate Professors are not eligible to serve. In any event, the committee shall not include a clinical faculty member under review for reappointment that year. Any deviation from this configuration of the committee must be approved by the Divisional Dean.

15. Recommendation: Consider election of committee members in larger department

This is a matter of departmental governance; however, we will add the option of appointing or electing a committee as per the custom of the department or program.

16. Recommendation: For last sentence in the above paragraph clarify circumstances in which this might occur.

For example, this happens when there is an insufficient number of eligible faculty due to department or program size or as a result of faculty on leave. In addition, we will add the following statement: If a department or program does not have sufficient tenured or tenure track faculty to participate in the review process, the department or program committee may consist entirely of Continuing Contract Faculty from the program, or at the discretion of the Divisional Dean, an ad hoc committee of Continuing Contract Faculty from other FAS departments or programs may be formed.

I. PROMOTION

If the review packet is for promotion, it also must describe how the candidate meets the qualifications for Clinical Associate Professor or Clinical Professor as prescribed by the “Titles and Qualifications” section of
this document. 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.

In addition to the consideration of teaching, administration, service, and research (if appropriate), recommendations regarding promotion also may be based on a prognosis of the clinical faculty member’s future achievements based on dependability, growth, potential, and versatility of the faculty member as he or she will contribute to the evolving mission of FAS.

Candidates may request promotion during their second review in rank and any year after.

II. DEPARTMENT

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. These materials are to be made available to the review committee for their evaluation. The review committee should prepare a report of their evaluation and recommendation, which has been read, approved, and signed by all committee members. The committee report 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. The committee report may be supplemented by input from other members of the department. The committee report and supporting materials must be made available to and discussed by the eligible faculty. Faculty members in the department may propose amendments to the report.

17. Recommendation: Provide more details on the process described. Is an actual vote count included? Is the vote by secret ballot?

A vote of the full faculty is optimal, and is determined at the department/program level. If a vote is taken, the guidelines specify the Chair/Director include the vote of the faculty in their recommendation to the department.

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

- An up-to-date curriculum vitae of the candidate
- A description of the candidate's teaching and administrative responsibilities
- A list of all courses taught since the last review
- Committee service
- An evaluation of teaching performance of the candidate, which should include:
  - Course evaluations (provided by the department administration)
  - Course syllabi (provided by the candidate)
  - Reports of classroom observation (provided by department administration or committee)
- An evaluation by the committee of the candidate’s other contributions to the instructional program, for example, curriculum development
- If applicable, an evaluation of the candidate’s administrative performance, including any role in the training and supervising of adjunct instructors or other clinical faculty. Note that additional weight will be given to the performance of administrative duties for faculty whose duties are primarily administrative.

See Recommendation 17 above.

This pertains to reappointment reviews and promotions. If part of a faculty members position includes administrative duties (e.g. lab manager or Director of a Program) those duties will be taken into consideration in the review process.

- A personal statement from the candidate assessing his or her contributions
• If applicable, scholarship including, but not limited to, research and publications related to their specific discipline or field, to the pedagogy of their field, or to the work of the department/program/university.

The committee will consider all work activity, as listed above, since the last review, including materials from the ultimate year of the previous contract.

A summary of the review, prepared by the Chair or Director in the form of a letter, must be given to the candidate and discussed with him or her by the Chair or Director. The candidate must sign the letter to indicate that he or she has read it and discussed it with the Chair or Director. This summary must cover both strengths and weaknesses of the candidate's performance.

The summary letter to the candidate must include the recommendation that the evaluation committee is making to the Divisional Dean, including promotion, the length of reappointment (if that is the decision), and a signature block for the candidate. It must also include the following sentences: “Regardless of the merits for reappointment/promotion at this time, this letter does not constitute a guarantee of future reappointment.” “Candidates will be judged for reappointment/promotion in the future according to the conditions and standards in effect at the time of their next review.” “I have read this letter and understand its contents.”

A draft of the candidate’s summary letter should be forwarded to the Divisional Dean along with the review packet and the committee’s recommendation by March 15. Once approved by the Divisional Dean, the candidate’s summary letter must be signed by both the Chair and the candidate.

III. FAS DEAN’S OFFICE

The Departmental Review and all relevant supporting materials will be reviewed by the relevant Divisional Dean. Additional input from the Dean of the College of Arts and Science, and the Dean of the Graduate School of Arts and Science may also be sought, as appropriate. The Deans may consult with faculty from academic departments other than the candidate's home department. If there are questions in any particular case, the chair of the department review committee may be asked to provide additional information to the Divisional Dean.

The Divisional Dean makes his or her recommendation to the Dean of Arts and Science. After receiving the Divisional Deans advice, the Dean of Arts and Science will inform the Department Chair of the advice provided by the Divisional Dean as well as his or her own decision. If the decision of the Arts and Science Dean is contrary to that of the departmental evaluation committee, the Dean will provide the department chair with the reasons. The Chair or Director has an opportunity to respond to the Dean’s decision in writing and provide additional information within ten days.

Notice of intention not to reappoint shall be sent to the faculty member not later than August 31st of the penultimate year of the contract.

Faculty Grievances

Faculty Grievances are classified into two main types: 1) those connected with reappointment or promotion and 2) those concerned with other matters, such as duties, salaries, perquisites, and working conditions.

As per university guidelines, with respect to grievances related to reappointment and promotion, outcomes of the review process or decisions reached through the review process can be grieved only to the extent that they involve violation of University-protected rights of faculty members. Thus, a grievance of either type must allege that 1) the procedures used to reach the decision were improper, or that the case received inadequate consideration; or 2) that the decisions violated the academic freedom of the faculty member in question, in which case the burden of proof falls to the grievant.
• The decision not to undertake the reappointment process where a position is to be eliminated at the end of the contract term, and where no similar position is open, is not the basis for a grievance.

• A clinical faculty member whose contract is non-renewable or who is not eligible for reappointment cannot grieve a decision not to reappoint.

• Individuals on multi-year contracts of three years or more who are subject to a review process to determine whether they are to be reappointed do have a right to grieve the process in the event it leads to a negative decision with respect to reappointment or promotion, under the same criteria as cited in the preceding paragraph.

• 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.

If a faculty member’s grievance is not settled informally at a level below the Dean, or by the Dean himself or herself, the faculty member may appeal to the Dean to convoke the FAS Grievance Committee, to hear grievances in order to advise the Dean.

N.B FAS has updated the structure of its Grievance Committee.

The FAS Grievance Committee is composed of nine tenured full professors elected by the FAS, with three members from each academic division, and six at large continuing contract faculty (senior language lecturer, clinical associate and full professors), two from the Expository Writing Program and four from other units in FAS. Sitting department chairs and program heads may not serve on the Committee on Grievance.

The Dean shall convoke the committee within fifteen working days of receiving the faculty member’s appeal.

Appeal

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

General Disciplinary Regulations

All faculty members have an obligation to comply with the rules and regulations of the University and its schools, colleges, and departments. These rules protect the rights and freedoms of all members of the academic community. In particular, the faculty member is obligated to comply with the standards of academic freedom as outlined in the Faculty Handbook.

Disciplinary action may follow when the faculty member engages in other conduct unbecoming a member of the faculty, such as violation of the New York University Rules for the Maintenance of Public Order, any action which interferes with the regular operations of the University or the rights of others, any serious violation of the law, or any other conduct prejudicial to the teaching, research, or welfare of the University as set forth in the Faculty Handbook.
CONFIDENTIAL

FAS RESPONSE TO
Recommendations of the C-FSC in regard to:
FAS Policies and Procedures
Recruitment of New Faculty
Language Lecturer and Senior Language Lecturer
Appointments
NYU Faculty of Arts and Science

December 10, 2018

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. In January 2018 Dean Carew formed an ad-hoc committee to finalize the guidelines for a faculty vote. On December 5, 2018 at an FAS full faculty meeting, the guidelines were unanimously accepted.

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
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.

The revised guidelines have been reviewed by the Continuing Contract Faculty Senators Council; a CCF Ad-hoc Committee; a CCF Town Hall meeting; and submitted and approved by vote of the FAS Full Faculty.

1. 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.”

As with all school policies and committees, FAS policies are subject to review and amendments as necessary and follow school governance and are in accord with University guidelines. There are a variety of pathways for consultation and we would be hesitant to restrict this by including a proscribed method. However, for further clarification the following preface has been added to the guidelines to address future
amendments and revisions to the guidelines:

This document supplements NYU policies applicable to full-time continuing contract faculty. If any part of this document is inconsistent with NYU policies, the NYU policies then in effect will control. As with all NYU and FAS policies, this document is subject to change, and the policies in effect at the time of an action will apply to that action.

2. Page 1. Introduction, paragraph 2, sentence 6:
“LLs and SLLs 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".

We accept the phrase “generally ineligible for NYU housing” and will add it to the guidelines.

3. Page 1. Introduction, paragraph 2, sentence 6:
“LLs and SLLs 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.

FAS does provide opportunities for professional development including annual allocations of professional development funds. Faculty who exhaust their professional development funds may request additional support from their Divisional Dean.

4. Page 1. Titles and Qualifications, paragraph 3:
"All but degree" doctoral candidates currently enrolled at NYU are not eligible to be considered for Language Lecturer or Senior Language Lecturer positions.

**Recommendation**
Given that both ranks of the language lecturer 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.

FAS will amend this text to site University Bylaw 81(c), Degree Programs. A degree candidate who accepts appointment as a full time Continuing Contract Faculty member in FAS must thereupon relinquish candidacy for a degree at NYU. As appropriate the
FAS Dean can request an exception from the NYU Board of Trustees.

5. Page 1. Titles and Qualifications, paragraph 3:
"All but degree" doctoral candidates currently enrolled at NYU are not eligible to be considered for Language Lecturer or Senior Language Lecturer positions.

Recommendation
Given that there currently may be Language Lecturers and Senior Language Lecturers 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 Language Lecturer or Senior Language Lecturer positions." would protect those current faculty members.

FAS will amend this text to site University Bylaw 81(c), Degree Programs. A degree candidate who accepts appointment as a full time Continuing Contract Faculty member in FAS must thereupon relinquish candidacy for a degree at NYU. As appropriate the FAS Dean can request an exception from the NYU Board of Trustees.

6. Page 2. Areas of Responsibilities, item 2, "Service", sentence 1:
Service - participation on departmental committees involving language instruction is expected.

Recommendation
We recommend that this sentence be extended to, "Service - participation on departmental committees involving language instruction is expected, and opportunity should be equitable." If participation is expected, every LL and SLL must have the opportunity to meet that requirement.

This is a matter of departmental governance. We will amend the text to indicate that individual departments and programs will determine the appropriate opportunities for service

7. Page 2. Terms of Appointment, item 3, sentence 1:
Language Lecturers: 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."
All components of the FAS hiring plan including for Continuing Contract Faculty are discussed and worked out with department chairs and program directors. We will continue to use the option of one year contracts in order to meet the curricular needs of departments and programs. Note that justification for creating any full time faculty position in FAS, regardless of duration, follows standard faculty recruitment guidelines used for all faculty hires, including tenured and tenure track faculty.

8. Page 2. 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."

   It is typical that faculty with an initial one-year appointment are renewed for a multiyear contract of three years. However, to be responsive to specific programmatic needs we need to maintain the flexibility of a one-year option. To avoid the establishment of a permanent group of CCF on one year appointments we will revise the text to limit the number of one year contracts to a total of three one-year contracts.

9. 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.”

   To be responsive to specific programmatic needs we need to maintain the flexibility of reappointing to contracts of varying lengths. To avoid the establishment of a permanent group of CCF on one year appointments we will limit the number of one-year contracts to a total of three one-year contracts. We will also stipulate that Senior
Language Lecturers are eligible for a five-year reappointment contract if they have been at NYU at least six years and had at least one prior contract renewal at NYU.

10. Page 3. Terms of Appointment, item 4, first bullet point, 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 that the previous appointment contract.

**Recommendation**
We recommend the following, “Subsequent contracts will be for at least 5 years.”

*To be responsive to specific programmatic needs we need to maintain the flexibility of reappointing to contracts of varying lengths.*

11. 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."

*We need to maintain the flexibility of using contracts of varying lengths and will continue to use the option of one to three year contracts. Justification for creating any full time faculty position in FAS, regardless of duration, follows standard faculty recruitment guidelines.*

12. 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."
We need to maintain the flexibility of using contracts of varying lengths to meet programmatic needs and will continue to use the option of one to three year contracts; however, we will stipulate that one-year Language Lecturer contracts will be limited to no more than three one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all.

13. 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.

We need to maintain the flexibility of reappointing to contracts of varying lengths and will continue to use the option of one to five year contracts. However, we will stipulate that one-year Language Lecturer contracts will be limited to no more than three one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all.

14. 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.

We agree that short term appointments in the case where there is no expectation of renewal should not fall under the heading of “Contract Faculty”. We will remove the reference to Visiting Language Lecturers.

15. 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.

These types of appointments come up under exigent circumstances and are quite rare. We agree that short term appointments in the case where there is no expectation of renewal should not fall under the heading of “Contract Faculty”. We will remove the reference to Visiting Language Lecturers.

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."

We will add the following statement to the guidelines; “The review will also comment on whether the faculty member would be able to teach in the revised curriculum and or new academic structure, and 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.

The Dean’s Office will notify the department or program in early spring of any contract that is scheduled to be renewed or is terminal. The department or program will then communicate this information to the faculty members.

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 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."
We will add the following statement to the guidelines: “The review will also include comment on whether the faculty member would be able to teach in the revised curriculum and or new academic structure, and 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, 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.

   We will continue to use one and two year contracts; however, we will stipulate that Language Lecturers be limited to no more than three one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all. We will also stipulate that in the case of two year appointments, the faculty member shall be subject to formal review in the first semester of the third year of continuous service, comparable to those which faculty members on longer multiyear contracts are subject.

20. 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."

   We will continue to use one and two year contracts; however, we will stipulate that Language Lecturers be limited to no more than three one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all. We will also stipulate that in the case of two year appointments, the faculty member shall be subject to formal review comparable to those which
faculty members on longer multiyear contracts are subject.

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.

This is a matter of departmental governance; however, we will revise to allow for a majority of Continuing Contract Faculty and provide the option at an appointed or elected committee.

22. 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.

As with tenured and tenure track promotion and tenure reviews, we work with small departments to find a pathway for committee formation, including allowing for Ad-hoc committee members from other units.

23. 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."

We will make this edit.

24. 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.

The packet is not solely prepared by the candidate, so we decline this request.

An evaluation of teaching performance of the candidate, which should include:
- Course evaluations (provided by the department administration)
- Course syllabi (provided by the candidate)
- Reports of classroom observation (provided by department 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.

To assist the committee in making its assessment, we will include the statement: Candidates may include additional documents to support their renewal and or promotion.

26. 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.

A vote of the full faculty is optional, and is determined at the department/program level. The guidelines specify that in the case of a split opinion, that a minority report will be appended to the majority report.

27. 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"as.nyu.edu HYPERLINK "http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html"object/HYPERLINK "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.”

While much of this language is already included in the policy, we will add “The review may be written by the committee Chair or a member of the committee”.

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.

This occurs in the interest of a thorough review although it is very rare; the dean has the option to seek additional consultation. This might come up when there is a very small unit or in the case of a highly split vote. These conversations and/or written documents are not part of the departmental docket.

29. 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.”

*The letter of advice to the candidates is approved in advance by the Divisional Dean. It is the chair/director that provides the feedback directly to the candidate. All other points are addressed in the guidelines.*

30. 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.”

*We will adopt similar clarifying language.*

31. 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.”

*As is the case with tenured and tenure track faculty reviews (e.g. 3rd year review and promotion and tenure reviews) the candidate is provided with a letter of advice from the department chair or program director, and a summary of the report, not the complete report. This allows for a frank confidential review, and discussion of the candidate.*

32. 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://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html)

"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."

As is the case of the review of tenure track faculty, the committee report and recommendation of the Chair and Divisional Dean are advisory to the FAS Dean. The Dean communicates his or her decision to the Divisional Dean and Department Chair, not the department or program faculty committee.

33. 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.

The FAS language conforms with University policy related to reappointments on continuous one or two year contracts.

**Minor Substantive Recommendations**

34. 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".
We will change the language to “experienced or highly knowledgeable”.

35. 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"

Paragraph one of this section regarding appointments will be relocated to page 1, and become paragraph 3 under the section titled “Introduction”

36. 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 ..."

   We will make this suggested change.

37. 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:"

   We need to retain this as the review packet is not prepared solely by the candidate.

**Editorial Recommendations**

38. 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.

   We will make this suggested change.
39. 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."

*We will make this change.*

40. 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.

*We will make this change.*


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

*We will change the section title to “DEPARTMENT PROCEDURES”*

42. 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*

*We will change the section title to “FAS DEAN’S OFFICE PROCEDURE”*

N.B. FAS has updated the structure of its Grievance Committee on the occasion of updating the CCF Guidelines.
The FAS Grievance Committee is composed of nine tenured full professors elected by the FAS, with three members from each academic division, and six at large continuing contract faculty (senior language lecturer, clinical associate and full professors), two from the Expository Writing Program and four from other units in FAS. Sitting department chairs and program heads may not serve on the Committee on Grievance.
CONFIDENTIAL

FAS RESPONSE TO
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

December 10, 2018

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. In January 2018 Dean Carew formed an ad-hoc committee to finalize the guidelines for a faculty vote. On December 5, 2018 at an FAS full faculty meeting, the guidelines were unanimously accepted.

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 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.

The revised guidelines have been reviewed by the Continuing Contract Faculty Senators Council; a CCF Ad-hoc Committee; a CCF Town Hall meeting; and submitted and approved by vote of the FAS Full Faculty Meeting.

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.”

As with all school policies and committees, FAS policies are subject to review and amendments as necessary and follow school governance and are in accord with University guidelines. There are a variety of pathways for consultation and we would be hesitant to restrict this by including a proscribed method. However, for further clarification the following preface has been added to the guidelines to address future amendments and revisions to the guidelines:

This document supplements NYU policies applicable to full-time continuing contract faculty. If any part of this document is inconsistent with NYU policies, the NYU policies
then in effect will control. As with all NYU and FAS policies, this document is subject to change, and the policies in effect at the time of an action will apply to that action.

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".

We accept the phrase “generally ineligible for NYU housing” and will add it to the guidelines.

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.

*FAS does provide opportunities for professional development including annual allocations of professional development funds. Faculty who exhaust their professional development funds may request additional support from their Divisional Dean.*

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.

*FAS will amend this text to site University Bylaw 81(c), Degree Programs. A degree candidate who accepts appointment as a full time Continuing Contract Faculty member in FAS must thereupon relinquish candidacy for a degree at NYU. As appropriate, the FAS Dean can request an exception from the NYU Board of Trustees.*

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.

_FAS will amend this text to site University Bylaw 81(c), Degree Programs. A degree candidate who accepts appointment as a full time Continuing Contract Faculty member in FAS must thereupon relinquish candidacy for a degree at NYU. As appropriate the FAS Dean can request an exception from the NYU Board of Trustees._

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.

_This is a matter of departmental governance. We will amend the text to indicate that individual departments and programs will determine the appropriate opportunities for service._

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 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.

_All components of the FAS hiring plan including for Continuing Contract Faculty are discussed and worked out with department chairs and program directors. As is the case for all hiring, it is not our practice to bring FAS hiring plans to faculty governance committees._
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."

It is typical that if a Continuing Contract Faculty member on a one-year appointment is renewed, reappointment will be for a multiyear contract of three years. However, to be responsive to specific programmatic needs we need to maintain the flexibility of a one-year option. To avoid the establishment of a permanent group of CCF on one-year appointments we will revise the text to limit the number of one-year contracts to a total of three one-year contracts.

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.

To be responsive to specific programmatic needs we need to maintain the flexibility of reappointing to contracts of varying lengths.

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.
All components of the FAS hiring plan including for Continuing Contract Faculty are discussed and worked out with department chairs and program directors. We will continue to use the option of one year contracts in order to meet the curricular needs of departments and programs. Note that justification for creating any full time faculty position in FAS, regardless of duration, follows standard faculty recruitment guidelines used for all faculty hires, including tenured and tenure track faculty.

12. 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**
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."

We will continue to use one year contracts; however, we will stipulate that Clinical faculty members will be limited to no more than three one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all.

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."

The length of reappointment is determined by performance as well as curricular needs of the department or program. We do not mandate an expected length of contract.

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.

_We agree that short term appointments in the case where there is no expectation of renewal should not fall under the heading of “continuing contract faculty”. Reference to Visiting Continuing Contract Faculty will be removed from the guidelines._

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.

_These types of appointments come up under exigent circumstances and are quite rare. We agree that short term appointments in the case where there is no expectation of renewal should not fall under the heading of “continuing contract faculty”. We will remove the reference to Visiting Clinical faculty._

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."

_We will add the following statement to the guidelines; “The review will also comment on whether the faculty member would be able to teach in the revised curriculum and or new academic structure, and 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.

_The Dean’s Office will notify the department or program by August 31 of the penultimate_
year of any contract that is scheduled to be renewed or is terminal. The department or program will then communicate this information to the faculty members.

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 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."

We will add the following statement to the guidelines; “Such a review will include comment on whether the faculty member would be able to teach in the revised curriculum and or new academic structure, and 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."

All components of the FAS hiring plan including for Continuing Contract Faculty are discussed and worked out with department chairs and program directors. As is the case for all hiring, it is not our practice to bring FAS hiring plans to the governance committees. We will continue to use the option of one year contracts in order to meet the curricular needs of departments and programs. Note that justification for creating any full time faculty position in FAS, regardless of duration, follows standard faculty recruitment guidelines used for all faculty hires, including tenured and tenure track faculty.

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

**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 a 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."

We will continue to use one and two year contracts; however, we will stipulate that Clinical Faculty will be limited to no more than three one year contracts. After three such contracts they will either be provided with a multiyear contract or not reappointed at all. We will also stipulate that in the case of two year appointments, the faculty member shall be subject to formal review in the first semester of the third year of continuous service, comparable to those which faculty members on longer multiyear contracts are subject.

   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.

This is a matter of departmental governance; however, we will revise to allow for a majority of Clinical Contract Faculty and provide the option of an appointed or elected committee.

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.

As with tenured and tenure track promotion and tenure reviews, we work with small
departments to find a pathway for committee formation that avoids apparent or potential conflict of interest, including allowing for ad-hoc committee members from other units.

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.”

**Promotion is not the determining factor in the length of a contract. The length of contract is determined by performance and curricular and programmatic needs.**

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.”

**This is not the case in FAS; five years is the maximum length of a contract.**

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.

**We decline this request as the packet is not solely prepared by the candidate.**


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:"

The packet is not solely prepared by the candidate, so we decline this request.

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.

To allow for the inclusion of other items that the candidate believes will support the assessment, we will include the statement: "Candidates may include additional documents to support their renewal and or promotion."

28. 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.

A vote of the full faculty is optional, and is determined at the department/program level. The guidelines specify that in the case of a split opinion, that a minority report will be appended to the majority report.

29. 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://as.nyu.edu/object/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.”

While much of this language is already included in the policy, we will add “The review may be written by the committee Chair or a member of the committee”.

   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.

This occurs in the interest of a thorough review although it is very rare; the dean has the option to seek additional consultation. This might come up when there is a very small unit or in the case of a highly split vote. These conversations are not part of the departmental document.

31. 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."

*The letter of advice to the candidate is approved by the Divisional Dean. It is the chair/director that provides feedback directly to the candidate. All other points are addressed in the guidelines.*

32. 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.”

*We will adopt similar clarifying language.*

33. 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.”

*As is the case with tenured and tenure track faculty reviews (e.g. 3rd year review and promotion and tenure reviews) the candidate is provided with a letter of advice from the department chair or program director, and a summary of the report, not the complete report. This allows for a frank confidential review, and discussion of the candidate.*

34. 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: (http:// HYPERLINK "http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html"as.nyu.edu HYPERLINK "http://as.nyu.edu/object/aboutas.pp.assocdean.recruitment.html"/object/ HYPERLINK
"http://as.nyu.edu/object/aboutas.pp.assocdean.recuitment.html"aboutas.pp.assocdean. recuitment.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."

As is the case of the review for tenure track faculty, the committee report and
recommendation of the Chair and Divisional Dean are advisory to the FAS Dean. The
Dean communicates his or her decision to the Divisional Dean and Department Chair,
not the department or program faculty committee.

35. 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.

The FAS language conforms with University policy related to reappointments on
continuous one or two year contracts.

Minor Substantive Recommendations

36. 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".

We will change the language to experienced or highly knowledgeable.

37. 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"
Paragraph one of this section will be relocated to page one, and become paragraph #3 under the section titled “Introduction”

38. 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 ..."

   We will make this suggested change.

39. 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.

   Paragraph 1 describes the minimum amount of service required for promotion, as such, it is not redundant.

**Editorial Recommendations**

40. 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.

   We will make this change.

41. 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.

We will make this change.

42. 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."
We will make this change.

43. 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.

We will make this change.

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

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

We will change the section title to “DEPARTMENT PROCEDURES”

45. 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"

We will change the section title to “FAS DEAN’S OFFICE PROCEDURE”

N.B. FAS has updated the structure of its Grievance Committee on the occasion of
updating the CCF Guidelines.

The FAS Grievance Committee is composed of nine tenured full professors elected by the FAS, with three members from each academic division, and six at large continuing contract faculty (senior language lecturer, clinical associate and full professors), two from the Expository Writing Program and four from other units in FAS. Sitting department chairs and program heads may not serve on the Committee on Grievance.
February 21, 2019

Dear Silver Community,

As a follow up to last week’s statement, Reckoning with Racism at NYU Silver, the Social Justice Praxis Committee (SJPC) wants to update you with an account of immediate and future action steps to hold the Silver administration and faculty accountable for dismantling long-standing systemic racism and oppression at Silver.

The Specific Event

The School and SJPC is well aware of the racist event that occurred on February 12, 2019. The Silver School has responded by:

1. Neil Guterman, Dean, and Courtney O’Mealley, Associate Dean of Student Affairs, as well as Angie Kim, Associate Director of Inclusive Engagement and Student Life, have met with the students involved and are determining next steps.
2. James Martin, Associate Dean of Academic Affairs and Director of the MSW Program, has been working with the faculty on resolving this situation.
3. The students involved specifically asked that no punitive action be taken, especially before the classroom discussion occurs and to ensure that identities are protected and held in confidence.
4. The incident has since been referred to the School’s Student Standing Committee by SJPC for a review of violating Social Work’s professional code of ethics and the School’s standards for professional behavior.
5. On February, 14, 2019, Deans Guterman, Martin, and O’Mealley issued a letter acknowledging the racist incident as well as ongoing institutional racism at Silver.
6. Administrative offices, in addition to SJPC, have met throughout the weeks to review the incident in a larger context to promote accuracy and understanding, simultaneously positioning the School to respond accordingly.

To reiterate, all individuals involved in this event want to confine this to the classroom and protect the identities of everyone involved. Moreover, due to Federal regulations (FERPA), all identities will be held in confidence by faculty and administration. In keeping with the request of the concerned parties, SJPC will refrain from providing details of the specific event. Please reach out to Dean Martin (james.martin@nyu.edu) if you wish to speak about this specific event and/or FERPA.

Immediate Action Steps

The SJPC is dedicated to working with students, faculty, staff and alumni to efficiently and effectively respond to such acts of racism and other forms of prejudice and oppression, as well as our students’ ongoing Call to Action for Social Justice at the NYU Silver School of Social
Work accompanying petition, and current letter and petition from the NYU Affinity Group Collective Recent Letter and Petition.

Listening & Action Sessions
In the immediate future, over the next several weeks, there have been and will continue to be multiple opportunities and venues to share your experiences of microaggressions and overt forms of prejudice and oppression on a number of identities – race, ethnicity, gender, sexual orientation, gender identification, disabilities, age, religious and spiritual faith, first generation status, among others – and make recommendations to the SJPC.

We have arranged for two sets of in-person sessions: one for listening and a second for brainstorming action steps. We will ensure these sessions are held at times that promote the maximum possible participation from all. There has been meaningful, honest, real, and important dialogue that has happened between 1:00-2:00 PM and 5:00-7:00 PM on February, 19 and 1:00-2:00 PM on February 20, 2019 in the Parlor. Over a hundred students have participated, along with many faculty, administration and staff.

Future listening and action sessions are scheduled as follows:

- Listening sessions:
  - February 21, 2019 from 5:00-6:30 PM in the Parlor
- Action sessions
  - February 26th: 1:00-2:00 PM in the Parlor; 5:00-7:00 PM in the Hopper Studio
  - February 27th: 1:00-2:00 PM in the Parlor
  - February 28th: 5:00-7:00 PM in the Hopper Studio

During the evening time slots, all instructors will be notified that they can take their class to the listening sessions.

Listening and action sessions are being scheduled for Westchester, Rockland County, and Shanghai, China.

Event Impact Log
We have created and distributed a form via email wherein students, faculty, staff, alumni and administrators can share their past experiences of racism and discrimination. We want to encourage the willingness to share stories and experiences so that we have a clearer understanding of the prevalence of such lived experiences and how impactful they have been across our school community. Please contribute your experiences on racism and other forms of oppression here: Event Impact Log. Please add as much detail as possible to the experience while protecting the identities of people involved. If re-counting these experiences re-create the trauma for you, and you are still hoping to share your experience, we urge you to reach out to a faculty member that you trust. Alternatively, please feel free to approach a member of the SJPC.
Our aim is to gather data during the Spring semester, clean and analyze the data during the Summer, and distribute a final report at the start of the Fall of 2019. All responses will be de-identified and aggregated themes with anonymous quotes will be in the report.

Faculty Discussions
Our full-time faculty have a standing meeting on the last Monday of each month. The Executive Committee (EC) has planned for the bulk of our next meeting (February, 25, 2019) to focus all attention on decision-making regarding specific action steps to address the ongoing racism and oppression our students of color have regularly endured for many years. Further, the EC will ensure time is allotted on each faculty meeting agenda to discuss movement forward and issues related to those in our community experiencing racism and prejudice. We will continue the monthly discussions at subsequent faculty meetings. We have also distributed resources to all faculty – full-time, adjunct – on how to introduce and navigate conversations on race and racism within the classroom. Faculty will be asked why calls for action from the current listening sessions and previous student activism from 2010 and 2018 requesting a commitment to ongoing training, reflection and professional development around issues of racism, oppression and privilege have not been addressed or resolved.

Topical Seminar: Introduction to Anti-Oppressive Pedagogy
Silver Talks has been launched by the Associate Dean for Faculty Affairs, in collaboration with the Dean’s Office, the Associate Dean for Research, the Associate Dean for Academic Affairs, and the Social Justice Praxis Committee. It is for faculty members to provide opportunities for development in scholarship and pedagogy. The inaugural Silver Talks is being held next week, and Dr. Kirk James will be introducing anti-oppressive pedagogy, and discussing tools and techniques to be used within the classroom on February 27, 2019, 6:00-7:30 PM in the Parlor. There will be more opportunities like this moving forward at the Silver School of Social Work.

Future Action Steps and Recommendations at the Structural Level

Most importantly, our school leadership needs to be held accountable for improving diversity, equity, inclusion and awareness at our School. The SJPC Committee agrees with students’ comments and the Dean’s letter issued on February 14, 2019, that more can and should be done at the structural and cultural levels at Silver. As such, we recommend the following:

Full-Time Faculty Director of Diversity, Equity and Inclusion
First and foremost, we must absolutely support the students’ demand and obvious need for a full-time senior faculty director with optimal protected time and resources to carry out all needed responsibilities. There are currently three position opportunities for senior tenured faculty. We suggest one of these positions be dedicated to filling this Director position or find another senior tenured or clinical faculty member within the school. We also encourage this position to be filled by the Fall of 2019.
**Full-Time Deputy Director of Diversity, Equity and Inclusion**
We need to exercise expediency in hiring a deputy director to help implement programs, workshops, symposia, trainings, etc. on issues of diversity, equity and inclusion. To this end, members of the SJPC are reviewing current resumes and have issued a timeline with the expectation to fill this position by the end of April.

**Full-Time Associate Director, Inclusive Engagement and Student Life**
In January 2019, Angie Kim, MA, joined NYU Silver as the Associate Director of Inclusive Engagement and Student Life. Angie is also a member of the SJPC. The SJPC will be working closely with Angie in her new role to support student engagement with diversity, equity and inclusion activities.

**Trainings of All Full-time, Part-Time and Adjunct Faculty**
Faculty should commit to bolster knowledge, capacity, and skills with trainings on how to introduce, navigate and expand discussions on racism and other forms of prejudice and to facilitate self-examination with regard to power, privilege and oppression within the classroom. We ask that the faculty commit and affirm that they will be part of anti-oppressive workshops and trainings. We also ask the Dean to fund such efforts to compensate faculty for their participation as well as provide continuing education credits in an effort to avoid only reaching faculty who are more self-aware and reflective in their self-selection to participate.

**Ongoing Consultation with Anti-Oppression Experts**
All facets of our school will need dedicated financial resources to support ongoing diversity, equity and inclusion consultation. As indicated in the Dean’s letter on February, 14, 2019, Silver will be undergoing a schoolwide assessment with the goal of implementing changes under the guidance of Dr. Kenneth Hardy. Should consultation efforts go beyond the scope of work already agreed upon, we request further resources to have access to consultation thereafter.

**Rapid Response Mechanisms**
The SJPC will be initiating a meeting with the Silver communications team in order to articulate our expressed goals, tenor, tone, sentiment, accuracy of events, and timing with responding to the community. Our committee will also send our own rapid responses to issues as they occur without relying on the official communications team as our goals and positions may at times conflict.

**Accountability within the Classroom, Field Settings and at NYU At Large**
Students and faculty should be willing to examine all of their prejudices and microaggressions to create an environment that engages in critical dialogue and growth. Students and faculty should have recourse and opportunities to discuss these issues.
There are many opportunities in the classroom:
   (a) Start with creating a social contract and exercise this contract within the classroom with peers and faculty.
   (b) Discuss issues as soon as possible with the faculty to share your perspective and be open to different perspectives.
   (c) Reach out to the Chair of the curriculum area (please refer to resources at the end of this letter).

When issues arise within the Field:
   (a) Discuss the event with your field supervisor.
   (b) Reach out to your faculty advisor.
   (c) If the issues are not resolved, reach out to the Chair of the Field Curriculum area, Dr. Peggy Morton (please refer to resources at the end of this letter).

If an issue occurs outside of the classroom or in field placements, then please contact the Associate Dean of Student Affairs, Dean O’Mealley (courtney.omealley@nyu.edu).

Student behaviors must be monitored and any violation of student conduct and ethical standards should be reported to Student Standing Committee (please see page 54 of Student Manual).

Students, faculty and staff can also also reach out to NYU Bias response line (212-998-2277).

_Recruitment, Onboarding, and Retention of Diverse Students and Faculty_
Silver needs to recruit and retain more students and faculty of color. We suggest prospective students to write an admissions essay on equity, diversity, and inclusion (EDI) and how it relates to their professional aspirations. Orientation for students, faculty, and staff should include a longer and more in depth session around diversity, inclusion, and social justice. More faculty of color need to be recruited and retained, especially at the tenured and senior levels.

_Equity, Diversity and Inclusion throughout the Silver Curricula_
Curricula should not only reflect diversity of philosophical thought and social work practices but also reflect EDI along with authors with diverse identities and experiences. EDI should be explicates throughout the curriculum, not just DROP.

While the incident that recently happened was clearly focused on anti-Black racism, the School's ongoing issues are broader than that, including marginalization of and bias against Latinx and Asian students and faculty, Jewish and Muslim students, and students of varying gender identities/expression, abilities, socioeconomic status, and sexual orientations. The SJPC acknowledges these broader issues, and that these are not mutually exclusive groups of people. Silver should approach these issues at an intersectional level.
The rhetoric of pain and silence resonates loud among members of NYU Silver, both past and present, and we commend the courage it takes for students and faculty to address the experience of their education and the subsequent oppression they have faced. We vow to examine our actions – those that have been inflicted and those that continue to be inflicted. We will be mindful and self-reflective in our curriculum, we will not just hear but truly listen to the stories of our students and we will move forward with an approach that honors the marginalization of communities that have rarely been afforded the space to feel free and exercise the liberty of being seen as whole and human.

This is our work. As social workers and as stewards of humanity in light of a world that does not validate the experiences of the oppressed, we will be critical in our process and restorative in rebuilding our community. Let us do this now and together.

In Solidarity,

Social Justice Praxis Committee (SJPC)

The Members/Volunteers of the SJPC:
Maria Apuzzo-Okon
Gerri Cadet
Kara Dean-Assael
Laura Esquivel
Sita Goetschius
Ernest Gonzales
Kirk James
Shamire Juste
Angie Kim
Linda Lausell Bryant
Akirah Limthaveemongkol
Cheryl Lopez
Jennifer Manuel
Darcey Merritt
Courtney O’Mealley
Alison Reda
Jose Rodriguez
Michael Sanders
Talia Tiffany
Krushika Uday Patankar
Qingwen Xu

Resources
### Curriculum Area Chairs (p. 21 of MSW Manual) and Program Directors

<table>
<thead>
<tr>
<th>Department</th>
<th>Name of Chair/Director</th>
<th>Office</th>
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<tbody>
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<td>Field Learning</td>
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<td>Social Work Research</td>
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<td>Ph.D. Program</td>
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<td>DSW Program</td>
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</tr>
</tbody>
</table>
Social Justice at Silver School of Social Work
Action Items
February 25, 2019

1. Revise curriculum to be grounded in critical race theory, decolonization, and anti-oppressive practice
2. Overhaul the application process to highlight social justice and host mandatory two-day anti-racism training during new student orientation
3. Implement protocol for students of color experiencing racial bias and discrimination in class and at field
4. Institutionalize ongoing socioemotional support for black and brown students
5. Increase financial support for low-income and international students
6. Prioritize the hiring and retention of more black and brown professors (full-time and adjunct)
7. Promote the recruitment of black and brown students
8. Allocate sufficient financial resources & role responsibilities for both a Full-Time Faculty Director and Deputy Director of Social Justice and Anti-Oppressive Practice
9. Provide post-graduation support and career pipelines