



**Date:** May 11, 2015

**Memo to:** David W. McLaughlin, Provost

**From:** Raghu Sundaram  
Chairperson, T-Faculty Senators Council  
A/Y 2014-2015

**Subject:** T-Faculty Senators Council Recommendation: NYU Shanghai Promotion and Tenure Guidelines

At the May 7, 2015 meeting of the T-Faculty Senators Council, the attached recommendation was approved.

**cc:** Katherine Fleming, Deputy Provost and Vice Chancellor  
Peter Gonzalez, Assistant Provost for Academic Appointments  
Jeffrey Lehman, Vice Chancellor of NYU Shanghai  
Daniel Magida, Associate General Counsel  
Carol Morrow, Senior Associate Provost/Chief of Staff to the Provost  
Ron Robin, Senior Vice Provost for Planning  
Joanna Waley-Cohen, Provost, NYU Shanghai

Allen Mincer, T-FSC Vice Chairperson and Chair-Elect  
Mitchell Kane, T-FSC Secretary  
Warren Jelinek, T-FSC Personnel Policies & Tenure Modifications Co-Chair  
Wen Ling, T-FSC Personnel Policies & Tenure Modifications Co-Chair

## **Recommendations of the Tenure Faculty Senators Council in regard to: NYU SHANGHAI PROMOTION AND TENURE GUIDELINES**

### **Background**

Dr. Joanna Waley-Cohen, Provost, NYU Shanghai, having consulted with NYU Shanghai governing faculty and after an iterative review with the Offices of the Provost and General Counsel, has developed the NYU Shanghai Promotion and Tenure Guidelines (the Guidelines).

The Guidelines are designed to support high academic standards in awarding promotion and tenure and aim to provide a comprehensive and fair review of the candidates.

The successful implementation of the Guidelines depends on the leadership of the Vice Chancellor and Provost of NYU Shanghai and the Provost of NYU.

During the initial period of operation, NYU Shanghai will not have a sufficient number of tenured faculty to complete the review process without the participation of qualified tenured faculty at other NYU degree-granting campuses. The Guidelines recognize that in the initial years, NYU Shanghai will therefore require procedures for promotion and tenure that are transitional to permanent procedures. When NYU Shanghai gains sufficient permanent faculty strength across many or most of its programs, the Guidelines will be revised.

The Guidelines outline the promotion and tenure process and describe the roles of the Faculty Review Committee (FRC), the relevant Dean at NYU Shanghai (the NYU Shanghai Dean), the relevant academic department or unit at NYU NY, the NYU Shanghai Promotion and Tenure Committee (P&TC), and the Provost of NYU Shanghai; and the Vice Chancellor of NYU Shanghai and the Provost of NYU, who together make the final decision of promotion and tenure.

### **Tenure Faculty Senators Council approval of the NYU SHANGHAI PROMOTION AND TENURE GUIDELINES**

The Tenure Faculty Senators Council approves of the NYU SHANGHAI PROMOTION AND TENURE GUIDELINES with the stipulation that the recommendations indicated below are addressed.

## Recommendations

### Substantive issues:

#### 1. Section 1. Introduction (page 2)

Second Paragraph

Second and Third Sentences:

*These Guidelines recognize that in these initial years, NYU Shanghai will therefore require procedures for promotion and tenure that are transitional to permanent procedures. When NYU Shanghai gains sufficient permanent faculty strength across many or most of its programs, the Guidelines will be revisited.*

Consider amending to indicate that the Guidelines will be revisited in five years (2019-2020) or when *NYU Shanghai gains sufficient permanent faculty strength across many or most of its programs*, which ever comes first.

Consider defining *sufficient permanent faculty strength*, as an indication of the criteria deemed necessary to mark the completion of the *initial period of NYU Shanghai's operations* referred to in Section 3.8, first paragraph and Section 5.1 Appointment.

#### 2. Section 3.2. Faculty Review Committee (FRC) (page 3)

First Paragraph

First Sentence:

*The FRC is appointed by the NYU Shanghai Dean in consultation with the candidate's relevant academic unit at NYU NY and is composed of 3-5 tenured faculty members.*

To eliminate the possibility of one reviewer having excessive influence at successive levels of evaluation, consider amending to:

*The FRC is appointed by the NYU Shanghai Dean in consultation with the candidate's relevant academic unit at NYU NY and is composed of 3-5 distinguished senior tenured faculty members who are not members of the NYU Shanghai P&TC and who will not participate in the subsequent assessment of the candidate by the candidate's academic unit at NYU NY.*

Consider stipulating that the FRC be comprised of an odd number of members to avoid tie votes.

#### 3. Section 3.2. Faculty Review Committee (FRC) (page 3)

First Paragraph

Second Sentence:

*These members will be drawn from the NYU Shanghai permanent faculty in the candidate's field (if any), the NYU Shanghai permanent faculty in related fields (if any), and, as needed, faculty in the candidate's field at other NYU degree-granting campuses, and faculty from other universities.*

Consider removing *and faculty from other universities*, as “at least five letters, and typically no more than eight from outside evaluators”, will be solicited for each candidate

undergoing review for promotion, as indicated in Section 3.4. Having faculty from other universities as members of the FRC in addition to having evaluations by at least five letters from outside evaluators seems to constitute excessive external influence.

4. Section 3.3. Preparation of the Docket  
Materials Collected by NYU Shanghai Dean

Item 4 (page 4):

*Letters of evaluation from at least five evaluators*

Consider rewording for consistency and specificity as:

*Letters of evaluation from at least five outside evaluators*

Consider specifying that the number of letters of evaluation from outside evaluators be equal to the number of letters of evaluation from outside evaluators required by the candidate's relevant NYU NY unit.

5. Section 3.4 Evaluator Guidelines (page 5)  
Third paragraph  
Second Sentence

Consider striking:

*The candidate must state in writing the reasons for this belief, to be included in the Report.*

6. Section 3.4 Evaluator Guidelines  
Letter of Solicitation (page 6)

Second Paragraph

Second Sentence:

*If unpublished work or creative work in progress is to be part of the Docket, the FRC must ask all evaluators to comment on its quality.*

Consider amending to request confidentiality of unpublished or creative work in progress:

*If unpublished work or creative work in progress is to be part of the Docket, the FRC must ask all evaluators to comment on its quality and request that the content of the unpublished or creative work in progress be kept confidential.*

7. Section 3.5 Faculty Review Committee Report  
Second paragraph (page 6-7)

*Responsibility includes the obligation to give careful attention to the materials in the Docket and to share the results of that deliberation with eligible NYU Shanghai faculty and other eligible NYU colleagues.*

Consider amending, as the FRC should NOT share the deliberation with eligible NYU Shanghai faculty and other eligible NYU colleagues. The deliberation should be strictly confidential:

*Responsibility includes the obligation to give careful attention to the materials in the Docket and to share the FRC's report, but not the details of its discussions, with eligible NYU Shanghai faculty and other eligible NYU colleagues.*

Details such as who said what about or to whom must be kept confidential.

8. Section 3.5 Faculty Review Committee Report

Third full paragraph (page 7)

Second Sentence:

*Votes of absent members must be recorded and reported separately to distinguish them from votes made with the benefit of the open discussion of the case.*

As votes of absent members are to be earmarked as such, consider specifying how such votes are to be considered in subsequent stages of the review.

9. Section 3.5 Faculty Review Committee Report

Reasonable Doubt (page 7)

As indicated in 2 above, consider stipulating that the FRC be comprised of an odd number of members so that voting will always result in a majority and a minority vote, never in a tie vote.

10. Section 3.7 NYU Shanghai Dean (page 9)

Third Paragraph

Fourth Sentence:

*The NYU Shanghai Dean's recommendation must include a description for non-specialists of the candidate's work's relevance to his or her discipline or field, and explain why it is important to NYU Shanghai that this field be represented in its faculty.*

Does this mean that a candidate who was hired, at least in part, because of the relevance of his or her work to his or her discipline or field could receive a negative Dean's recommendation because of changing programmatic priorities that could diminish the importance for his or her field to be represented in the NYU Shanghai faculty?

If so, consider stating so explicitly so it is clear that promotion rests, at least in part, on the continued perception that it is important for the candidate's field or discipline to be represented in the NYU Shanghai faculty.

11. Section 3.8 Promotion & Tenure Committee (P&TC) (page10)

First Paragraph

First Sentence:

*The Provost of NYU Shanghai will appoint a P&TC, which will be a standing committee consisting of at least five full professors, a majority of whom will be drawn from the faculties of NYU Shanghai and NYU, and may include full professors from other universities during the initial period of NYU Shanghai's operations.*

There is concern regarding excessive external influence in the promotion process, in this instance from potential external members of the P&TC. The P&TC should be comprised exclusively of NYU faculty.

Consider stipulating that the P&TC be comprised of an odd number of members so that voting will always result in a majority and a minority vote, never in a tie vote.

12. Section 3.8 Promotion & Tenure Committee (P&TC) (page10)

First Paragraph

Second Sentence:

*The Provost of NYU Shanghai may appoint two additional members to the P&TC at his or her own discretion.*

It should be stated whether or not the two additional members of the P&TC who may be appointed by the Provost of NYU Shanghai are required to be full professors, which, as stated in the first sentence of this paragraph, is a requirement for the other members of the P&TC.

Consider specifying that any additional members appointed to the P&TC by the Provost of NYU Shanghai should be NYU faculty members, not faculty members from other universities.

13. Section 3.8 Promotion & Tenure Committee (P&TC) (page 10)

Second Paragraph

Third Sentence:

*The P&TC may solicit additional information including external letters from experts in the candidate's field.*

Consider stipulating that additional external letters will not be solicited from the *one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation*, as provided in Section 3.4:

*The P&TC may solicit additional information including external letters from experts in the candidate's field, but not from the one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation.*

14. Section 3.8 Promotion & Tenure Committee (P&TC) (page10)

Third Paragraph

Fourth Sentence:

*Votes of absent members must be recorded and reported separately to distinguish them from votes made with the benefit of the open discussion of the case.*

As votes of absent members are to be earmarked as such, consider specifying how such votes are to be considered in subsequent stages of the review.

15. Section 3.9 Provost of NYU Shanghai (page10)

First Paragraph

Second Sentence:

*The Provost of NYU Shanghai may solicit additional information and/or external reviews, and/or seek a consultation with the FRC.*

Consider defining the reason(s) for which the Provost of NYU Shanghai may solicit additional information and/or external reviews and/or seek a consultation with the FRC.

Consider stipulating that additional external letters will not be solicited from the *one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation*, as provided in Section 3.4:

*The Provost of NYU Shanghai may solicit additional information and/or external reviews, but not from the one or two scholars the candidate believes would not – for professional or personal reasons – provide a balanced evaluation, and/or seek a consultation with the FRC.*

Consider stipulating that the Provost of NYU Shanghai may seek a consultation with P&TC as well as the FRC.

16. Section 4.2 Tenured External Appointments (Lateral Hires) (page12)

First Paragraph

Second and Third Sentences:

*For appointments with tenure, the vote and authority reside with eligible professors on the FRC. Only faculty of equivalent or higher rank will be eligible to vote.*

Consider specifying that only faculty of equivalent or higher rank will be members of the FRC so that all members of the FRC will be eligible to vote, thereby eliminating the necessity for the third sentence and ensuring maximum experience for members of the FRC.

17 Section 4.2 Tenured External Appointments (Lateral Hires) (page12)

Third Paragraph

*The Docket may include a description of the candidate's teaching and an indication of how the candidate will meet the teaching needs of the department. If evaluations are not available, alternative assessment of teaching ability may be provided by the Chair of the FRC.*

Consider amending to indicate that there must be an evaluation of teaching effectiveness, as an indication of how the candidate *will meet the teaching needs of the department* is an issue of substantial importance.

18. Section 5.1 Tenure Clock

Appointment (page13)

Second Sentence:

*However, during the initial period of operations of NYU Shanghai, tenure-track assistant professors starting on a new tenure-track line with NYU Shanghai, either in Shanghai or New York, will be appointed as assistant professor faculty fellows for their first year, which will not count towards their tenure clock.*

What is the reason for the first year of a tenure-track assistant professor's appointment

not counting towards his or her tenure clock during the initial period of operations of NYU Shanghai? Consider indicating the rationale in the text. Also, consider defining the “initial period of operations” to provide an estimate as to when the first year of a tenure-track assistant professor’s appointment will begin to count towards his or her tenure clock.

Minor editorial issues:

1. Section 3.2 Additional Materials (page 5)

Second Sentence:

*Materials submitted by the FRC, the NYU Shanghai Dean, and/or Provost of NYU Shanghai should appear in a section of the Docket titled “Supplementary Materials.” Examples might be the documents listed in item 11 of Section 3.3.1 above if not submitted by the candidate or such other materials as the NYU Shanghai Dean or FRC deem appropriate to add to the Docket.*

There is neither Section 3.3.1 nor item 11 above

2. Section 3.3. Preparation of the Docket

Materials Provided by Candidate

*Teaching*

Item 6 (page 4):

*Student evaluations and instructor responses if applicable*

Consider rewording as:

*Teaching evaluation from students and/or colleagues*

3. Section 3.7 NYU Shanghai Dean (page 9)

Second Paragraph

Second Sentence:

*This assessment by the NYU department is advisory, not dispositive. It is up to the chair of the relevant department or unit to determine how the assessment should be conducted, and that chair should communicate the assessment to the NYU Shanghai Dean in writing.*

Insert “NY”. If NYU AD is included, state so.

*This assessment by the NYU NY department is advisory, not dispositive. It is up to the chair of the relevant department or unit to determine how the assessment should be conducted, and that chair should communicate the assessment to the NYU Shanghai Dean in writing.*

4. Section 3.8 Promotion & Tenure Committee (P&TC) (page10)

First Paragraph

First Sentence:

*The Provost of NYU Shanghai will appoint a P&TC, which will be a standing committee consisting of at least five full professors, a majority of whom will be drawn from the faculties of NYU Shanghai and NYU, and may include full professors from other universities during the initial period of NYU Shanghai’s operations.*

Insert “NY”. If NYU AD is included, state so.

*The Provost of NYU Shanghai will appoint a P&TC, which will be a standing committee consisting of at least five full professors, a majority of whom will be drawn from the faculties of NYU Shanghai and NYU NY, and may include full professors from other universities during the initial period of NYU Shanghai's operations.*

5. Section 3.11 Joint Appointments (page11)

Fourth Sentence:

*The Chair of the FRC and the Chair of the unit at New York or Abu Dhabi must forward his or her unit's recommendation to the responsible deans of NYU Shanghai and NYU NY or AD following mutual consultation.*

Insert "NYU"

Change "AD" to "NYU Abu Dhabi"

*The Chair of the FRC and the Chair of the unit at New York or NYU Abu Dhabi must forward his or her unit's recommendation to the responsible deans of NYU Shanghai and NYU NY or NYU Abu Dhabi following mutual consultation.*

6. Section 3.11 Joint Appointments (page11)

Fifth Sentence:

*If the FRC and the relevant NYU NY or AD unit arrive at significantly different judgments on whether to grant tenure, the two deans ordinarily will invite the Chair of the FRC and the Chair of the unit at NYU NY or AD to discuss the case together.*

Change "AD" to "NYU Abu Dhabi"

*If the FRC and the relevant NYU NY or NYU Abu Dhabi unit arrive at significantly different judgments on whether to grant tenure, the two deans ordinarily will invite the Chair of the FRC and the Chair of the unit at NYU NY or NYU Abu Dhabi to discuss the case together.*

7. Section 3.11 Joint Appointments (page11)

Sixth Sentence:

*The relevant deans of NYU Shanghai and NYU or AD will forward a joint decision to the Provost of NYU Shanghai, who will add her or his recommendation and forward the complete Docket to the Vice Chancellor of NYU Shanghai and the Provost of NYU.*

Insert "NY"

Change "AD" to "NYU Abu Dhabi"

*The relevant deans of NYU Shanghai and NYU NY or NYU Abu Dhabi will forward a joint decision to the Provost of NYU Shanghai, who will add her or his recommendation and forward the complete Docket to the Vice Chancellor of NYU Shanghai and the Provost of NYU.*

8. Appendix B (pages116-17)

Letter A belongs under heading B and vice versa.

9. Section 5.1 Tenure Clock

Stopping the Tenure Clock

Fourth Paragraph (page 14)

First Sentence:

*In other cases, a request for tenure clock stoppage normally require advance approval by the NYU Shanghai Dean, the Provost of NYU, the Vice Chancellor of NYU Shanghai, and the Board of Trustees of NYU.*

Consider moving *the Vice Chancellor of NYU Shanghai* before *the Provost of NYU*.

Change *require* to *requires*.