

# FACULTY HANDBOOK

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NEW YORK UNIVERSITY

*A private University in the Public Service*

PUBLISHED BY NEW YORK UNIVERSITY

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Approved by the New York University Board of Trustees, February 19, 2015, and updated to incorporate amended and restated University Bylaws approved June 8, 2015. In accordance with the *Foreword, Procedures for Amending the Faculty Handbook*, this edition of the Faculty Handbook was reviewed by the Tenured/Tenure Track Faculty Senators Council and the Full-Time Non-Tenure Track/Contract Faculty Senators Council, each of which provided input.

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# Introduction

## LETTER FROM THE PRESIDENT

I have the great privilege of greeting you as president and professor of New York University. In both capacities, I salute you for intellectual endeavor of the highest order—in the classroom, laboratory and beyond—mentoring and advising graduate and undergraduate students. In all this and more, you internalize our collective interest as part of your own interests and thereby embrace the notion of a common enterprise university. For the inescapable challenge of stating, debating, and renewing the purpose of such a university demands that all faculty act as true partners, each contributing to the university's self definition as it emerges over time.

At the core of every great institution of learning is its faculty. And you join us at an exciting time in the University's long and distinguished history. We are at a threshold moment, for we have chosen to transform our institution from one of the leading research universities in the world into an institution that will establish a new level of educational excellence. You are at the core of that effort, and we will not compromise in our ability to secure the best possible talent to join you as we build an institution of unique stature.

President John Sexton

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## **ETHICAL COMMITMENT**

New York University has a strong institutional commitment to lawful and ethical behavior, and a fine reputation, which its faculty members have earned over the years. This is one of the University's most valuable assets. In an increasingly complex world, the University can maintain its leadership in education and research only if it continues to merit the trust of its entire constituency.

All New York University faculty and employees are expected to carry out their institutional responsibilities in accordance with applicable legal and ethical principles. If any questions arise about how the University's principles, standards, or policies apply, they should be brought to the attention of the appropriate dean or University administrator.

Please refer also to the "[NYU Code of Ethical Conduct](#)".

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## FOREWORD

(Approved by the University Board of Trustees on March 14, 2014 and February 19, 2015)

### *Purpose of Handbook*

The Faculty Handbook is a guide to the Faculty and is designed to present general information about New York University, and some of the more important University policies and practices as they apply to the Faculty of the University. It also is meant to inform and serve other members of the University Community. The Handbook is maintained by the Office of the Provost. It has been compiled from a number of sources. Significant portions of the Handbook have been adopted by, or reflect actions of, the University's Board of Trustees, including, among others: the excerpted portions of the University's Charter and Bylaws; matters involving the Faculty organization, academic freedom, tenure, appointment of Faculty, and grievance procedures; the establishment of University Councils and Committees; and key policies, including the NYU Code of Ethical Conduct, Policy on Academic Conflict of Interest and Conflict of Commitment, and Statement of Policy on Intellectual Property. Portions of the Handbook provide an overview of the University and its administrative offices, libraries, and student affairs. The Handbook also provides hyperlinks to Selected University Policies, which represent a broad array of policies, including policies that principally affect Faculty and policies that may be of interest to Faculty but that apply broadly throughout the University Community.

The policies outlined in the Faculty Handbook as in effect from time to time form part of the essential employment understandings between a member of the Faculty and the University. Policies beyond those referenced in the Handbook are available [here](#). In addition, Schools and units have their own internal rules, procedures, and policies, such as School statements on Faculty appointment policies and procedures, particularly those concerning promotion and tenure criteria and review procedures, which may supplement—but do not supersede or replace—policies outlined in this Faculty Handbook unless an exception has been granted by the Board of Trustees or President.

### *Amending the Faculty Handbook*

Whenever the University Senate, a University Council, a Dean, or Faculty of a School (which includes a College or equivalent institute for purposes of this Handbook) seeks to propose changes to the Faculty Handbook, the body or person should first contact the Office of the Provost. The Provost (or his or her designee) will ascertain, based on the nature of the proposed change, whether the matter may be handled solely within the Office of the Provost, or whether the matter falls within the purview of the Office of the President of the University (which includes for this purpose all departments reporting directly or indirectly to the President other than those that report up through the Office of the Provost) and/or the Board of Trustees. In the event that the matter is within the purview of the Office of the President, the Provost (or his or her designee) will submit a recommendation to the President (or his or her designee) with respect to the proposed change. If the matter is within the purview of the Board of Trustees, the Provost (or his or her designee) will submit a recommendation to the President as to whether the President should present the matter to the Board for its consideration. Nothing in this Handbook constrains the Board of Trustees from making changes to this Handbook with respect to any matter, and in the manner, it finds appropriate in carrying out its duties; and administration will notify the executive leadership of the Tenured/Tenure Track Faculty Senators Council and the Full-Time Non-Tenure Track/Contract Faculty Senators Council if the Board of Trustees makes any change to the Faculty Handbook.

To clarify the history of the Faculty Handbook or a policy included in the Faculty Handbook, the Provost's Office will maintain an on-line resource available to the Senate, the University Councils, the Deans, and Faculty of the Schools with the following information: state whether the provision or policy ultimately was promulgated by the Board of Trustees, the Office of the President, or the Office of the Provost; specify when a Senate or a Council comprising the Senate had the opportunity to review and comment on the provision or policy; and set forth the effective date of the provision or policy.

The administration of the University consults with the two Faculty Senators Councils with respect to additions and changes that it seeks to make to the Faculty Handbook, including changes to policies provided only by hyperlinks, before inclusion in the Faculty Handbook other than in exceptional circumstances.<sup>1</sup> Consistent with the [Principles of Joint Shared Governance](#), this includes the administration providing a reasonable length of time for consultation and input by the Faculty Senators Councils; and, where the administration does not agree with written advice it receives from either or both Faculty Senators Councils, the administration providing in writing, and in a timely manner, its reasoned justification for not accepting the advice. If an addition or change to the Faculty Handbook is made before either or both Faculty Senators Councils review the addition or change, the addition or change is considered effective; however, the administration will provide an explanation to either or both of the executive leadership of the Faculty Senators Councils, and the table of contents and text will indicate that the matter is still being reviewed by either or both Faculty Senators Councils.

#### *Important Additional Information*

The separate schools and colleges will supplement this text with information on local procedures and day-to-day operations, consistent with University Bylaws, this Handbook, and University Policies. Some schools have written statements on faculty appointment policies and procedures, particularly those concerning promotion and tenure criteria and review procedures, supplementing policies outlined in this Faculty Handbook. It is important to become familiar with these policies and procedures. Department chairs or deans should be contacted for more information.

Contact information is available on-line through the [NYU Public Directory](#) and the directories of the individual schools, which provide contact information for particular offices and services, as well as for individual faculty members. It should be noted that many administrative departments have policies, consistent with the rules of the Handbook, which affect the operations of those departments, as well as the privileges and responsibilities of faculty members. These are available through the individual schools and departments and may be posted on their websites. Faculty should become familiar with this array of policies as necessary and appropriate.

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<sup>1</sup> The Faculty Handbook includes a substantial amount of descriptive material (e.g., the history of the University, excerpted portions of the University Charter and Bylaws, information about the University's officers, information about the University Senate and its Councils and Committees, information about the Libraries and the University Press, information about administrative departments of the University such as University Relations and Public Affairs, the Office for University Development and Alumni Relations, and the Office of General Counsel, information about benefits, selected University resources available to faculty, and information about student affairs). It also includes hyperlinked policies. There will be changes from time to time to these materials that have little or no effect on faculty with respect to educational and administrative policy and often are quite minor. In such cases, changes may be made to these materials without prior consultation with the Faculty Senators Councils. The administration will promptly notify the executive leadership of either or both Faculty Senators Councils of any such changes; and if, after receiving such notification, either or both Faculty Senators Councils believe that they should have an opportunity to review and comment on the changes, they should so notify the Office of the Provost and also may ask that the table of contents and text indicate that the matter is still being reviewed by the Faculty Senators Council(s). The addition or change is considered effective unless subsequently changed.

It is expected that this Handbook will be brought up to date periodically and that a version will be created for and kept up to date on the NYU web site. A faculty member may verify information cited in this Handbook with the Dean's Office.

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## APPLICATION OUTSIDE OF THE UNITED STATES

The University statement on Developing University Policies ~~University Policy on Policies~~ provides: “University policies articulate the values and principles the University upholds and the obligations imposed on members of the University Community. Thus, University policies apply in connection with the operations and activities of the University regardless of location. As a Global Network University that operates in an expanding international environment, the University will encounter varying laws and business practices as it conducts its affairs outside the United States. To the extent that a University policy or a provision of a policy conflicts with the laws in another country, the University seeks to comply with the laws of the jurisdiction in connection with its operations and activities in that jurisdiction. However, differences between University policy and foreign laws may not be self-evident and can be complex. Therefore, whenever there is a question regarding the University’s legal responsibilities at locations outside the United States, the University’s Office of General Counsel must be consulted to evaluate the University policy in the context of foreign laws and to advise on the appropriate course of action.” The statement also provides that, “Schools, colleges, institutes, operating units, Global Network University sites, and University. A affiliates are encouraged to use the standard policy format to help ensure uniformity of form and appearance for policies and procedures throughout the University. Their policies or procedures may not be contrary to University policies in language, purpose, intent or application. Any such policy that is contrary to University policies is void and will not be enforced unless approved in advance by the University President or his/her designee.”

# *The University*

## **HISTORY AND TRADITIONS OF NEW YORK UNIVERSITY**

### **A Brief History of New York University**

Founded in 1831 by a farsighted group of prominent New Yorkers, the “University of the City of New-York” (as NYU was originally known) was envisioned from the start as something new: an academic institution metropolitan in character, democratic in spirit, and responsive to the demands of a bustling commercial culture.

The group of founders—which included former Secretary of the Treasury Albert Gallatin—envisioned a non-denominational institution that would be “a social investment and a direct response to the needs of the rising mercantile classes in New York,” intended both for those students “who devote themselves to scientific or literary pursuits,” and for those preparing for “the learned professions, commerce, or the mechanical and useful arts.”

In October 1832, the first classes began in rented quarters located downtown near City Hall, in contemporary subjects such as architecture, civil engineering, astronomy, chemistry, sculpture, painting, English and modern languages, as well as classical Greek and Latin.

After a search for a permanent home, the University Council purchased the northeast block of Washington Square East for \$40,000, and a handsome Gothic building was built there in 1835. The University Building, as it was known, offered an urbane mix of academic spaces on its lower floors and rental apartments above—rooms and studios whose extraordinary roster of tenants included the artist Winslow Homer, the inventors Samuel F.B. Morse and Samuel Colt (who perfected the electric telegraph and revolver there, respectively), and the architects A.J. Davis and Richard Morris Hunt.

Throughout the 19th century, the University suffered from financial problems and an undergraduate enrollment that never exceeded 150 students. However, though the undergraduate program struggled to fulfill the vision of its founders, NYU’s professional and graduate programs—in law (1835), medicine (1841), dentistry (1865), arts and sciences (1886), and education (1890)—were a success from the start, contributing to New York’s stunning commercial rise and serving as an engine of upward mobility for thousands of native-born and immigrant New Yorkers.

In the late 19<sup>th</sup> century, under the leadership of Chancellor Henry Mitchell MacCracken, the university advanced significantly, drawing together its far-flung schools under central control and attracting a more business-like Board of Trustees and donors. In what he called a “second founding,” MacCracken moved the undergraduate schools of arts and science and engineering to an entirely new campus in the Bronx, on a bluff overlooking Manhattan—a stunning second home for what was now known by a new name: New York University.

Having moved nearly all of its undergraduates to the new Bronx campus, NYU turned Washington Square into a bustling center for graduate and professional training—including one of the country’s first university-affiliated business schools (1900)—to serve what had become the undisputed commercial capital of America and the second-largest city in the world.

Then, in 1914, NYU made the decision to establish an additional undergraduate program downtown that would serve commuter students. Called Washington Square College, it offered an education to nearly all qualified students, regardless of background. With students who were “famished...for knowledge, any

kind of knowledge,” and a young and creative faculty, Washington Square College was, in one professor’s later words, “the most exciting venture in American education that I had ever heard of.”

As enrollments exploded—from 500 students in 1919 to more than 7,000 by 1929—NYU scrambled to hire instructors. Among them was a young writer named Thomas Wolfe, who, while working on his first novel, *Look Homeward, Angel*, taught English from 1924 to 1930. There is “no other way in which a man coming to this terrific city,” he wrote, “could have had a more...stimulating introduction to its swarming life, than through the corridors and classrooms of Washington Square.”

A number of new graduate schools complemented NYU’s undergraduate growth: the College of Nursing (1932), the Institute of Fine Arts (1933), the Courant Institute of Mathematical Sciences (1934), and new colleges in continuing education (1934; now the School of Professional Studies) and public service (1938), the latter founded with the encouragement of Mayor La Guardia, himself an NYU alumnus.

NYU had taken on a role like no other private university in American history: a vast educational machine, by which tens of thousands of upwardly mobile New Yorkers—most of them Jewish and Catholic students, from working and middle-class families—could receive college-level training and move into the professions or business. With the largest private enrollment in the country—an astonishing 47,000 students by 1939—NYU had in many ways become the great urban university its founders dreamed of.

The postwar decades were a period of continued growth for NYU, as returning GIs swelled the student body even further; schools of social work (1960), the arts (1965), and individualized study (1972) were added; and plans were made under the leadership of President James Hester to construct the university’s first central library.

By 1973, however, as New York City reeled from years of rising crime and financial troubles and enrollments declined, NYU—which had been running annual deficits since 1964—reluctantly sold its Bronx campus in order to regain solvency.

These difficulties had one very positive result: they provided the opportunity to make a sweeping assessment of NYU’s future. The university had been founded on the two ideals of democratic promise and academic excellence. Since the 1920s, NYU had been fulfilling its democratic promise as no other private university in America; now, emerging from the crises of the ‘70s, it daringly sought to fulfill its founders’ other dream—to transform itself from a respected metropolitan institution to a global seat of learning, in the top tier of world universities.

Throughout the 1970s, NYU gradually regained firm financial footing and began to improve the quality of its faculty, strengthen the curriculum, and establish more stringent admissions requirements. By the early 1980s, with the university’s financial health restored and New York itself emerging at last from decades of social and economic troubles, NYU was poised for a new era of growth.

In 1984, seeking to achieve what its recently appointed president, John Brademas, called “a new position of eminence in American higher education,” NYU undertook one of the first billion-dollar capital campaigns in academic history. Raising two million dollars a week for five hundred weeks, the university reached its goal in only ten years—five years ahead of schedule. President Brademas’s tenure also saw the transformation of Washington Square from a largely commuter campus into a residential one, with extensive construction and renovation of residence halls.

In 1991, NYU’s chancellor, L. Jay Oliva, was tapped as the university’s new president. Under President Oliva—a historian who had spent his entire academic career at NYU—the pace of advancement continued without stop. One of his primary goals was to ensure that the fast-rising stature of the

professional schools and arts divisions were matched by an equivalent commitment to the humanities and social science departments—many of which are now ranked among the best in the world.

President Oliva also oversaw a major growth in international studies, drawing record numbers of international students and scholars to NYU and establishing more study-away sites abroad. In 1994, NYU's global presence gained a powerful centerpiece when Sir Harold Acton bequeathed Villa La Pietra, a 57-acre estate in Florence—at the time the largest single gift made to an American university.

By the end of the millennium, the university had accomplished the near-impossible, dramatically raising the academic rankings, professional stature, and student selectivity of nearly every one of its divisions and departments. As one scholar wrote in 2003, NYU was “*the success story in contemporary American higher education.*”

Under John Sexton, who became president in 2002 after coming to NYU as a faculty member and then serving as dean of the Law School, NYU's reach and stature have grown still further, securing its position as one of the world's premier research universities and a global leader in higher education in the 21<sup>st</sup> century.

Early in President Sexton's tenure, the university identified a key strategic priority: the need to expand, strengthen, and energize the arts and sciences, the academic core of the university. From 2004 to 2009, the Partners program—led by a gift of \$60 million from six trustees and matched by another \$150 million in university funds—resulted in the most rapid expansion of NYU's faculty in its history. With 125 positions added to the arts and science faculty—an increase of some 20 percent—and significant renovations made to academic facilities, the Partners program had a transformative effect on scores of academic departments.

Another recent academic milestone has been the re-establishment of engineering at NYU for the first time since the sale of the Bronx campus in the 1970s. After beginning a successful affiliation with Brooklyn's Polytechnic University in 2008, a full merger between the two schools resulted in the creation of the NYU Polytechnic School of Engineering in 2014.

The past decade has seen the founding of several prominent institutes and centers as well, including the Institute for the Study of the Ancient World (2006), the Center for Urban Science and Progress (2012), and the Global Institute of Public Health (2012).

A signature of President Sexton's tenure has been the creation of a new model of university: the global network university. Building on the international presence it established in the 20<sup>th</sup> century, NYU in the 21<sup>st</sup> century added more global academic centers, with a particular focus on expanding outside of Europe to locations such as Accra and Buenos Aires. Then, in 2010, in what President Sexton termed “an audacious step in higher education,” the university opened NYU Abu Dhabi, the first comprehensive liberal arts campus in the Middle East to be operated by an American research university. A second campus, NYU Shanghai, followed in 2013. Today, with its three campuses in New York, Abu Dhabi, and Shanghai and 11 academic centers on six continents, no university has a greater global presence.

In 1831, NYU's founders chose to create an institution of learning that would be “in and of the city.” In the ensuing years, New York City has become the world's first truly international city, and NYU has evolved with it. NYU's more than 44,000 students and 4,500 faculty members are uniquely positioned to shape the 21st century as creative, thoughtful, engaged citizens. They learn and teach at what has become one of the world's premier institutions of higher learning. They draw from and contribute to the inexhaustibly rich complexity of New York City. And, as they circulate throughout the global network, they build cultural bridges and perspectives that are critical in an ever-more global society. Still vitally “in and of the city,” NYU is now, too, “in and of the world.”

## University Traditions

The official seal of New York University combines a silver ceremonial “torch of learning,” which is carried in formal academic processions, with a group of four running figures symbolizing effort or striving in the pursuit of learning. The seal carries the Latin motto “Perstare et Praestare,” which is generally translated as “to persevere and to excel.”

The origin of the University color, violet, is obscure. It may have been chosen because in years gone by violets are said to have grown abundantly in Washington Square and around the buttresses of the original university building. On the other hand, it may have been adopted because the violet was the flower associated with Athens, that center of learning in the ancient world, and was thus regarded as an appropriate symbol of education and knowledge.

For more than a century, NYU athletes have worn violet and white colors in competition, and have carried the resulting nickname – the Violets – with pride. While a student dressed as a violet served as the school mascot for a brief time in the 1980s, it was decided that the flower did not instill great awe or foreboding in NYU’s opponents. A new mascot was conceived from the name of the Bobst Library card catalog, or Bobst Catalog. Today, the Bobcat mascot symbolizes both NYU’s academic and athletic traditions.

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## ORGANIZATION AND ADMINISTRATION

### The University Charter

New York University, as an educational corporation of the State of New York, derives its powers from a charter granted by act of the State Legislature in 1831. The original charter has been amended from time to time.

The line of authority in the administration of the University may be viewed as proceeding from the Board of Trustees to the President and Chancellor of the University. The Provost of the University is the senior assistant to the President and Chancellor in all academic matters.

The academic administration of the University is shared by University officers and administrators, school and departmental officers, the faculties of the several schools, the University Senate, and various University and inter-school councils and commissions.

### The Board of Trustees

The University is governed by a Board of Trustees consisting of up to seventy individuals, most of whom are former students of the University. Certain Trustees are specifically designated as Alumni Trustees and others are designated as Young Alumni Trustees. All Trustees serve six-year terms other than Young Alumni Trustees who serve three-year terms. Trustees are eligible for reelection at the end of a term in office except that Alumni Trustees are limited to one term in that category and Young Alumni Trustees are limited to two terms in that category. Terms are staggered so that approximately one-sixth of the Board is elected each year. The Trustees have enacted Bylaws that outline the basic structure of the University and determine the principal officers and agencies that will deal with its affairs.

The Board of Trustees holds an annual meeting each October and meets at least three other times during the year. At the annual meeting in October, the Trustees elect their own officers, who serve until the next annual meeting and are eligible for reelection at the end of a term except that the Chair of the Board serves a four-year term and is eligible to be reelected for only one additional term. Between meetings, the Executive Committee has broad authority to act for the Board. Other standing committees are the Academic Affairs Committee, Alumni Affairs and University Life Committee, Audit and Compliance Committee, Committee on Trustees, Committee on Online Education and Technology, Compensation Committee, Development Committee, Facilities and Real Estate Committee, Finance Committee, Global Initiatives Committee, and Investment Committee.

The conduct of educational matters throughout the University is entrusted, under the leadership of the President and Chancellor and the Provost, to the faculties of the individual schools and to the University Senate.

### University Officers

As is necessary in any large institution, the precise structure of the corporation, while controlled by the Bylaws of the University, may change from time to time. The relevant text of the Bylaws is reproduced here.

| *President and Chancellor* [~~Bylaw~~ University Bylaws, Section 32]

The President and Chancellor is appointed by and serves at the pleasure of the Board; the President and Chancellor serves as an Ex Officio Trustee so long as he or she holds the office on a non-acting basis. The

President and Chancellor will serve as the chief executive officer and chief academic officer of the University; will be delegated authority and responsibility for the administration and management of the University consistent with its mission and the direction of the Board; will have all powers and perform all duties incident to the office and such other powers and duties as the Board may prescribe from time to time; will exercise supervision and direction of all University activities; will be responsible to the Board for the supervision of the University's educational programs in the University's schools, colleges, institutes, departments, divisions, and units; will serve as head of each faculty of the University and have the power to call a meeting of any faculty or a joint faculty meeting of two or more faculties, provided that any such meeting has the power to take action only upon such subjects as specified in the call for the meeting; will be concerned with the welfare of students of the University and their moral and intellectual development; will be the Board's representative and the official medium of communication between each faculty of the University and the Board, between University students and the Board, and between University administration and the Board; will prepare or cause to be prepared an annual proposed capital and operating budget in advance of each fiscal year for the Board's consideration; will recommend to the Board the appointment of the deans of schools and colleges and directors of institutes, after consulting with the faculty of the applicable college, school, or institute or a representative committee of the faculty thereof, each of whom will serve at the pleasure of the President and Chancellor; will consult or cause his or her representative to consult with the University Senate, which may be through the pertinent Senate committee, before making a recommendation to the Board with respect to changes or innovations that affect the University in matters within the jurisdiction of the Senate; may call upon the University's senior management and academic leaders for assistance in the performance of his or her duties and may appoint advisory councils of senior management and academic leaders and others as he or she deems appropriate; subject to Board policies regarding conflicts of interest and executive sessions, may attend meetings of any committee of the Board; and will determine the senior management and academic leaders who will serve in the President and Chancellor's stead during a temporary absence or incapacity, or until the Board replaces the President and Chancellor or determines a temporary succession plan during a permanent or more extensive absence or incapacity.

| *Provost* [~~Bylaw~~ University Bylaws, Section 33]

The Provost is appointed by the Board upon the recommendation of the President and Chancellor, and may be removed by the President and Chancellor or the Board. The Provost will be the senior assistant to the President and Chancellor in all academic matters; will be a member of each faculty of the University; will work with the deans of the colleges and schools and the directors of the institutes in strategic academic planning, recruiting faculty, overseeing academic appointments and promotions, conducting program reviews, guiding academic aspects of enrollment planning and ensuring the highest academic standards throughout the University for faculty and students; and will have such other powers and duties as the President and Chancellor may prescribe from time to time.

| *The Executive Vice President* [~~Bylaw~~ University Bylaws, Section 34]

The Executive Vice President, if there is one, is appointed by the Board upon the recommendation of the President and Chancellor, and may be removed by the President and Chancellor or the Board. The Executive Vice President will be the senior assistant to the President and Chancellor in all non-academic matters; and will have such other powers and duties as the President and Chancellor, Chair or Board may prescribe from time to time.

| *Executive Vice President for Health* [~~Bylaw~~ University Bylaws, Section 35]

The Executive Vice President for Health is appointed by the Board upon the recommendation of the President and Chancellor, and may be removed by the President and Chancellor or the Board. The

Executive Vice President for Health will be the senior assistant to the President and Chancellor in all matters involving the schools of Medicine, Dentistry, Global Public Health, and Nursing and other health-related areas within the University; will work with the deans and other University officials on long-term academic, financial and operational strategies for health and health-related activities at the University; will be the principal liaison between the University and NYU Hospitals Center and its subsidiaries; and will have such other powers and duties as the President and Chancellor, Chair or Board may prescribe from time to time.

*Secretary and General Counsel [~~Bylaw~~ University Bylaws, Section 36]*

The Secretary and General Counsel is appointed by the Board upon the recommendation of the President and Chancellor, and may be removed by the President and Chancellor or the Board. As Secretary, the officer will have custody of the seal, Charter, Bylaws and records of the Board; will act as secretary at all meetings of the Board of Trustees and the members (in the absence or incapacity of the Secretary, the Chair will appoint a Secretary of the meeting); will be responsible for the maintenance of fair and accurate records of the proceedings of the Board, its Executive Committee and other committees of the Board, and the members, and distribute them to Trustees and members, as applicable, in accordance with these Bylaws; will cause notice to be given to Trustees, members, officers of the Board, and Board committee members, ~~and members~~ of meetings and acts of the Board, Board committees, and members affecting them; will be responsible for the issuance of ~~diplomas and~~ certificates; and will have all powers and duties incident to the office of secretary and such other powers and perform such other duties as the President and Chancellor, Chair, or Board may prescribe from time to time. As General Counsel, the officer will represent the University and its affiliates in its legal affairs; ~~except for those matters where the General Counsel's own performance of duties or status is being considered or evaluated, and subject to the right of the Board, the Audit and Compliance Committee and the Compensation Committee to engage independent counsel, all matters requiring legal advice or legal action will be referred to the General Counsel who will provide legal advice or take legal action directly or through counsel engaged for such purpose by the General Counsel; and will have such other powers and duties as the President and Chancellor, Chair, or Board may prescribe from time to time.~~

*Chief Financial Officer [~~Bylaw~~ University Bylaws, Section 37]*

The Chief Financial Officer is appointed by the Board upon the recommendation of the President and Chancellor, and may be removed by the President and Chancellor or the Board. The Chief Financial Officer will be the chief accounting and financial officer of the University; will be responsible for assuring that the University is in compliance with applicable financial and accounting standards and has appropriate internal controls; will be responsible for assuring that payments made by the University are included in the approved budget for the fiscal year, unless approved by the Board, and that restricted funds are expended in accordance with applicable limitations and restrictions; will be responsible for collecting, recording, and safeguarding all funds and securities of the University, which will be deposited with such banks or trust companies as authorized by the Board; will be responsible for keeping proper books of account, preparing quarterly and annual financial reports, and providing financial reports to the members and the Board at least annually and as requested by the President and Chancellor, Chair, members, or Board or its committees; will make available during business hours, on request by a Trustee or member, the University's books of account and records; will work with the University's independent certified public accounting firm in its preparation of the annual audit; and will have such other powers and duties as the President and Chancellor, the Executive Vice President, Chair, or Board may prescribe from time to time.

## The University Senate

The first Bylaws to contain a description of the University Senate and an outline of its powers and duties appeared in 1899. Since that time the importance and the influence of the Senate have grown steadily. The Bylaws approved by the Board of Trustees on May 27, 1968, were the first to provide for multiple faculty representation according to the size of each school's faculty. The Bylaws approved by the Board of Trustees on June 11, 2014, effective September 1, 2014, delineated three categories of faculty—the Tenured/Tenure Track Faculty, the Full-Time Non-Tenure Track/Contract Faculty, and Other Faculty—and established separate faculty councils for the first two categories, each having multiple faculty representation generally based on the size of each school's faculty. (Those interested in complete details are referred to the relevant Bylaws of the University—Chapters VII and VIII.) The [Senate Rules of Procedure](#) provide detail about membership, meetings, and committees.

In summary, the University Senate is empowered to act upon “educational matters and regulations of the academic community that affect more than one school.” Senate decisions in such matters are binding upon all faculties unless overruled by the Board of Trustees on an appeal lodged by a faculty. University-wide commissions report their findings and recommendations to the Senate. In addition, it is the deliberative body of the University for academic policies, structure, and procedures, including proposals for changes; it is concerned with the academic program and structure, personnel and budgetary policies, development of facilities, and community, professional, and educational relations of the University. It makes recommendations to the President and Chancellor, and, through the President and Chancellor to the Board of Trustees concerning the policies and practices of the University. The Senate may also make recommendations for consideration by each of the faculties concerning their internal educational programs and policies. The Senate is authorized to define the educational terms used in catalogs, bulletins, and other announcements, upon which it may also make advisory recommendations; it is responsible for fixing the academic calendar and determining the length of terms and vacations, for arranging the Commencement exercises, and for establishing regulations on academic costume.

[Bylaw-Section 61 of the University Bylaws](#) reads as follows: “The Senate will consist of the President and Chancellor, and not more than one hundred and twenty-seven (one hundred and twenty-nine in the academic year ending in 2015 and one hundred and twenty-eight in the academic year ending in 2016) voting members as follows: (a) not more than thirty-six (thirty-eight in the academic year ending in 2015 and thirty-seven in the academic year ending in 2016) members of the Tenured/Tenure Track Faculty Senators Council, including one representative of the Division of the Libraries of the University; (b) not more than twenty-seven members of the Full-Time Non-Tenure Track/Contract Faculty, including one representative of the Division of the Libraries of the University; (c) not more than eighteen academic members of the Deans Council; (d) not more than thirty-five members of the Student Senators Council; (e) not more than six representatives of the Administrative Management Council; and (f) not more than five senior members of the administration of the University, including the President and Chancellor, the Provost, The Executive Vice President, if there is one, the Executive Vice President for Health, the Secretary and General Counsel, or such other senior members of the administrators of the University as may from time to time be designated by the President and Chancellor.”

The faculty members for each of the two faculty senators councils are elected—one or more per school, college and Abu Dhabi and Shanghai portal campuses—from the faculties of the constituent schools of the University listed in [Section 73 of the University Bylaws, -73-](#)and from the Abu Dhabi and Shanghai portal campuses, generally according to the number of full-time members in their respective faculties. (For this and other purposes, the faculties of the School of Medicine and of the Post-Graduate Medical School are regarded as one medical faculty, the faculties of the College of Arts and Science and the Graduate School of Arts and Science are regarded as one faculty, and the faculties of the Leonard N. Stern School of Business, Undergraduate College and Graduate Division are regarded as one faculty.) The deans and the vice chancellors of the Abu Dhabi and Shanghai portal campuses hold their seats ex-

officio. One student Senator is elected annually from each school, college, and the Abu Dhabi and Shanghai portal campuses, except that for this purpose the School of Medicine and Post-Graduate Medical School are considered one school. In addition, up to fourteen student Senators may be appointed at large by the Executive Committee of the Senate with the advice and consent of the regular student Senators. The Administrative Management Council is comprised of six representatives from the professional and administrative staffs of each college, school, and division of the University.

Some understanding of how the Senate functions may be gained by considering its Councils and the structure and interests of its committee system. The faculty Senators from the Tenured/Tenure Track Faculty constitute the Tenured/Tenure Track Faculty Senators Council and the faculty Senators from the Full-Time Non-Tenure Track/Contract Faculty constitute the Full-Time Non-Tenure Track/Contract Faculty Senators Council; school deans and the vice chancellors of the Abu Dhabi and Shanghai campuses belong to the Deans Council; the students are organized as the Student Senators Council; and professional and administrative staff are organized as the Administrative Management Council. All these groups meet regularly, apart from the full Senate, to discuss matters of concern to their respective areas of interest, and their reports and recommendations are regularly brought to the attention of the full body.

The standing committees of the Senate, all of which include members drawn from the Councils comprising the Senate, as well as appropriate administrative members of the Senate are: the Executive Committee; the Academic Affairs Committee; the Financial Affairs Committee; the Organization and Governance Committee; the Public Affairs Committee; and the University Judicial Board. The Executive Committee, composed of the President and Chancellor, the chairpersons of the Councils, and the Secretary of the Senate who is a non-voting member, appoints the members of the Standing Committees of the Senate, elects the officers of the Senate, is authorized to act on urgent matters that may arise at times when the full Senate cannot be convened, and is empowered to refer topics to Senate committees and to appropriate offices of the University.

Section 63 of the University Bylaws provides that the Senate normally meets monthly during the months of October, November, December, February, March, and April in accordance with a schedule adopted by the Senate. At the call of the President and Chancellor or when requested in writing by ~~five~~ at least six members of the Senate, including at least one member from each of the five Councils representative of each of the Student Senators Council, the Tenured/Tenure Track Faculty Senators Council, the Full-Time Non-Tenure Track/Contract Faculty Senators Council, the Administrative Management Council, the Deans Council, and University Senior Administration (as defined in Section 61), the Secretary is required to call a special meeting on 24 hours' notice, specifying the purpose of the meeting.

### **University Councils and Committees**

There are five University Councils that participate in the Senate: The Tenured/Tenure Track Faculty Senators Council, the Full-Time Non-Tenure Track/Contract Faculty Senators Council, the Deans Council, the Student Senators Council, and the Administrative Management Council.

#### *The Tenured/Tenure Track Faculty Senators Council*

Each of the faculties comprising the Tenured/Tenure Track faculty, generally according to its size, has one or more representatives on the Tenured/Tenure Track Faculty Senators Council, a University-wide body of elected professors. University Bylaw Section 65(a) of the University Bylaws provides: "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 will perform such other educational functions as are assigned to it by the President and Chancellor or by the Board.”

### *The Full-Time Non-Tenure Track/Contract Faculty Senators Council*

Each of the faculties comprising the Full-Time Non-Tenure Track/ Contract Faculty, generally according to its size, has one or more representatives on the Full-Time Non-Tenure Track/Contract Faculty Senators Council, a University-wide body of elected faculty. University Bylaw Section 66(a) of the University Bylaws provides: “The Full-Time Non-Tenure Track/Contract 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 Full-Time Non-Tenure Track/Contract 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 will perform such other educational functions as are assigned to it by the President and Chancellor or by the Board.”

### *Principles of Joint Shared Governance*

The University Board of Trustees approved the following Principles set forth below with respect to the Tenured/Tenure Track Faculty Senators Council, formerly the Faculty Senators Council (December 12, 2012) and with respect to the Full-Time Non-Tenure Track/Contract Faculty Senators Council (February 19, 2015).

#### 1. Representation

The Tenured/Tenure Track Faculty Senators Council (T-FSC) and the Full-Time Non-Tenure Track/Contract Faculty Senators Council (N/C-FSC) will each have a representative (from each FSC or its designee) on University committees, taskforces, or other University-wide bodies that are convened by the administration to advise on matters that affect faculty in educational and administrative policy.

#### 2. Information

Transparency with respect to information regarding matters that affect faculty in educational and administrative policy is the norm. The use of “deliberative privilege” is the exception to this norm, requested only in circumstances wherein an individual(s) or the University’s interests would be harmed by public disclosure. In such instances, the University administration will provide appropriate reasons for invoking “deliberative privilege”.

#### 3. Consultation

Except under rare, extraordinary circumstances, the University administration will provide a reasonable length of time for T-FSC and N/C-FSC consultation and input on all matters that affect faculty in educational and administrative policy. This means that the administration must plan in advance to allow enough time for at least one regularly-scheduled T-FSC and/or N/C-FSC meeting to occur before the consultation period comes to a close on any particular matter.

For urgent decisions, such as decisions that must be taken during the summer or winter holiday, when the T-FSC and N/C-FSC are not in session, each Council will establish a “provisional review committee” and a set of procedures for timely consultation and input regarding University administration decisions on matters that affect faculty in educational and administrative policy. All

decisions reached by each Council's provisional review committee are subject to full Council review and approval. Each Council will promptly convey its final decision on the matter to the administration, which in turn will reconsider the provisional policy, based on new or additional advice provided by the Council. The administration will then promptly convey its final decision to each Council.

#### 4. Reasoned Justification

When the T-FSC and/or N/C-FSC submits advice in writing to the University administration and the administration does not agree with or accept the Council's advice, the administration will provide its reasons for not accepting the Council's advice to the Council(s) in writing and in a timely matter.

#### 5. Communication

Predicated on the understanding the communications will pertain to Senate-related matters relevant to faculty colleagues within the Senators' schools, and that the communication systems will be used in a reasonable and responsible manner consistent with the norms of civility, the deans will enable Senators to send emails to faculty colleagues within their schools. Such communication will clearly convey whether its content is an official Council communication or if it reflects the personal view(s) of the author(s).

##### *The Deans Council*

Section 67(a) of the University Bylaws-67(a) provides: "The Deans Council may consider any matters of educational and administrative policy, and will make appropriate recommendations to the President and Chancellor and other University officers. It will perform such other functions as are assigned to it by the President and Chancellor or by the Board."

##### *The Student Senators Council*

Section 68(a) of the University Bylaws-68(a) provides: "The Student Senators Council may consider any matters in which the interests, rights, or responsibilities of students are involved, and will take special responsibility for bringing to the attention of the Senate all matters concerning the students' extracurricular life at the University. For this purpose, the Council will invite the presidents of student governments in the several schools, and such faculty members and administrative officers as may be specified in the rules of the Council, to function together as the University Committee on Student Life. The Committee may work through such local units as may be appropriate at the various geographical centers of the University, and will transmit to the Senate, through the Student Senators Council, its policy recommendations concerning student life. The Student Senators Council will designate representatives on the 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 will perform such other functions as are assigned to it by the President and Chancellor, by the Board, or by the Senate."

##### *The Administrative Management Council*

Section 69(a) of the University Bylaws-69(a) provides: "The Administrative Management Council of the Senate will be the liaison in the Senate for the Administrative Management Council of the University, which is composed of elected representatives from the professional and administrative staffs of each school and division of the University. The Administrative Management Council of the University functions as an initiative, deliberative and responsive body concerning policy issues, serves as a vehicle for promoting the continued professional growth and development of its constituents, and has a

commitment to community service. The Administrative Management Council of the Senate will designate representatives on the standing committees of the Senate and, where appropriate, on any ad hoc committees of the Senate. The Administrative Management Council of the Senate may bring to the attention of the various committees of the Senate matters of concern to the University's professional and administrative staffs that it believes should be presented to the entire Senate."

[Graduate Program Committee \[University Bylaws, Section 70\]](#)

Section 70(a) of the University Bylaws-70(a) provides: "There will be a Graduate Program Committee having the power to review and recommend to the Provost the approval of proposals from colleges, schools, and portal campuses with respect to new graduate programs granting master's and doctoral degrees. The Committee will evaluate all master's and doctoral program proposals to ensure that the University's colleges, schools, and portal campuses with graduate components maintain comparable standards of work for the degrees; that there has been consultation with the relevant colleges, schools, and/or portal campuses; and that there is minimal curricular overlap between or among the units. The Committee also may formulate recommendations to the Provost on other matters that relate to graduate education in the University.

Section 70(b) of the University Bylaws-70(b) provides: "The voting members of the Committee will include one elected faculty representative who is a full-time member of the Tenured/Tenure Track or Non-Tenure Track/Contract Faculty, elected by the faculty from each college, school, and portal campus that delivers graduate education; four graduate deans, selected by the Deans Council; the dean of the NYU Libraries (or his/her designee); a member of the Tenured/Tenure Track Faculty Senators Council, selected by the Tenured/Tenure Track Faculty Senators Council; a member of the Full-Time Non-Tenure Track/Contract Faculty Senators Council, selected by the Full-Time Non-Tenure Track/Contract Faculty Senators Council; and three graduate student members of the Student Senators Council, selected by the Student Senators Council. The term of service for Committee members is three years, unless filling a vacancy; except that the term of service for representatives from the Student Senators Council is two years, unless filling a vacancy. Terms are staggered, such that approximately one-third of the membership changes every year. The following administrators (or their designees) serve ex officio as non-voting members: the dean of each college, school, and portal campus that delivers graduate education; the most senior representative of the Provost's Office tasked with academic program review; and the most senior representative of the Provost's Office tasked with graduate academic affairs. The co-chairs of the Committee will be the most senior representative of the Provost's Office tasked with graduate academic affairs and the dean of the Graduate School of Arts and Science."

[Undergraduate Program Committee \[University Bylaws, Section 71\]](#)

Section 71(a) of the University Bylaws-71(a) provides: "There will be an Undergraduate Program Committee whose chief responsibility is to advise the Provost on proposals from colleges, schools, and portal campuses for new undergraduate majors and degree programs, as well as for cross-school minors. The Committee will review all such program proposals to ensure that the University's colleges, schools, and portal campuses with undergraduate components maintain comparable standards of work for the degrees; that units proposing new programs have consulted appropriate colleges, schools, and/or portal campuses; and that there is minimal curricular overlap between or among the units. At the request of the President and Chancellor and/or the Provost, or at its own discretion, the Committee also may formulate recommendations on other matters that relate to undergraduate education in the University."

Section 71(b) of the University Bylaws-71(b) provides: "The voting members of the Committee will include at least: one elected faculty representative from each college, school, and portal campus involved in undergraduate education, elected by the applicable college, school, or portal campus; two undergraduate deans selected by the Deans Council; a faculty representative from the NYU Libraries,

elected by the faculty from the NYU Libraries; a member of the Tenured/Tenure Track Faculty Senators Council, selected by the Tenured/Tenure Track Faculty Senators Council; a member of the Full-Time Non-Tenure Track/Contract Faculty Senators Council, selected by the Full-Time Non-Tenure Track/Contract Faculty Senators Council; and three members of the Student Senators Council, selected by the Student Senators Council. The term of service for Committee members is three years, unless filling a vacancy; except that the term of service for representatives from the Student Senators Council typically is one year. Terms are staggered, such that approximately one-third of the membership changes every year. The following administrators (or their designees) serve on the Committee *ex officio* as non-voting members: the senior representatives of the Provost’s Office tasked with each of global programs, academic program review, and undergraduate academic affairs. The chair of the Committee will be the most senior representative of the Provost’s Office tasked with undergraduate academic affairs.”

*Other University and Interschool Committees and Commissions*

Section 72 of the University Bylaws-72 provides: “The Senate or the President and Chancellor may from time to time appoint other University and interschool committees and commissions, which will have such powers and duties as are delegated to them at the time of their organization until modified or annulled by action of the appointing authority.”

**Organization of Colleges, Schools, and Academic Departments**

*Schools, Faculties, and Divisions of the University [University Bylaws, Section 73]*

(a) Colleges and Schools. The University comprises the following integral colleges and schools, listed in order of their establishment:

1832	College of Arts and Science
1835	School of Law
1841	School of Medicine
1865	College of Dentistry
1886	Graduate School of Arts and Science
1890	The Steinhardt School of Culture, Education, and Human Development
1900	Leonard N. Stern School of Business, Undergraduate College
1916	Leonard N. Stern School of Business, Graduate Division
1934	School of Professional Studies
1938	Robert F. Wagner Graduate School of Public Service
1948	Post-Graduate Medical School
1960	The Silver School of Social Work
1965	Tisch School of the Arts
1972	Gallatin School of Individualized Study
2014	Polytechnic School of Engineering
<u>2015</u>	<u>College of Nursing</u>
<u>2015</u>	<u>College of Global Public Health</u>

(b) Separate Faculties. The colleges and schools of the University are governed by their separate faculties, except that the Faculty of Medicine is responsible for the School of Medicine and for the Post-Graduate Medical School, that the Faculty of Arts and Science is responsible for the College of Arts and Science and for the Graduate School of Arts and Science, the Faculty of Health is responsible for the College of Dentistry, the College of Global Public Health, and the College of Nursing, and that the Faculty of Business Administration is responsible for the

Leonard N. Stern School of Business, Undergraduate College and for the Leonard N. Stern School of Business, Graduate Division.

- (c) Division of Libraries. The University also comprises the Division of the Libraries, which performs academic functions across school lines and is governed by its faculty and officers in accordance with procedures defined and approved by the President and Chancellor.

#### *Deans*

The dean of each school [see University Bylaws, Sections 74(a) and (b)] is appointed by the Board of Trustees on the recommendation of the President and Chancellor and serves as the administrative head of his or her respective faculty. The dean is “responsible for carrying out the policies of the University” and for executing “such rules as his or her faculty may from time to time adopt.” The dean presides at faculty meetings, supervises the work of his or her faculty members, and makes recommendations to the President and Chancellor for the appointment, promotion, tenure as appropriate, dismissal, and retirement of officers of instruction his or her faculty and administration in the school. The dean is responsible for the preparation and submission of the budget for the school and for its implementation when approved. Offices such as that of Executive Dean or Dean of the Faculty of Arts and Science have from time to time been created to supervise or coordinate the activities of two or more schools or of their faculty members.

#### *Administration of Academic Departments*

The President and Chancellor, subject to the approval of the Board of Trustees, is authorized to divide courses of instruction into departments (see University Bylaws, Section 75). The chief executive officer of a department other than a University department will bear the title “chair” and will be responsible to the dean of that school; and the chief executive officer of a University academic department that is an academic department incorporating more than one college or school, will bear the title of “head” and will be responsible through the appropriate deans to the Provost and President and Chancellor (see University Bylaws, Section 76).

#### *Responsibilities of the Faculties [University Bylaws, Section 79]*

- (a) Educational Conduct and Functions. The educational conduct of each of the several colleges and schools, within the limits prescribed by these bylaws or by the Board, is committed to the faculty of each of the colleges and schools, and to such officers of the colleges and schools as the Board may appoint. The educational functions of the libraries of the University, as defined and structured by the President and Chancellor, are similarly committed to the faculty and officers of the Division of the Libraries.
- (b) Entrance Requirements, Courses of Study and Degrees and Certificates. Subject to the approval of the Board and to general University policy as defined by the President and Chancellor and the Senate, it is the duty of each faculty to determine entrance requirements of the college or school under its care, to determine courses of study to be pursued and the standards of academic achievement to be attained for each degree offered, to prepare a schedule of lectures, to make and enforce rules for the guidance and conduct of the students, and to certify to the President and Chancellor, for recommendation to the Board, qualified candidates for degrees and certificates.
- (c) Athletics and Other Extracurricular Activities. Each faculty will make and enforce rules of eligibility for the participation of its own students in athletics and other extracurricular activities. However, the University requirements for student participation in intercollegiate athletics will be determined by the Senate on the recommendation of an appropriate committee of the several faculties and will be uniformly applied in the college and schools concerned therewith.

- (d) Libraries. It is the duty of the faculty of the Division of the Libraries to implement the resources and services of its various libraries in accordance with the instructional and research needs of the University and in collaboration with the academic units which the libraries serve and support; to promote and develop the use of the libraries and their resources through interaction with the University community and through research and publication; and to make and enforce policies as desirable to ensure that the libraries' resources and services advance learning, research, and scholarly inquiry in an environment dedicated to open, equitable, and productive exchange of scholarly information.

(See also "[The University Senate](#)," "[Faculty Membership](#)," and "[Faculty Meetings](#).")

## *The Faculty*

*This part of the Faculty Handbook, The Faculty, begins under the heading Faculty Membership, Faculty Meetings, and Faculty Titles. It is followed by: (1) a section on Policies that are applicable to all or most faculty; (2) a section on Policies that are applicable to the Tenured/Tenure Track Faculty; and (3) a section on Policies that are applicable to the Full-Time Non-Tenure Track/Contract Faculty. These sections include policies, procedures and conventions in the form of Bylaws, rules adopted by the Senate, and policy summaries. Individual schools may have additional, but not substitute, bylaws, policies and procedures relevant to faculty positions. Other important policies can be found in [Selected University Policies](#).*

### **FACULTY MEMBERSHIP, FACULTY MEETINGS, AND FACULTY TITLES**

The Bylaws approved by the Board of Trustees on June 11, 2014, effective September 1, 2014, delineated three categories of faculty – the Tenured/Tenure Track Faculty, the Full-Time Non-Tenure Track/Contract Faculty, and Other Faculty; and established separate faculty councils for the first two categories, each having multiple faculty representation generally based on the size of each school's faculty. The Bylaws of the University are explicit on the matter of who is a faculty member and on how voting rights are allotted; the relevant texts as amended and restated June 8, 2015 are reproduced here.

#### **Faculty Membership [[University Bylaws, Section 82](#)]**

- (a) Categories of Faculty. The faculty in a college or school is comprised of three categories: (i) Tenured/Tenure Track Faculty; (ii) Full-Time Non-Tenure Track/Contract Faculty; and (iii) Other Faculty, as more fully described in Section 87-85-88 of the Bylaws.
- (b) Voting Members of Each Category of Faculty. The President and Chancellor, the Provost, and the dean of the faculty will be considered voting members of each category of faculty, as well as of any subset of a category of faculty. In addition, the Executive Vice President for Health will be an *ex officio* voting member of each category of faculty, as well as of any subset of a category of faculty, of the School of Medicine, the Post-Graduate Medical School, ~~and~~ the College of Dentistry, the College of Nursing, and the College of Global Public Health; and a deputy, senior, or vice provost liaison who has pertinent academic responsibilities will be selected by the Provost to serve as an *ex officio* voting member of each category of faculty, as well as of any subset of a category of faculty, of each of the colleges, schools, and portal campuses other than the School of Medicine, the Post-Graduate Medical School, ~~and~~ the College of Dentistry, the College of

Nursing, and the College of Global Public Health. Only the Tenured/Tenure Track Faculty may elect members of the Tenured/Tenure Track Faculty Senators Council and only the Full-Time Non-Tenure Track/Contract Faculty may elect members of the Full-Time Non-Tenure Track/Contract Faculty Senators Council. Only tenured faculty may vote on the awarding of tenure; only full Professors with tenure may vote on promotion to full Professor within the Tenured/Tenure Track Faculty and on the awarding of tenure to a faculty member hired as a full Professor. No faculty member may vote on a matter directly or indirectly affecting the individual's candidacy for a degree or his or her status on the faculty at the University.

- (c) College and School Governance - Attendance at Faculty Meetings and Voting. Each of the Tenured/Tenure-Track Faculty and the Full-Time Non-Tenure Track/Contract Faculty of a college or school may hold its own faculty meetings and determine the voting privileges at such meetings of its members, and also may grant rights of attendance and voting privileges to other categories of faculty of the college or school at such meetings as it determines, in all cases subject to the provisions of subsection (b) of Bylaw-Section 82 of the University Bylaws. The dean of a college or school may hold faculty meetings and invite the Tenured/Tenure-Track Faculty and/or the Full-Time Non-Tenure Track/Contract Faculty, as well as of any subset of a category of faculty, of that college or school, subject to the provisions of subsection (b) of Bylaw-Section 82 of the University Bylaws.
- (d) Appointments in More than One College or School. A faculty member serving on a full-time basis in the University will be a full-time member of the faculty of each college and school in which he or she gives instruction regularly, but will have voting rights in the election of members of the Tenured/Tenure Track Faculty Senators Council or the Full-Time Non-Tenure Track/Contract Faculty Senators Council, as applicable, only in the college or school of his or her principal assignment as determined for this purpose by the President and Chancellor.
- (e) Roster. The roster of Tenured/Tenure Track Faculty and of Full-Time Non-Tenure Track/Contract Faculty will be prepared and maintained on a current basis by the dean of the faculty, will be submitted to the Secretary and General Counsel for verification and filing in the official records, and will be available for reference at each faculty meeting.

#### **Faculty Meetings [University Bylaws, Section 83]**

The Tenured/Tenure Track Faculty and the Full-Time Non-Tenure Track/Contract Faculty in each college or school should hold at least four meetings each year, at such times and places and under such rules of procedure, as are consistent with these Bylaws. Such meetings may be joint meetings. Copies of the minutes of such meetings will be sent to the President and Chancellor and the Provost.

#### **Faculty Titles**

In 1960, the Board of Trustees issued a comprehensive statement on the subject of permanent or continuous tenure. It appeared in a section headed "Statement in Regard to Academic Freedom and Tenure." The Bylaws in effect at that time gave only brief descriptions of faculty titles; new Bylaws adopted since then give more ample descriptions. The text of Bylaws-Sections 85, 86, 87, and 88 of the University Bylaws, approved May 27, 1968, as amended through September 1, 2014, is found below. In the event of conflict between earlier and later statements by the Board of Trustees, the most recent statement governs.

Since 1974, by action of the Board of Trustees, certain professional librarians of New York University also have had full faculty status. Their titles of rank are equated with those of the teaching ranks.

| *Tenured Faculty* [University Bylaws, Section 85]

- a) Tenured Appointments. The Tenured Faculty consists of the Professors and Associate Professors who have full-time appointments at the University and who have been awarded permanent or continuous tenure at the University in accordance with University procedures for the awarding of such tenure, including receipt of a letter from an authorized senior academic official of the University advising the faculty member that he or she has received the requisite approvals and has been awarded tenure. Only full-time Professors and Associate Professors may achieve permanent or continuous tenure at the University. Unless otherwise specified, Professors and Associate Professors are appointed for one year only, but they may be appointed for a longer period or without limit of time, subject to such rules respecting tenure as the Board may adopt.
- b) Libraries. Curators and Associate Curators in the Division of the Libraries and in the School of Law and certain, but not all, Curators and Associate Curators in the School of Medicine are granted tenure rights under conditions similar to those applicable to tenured Professors and Associate Professors. Only full-time Curators and Associate Curators may achieve permanent or continuous tenure at the University.

| *Tenure Track Faculty* [University Bylaws, Section 86]

- a) Tenure Track Appointments. The Tenure Track Faculty consists of Associate Professors and Assistant Professors who have full-time faculty appointments at the University and currently are not tenured but who may be eligible to be considered for permanent or continuous tenure at the University in accordance with University procedures for the awarding of such tenure, including receipt of a letter from an authorized senior academic official of the University advising the faculty member that his or her appointment is a tenure track appointment. Associate Professors and Assistant Professors are usually appointed for one year only, but full-time service in these ranks may be counted, to the extent permitted under the rules of the Board of Trustees, toward the attainment of tenure.
- b) Maximum Duration. A full-time Associate Professor or Assistant Professor on the tenure track in any college, school, division, or department except the School of Medicine and its departments, the Leonard N. Stern School of Business and its departments, ~~and~~ the College of Dentistry and its departments, ~~and the~~ College of Nursing ~~and its departments~~, who is not awarded tenure at the expiration of seven years will be ineligible for further full-time appointment in the University. A full-time Associate Professor or Assistant Professor on the tenure track in the School of Medicine, or any of its departments, or in the College of Dentistry, or any of its departments, ~~or in the~~ College of Nursing, ~~or any of its departments~~, who is not awarded tenure at the expiration of ten years will be ineligible for further full-time appointment in the University. A full-time Associate Professor or Assistant Professor in the Leonard N. Stern School of Business, or any of its departments, who is not awarded tenure at the expiration of nine years will be ineligible for further full-time appointment in the University. Service as a Full-Time Non-Tenure Track/Contract Faculty member or as an Other Faculty member may not be counted toward the attainment of tenure by persons who may become tenure track Faculty members.
- c) Notice. The appropriate dean or departmental Chairperson will as a matter of academic courtesy give notice of these rules to Associate Professors and Assistant Professors on the

tenure track in any school, college, division, or department except the School of Medicine, and its departments, the College of Dentistry, and its departments, and ~~its~~ the College of Nursing, and its departments, and the Leonard N. Stern School of Business, and its departments, in the sixth year of service, or, in the School of Medicine, or any of its departments, and the College of Dentistry, or any of its departments, ~~or and its~~ the College of Nursing, or any of its departments, in the ninth year of service, or, in the Leonard N. Stern School of Business, or any of its departments, in the eighth year of service, but no untenured Associate Professor or Assistant Professor will acquire tenure rights on the ground that he or she did not receive a notice or reminder of this section of these Bylaws.

- d) Libraries. Associate Curators and Assistant Curators who may be eligible to acquire tenure in the Division of the Libraries and in the School of Law and certain Associate Curators and Assistant Curators in the School of Medicine are appointed on the same terms and conditions as Associate Professors and Assistant Professors on the tenure track at the University, without extension of probationary period as provided for Associate Professors and Assistant Professors in the School of Medicine, and are subject to the same prohibition on further full-time appointment if not promoted at the end of the specified periods.

*Full-Time Non-Tenure Track/Contract Faculty [University Bylaws, Section 87]*

- (a) Full-Time Non-Tenure Track/Contract Faculty Appointments. The Full-Time Non-Tenure Track/Contract Faculty consists of faculty who are not Tenured/Tenure Track Faculty and who: (i) have full-time appointments at the University; (ii) have titles or appointments that do not prohibit indefinite contract renewals (although promotion within the appointment category, such as from assistant to associate, may be required for renewal); and (iii) are not visiting faculty (including persons who have tenure or are on the tenure track at another institution and persons who are on leave from another institution or a company). A Full-Time Non-Tenure Track/Contract Faculty member does not lose that status during the duration of his or her full-time faculty employment because the person has been advised that his or her contract will not be renewed. Full-Time Non-Tenure Track/Contract Faculty are not eligible for tenure.
- (b) Contracts and Titles. Full-Time Non-Tenure Track/Contract Faculty are appointed for a definite period of time and the appointment automatically terminates at the close of that period unless there is an official notice of renewal. Unless otherwise specified, Full-Time Non-Tenure Track/Contract Faculty are appointed for one year only, but they may be appointed for a longer period, subject to such rules respecting Full-Time Non-Tenure Track/Contract Faculty as the Board may adopt. Full-Time Non-Tenure Track/Contract Faculty have an array of titles, which may vary depending on the college or school, and which may overlap with Other Faculty titles. On rare occasions, the title of professor, associate professor, or assistant professor are utilized for Full-Time Non-Tenure Track/Contract Faculty, most commonly in the case of senior faculty who come to the University after a distinguished career at another institution and at the Abu Dhabi and Shanghai portal campuses. Titles also may include, among others, certain of the nontenure position titles set forth in Section 88 of these Bylaws.
- (c) Libraries. Associate Librarians of Practice and Assistant Librarians of Practice and certain Curators, Associate Curators, and Assistant Curators in the School of Medicine who are appointed on the terms and conditions required for Full-Time Non-Tenure Track/Contract Faculty at the University are considered Full-Time Non-Tenure Track/Contract Faculty for purposes of these Bylaws.

*Other Faculty [University Bylaws, Section 88]*

- (a) Other Faculty Appointments. Other Faculty consists of faculty who are not Tenured/Tenure Track Faculty and who are not Full-Time Non-Tenure Track/Contract Faculty. They may include: (i) emeritus faculty; (ii) adjunct and other part-time faculty; (iii) faculty whose titles or appointments prohibit indefinite contract renewals; (iv) temporary faculty; (v) visiting faculty; (vi) instructors and (vii) full-time researchers while they maintain a secondary faculty title. Other Faculty are not eligible for tenure.
- (b) Contracts and Titles. Other Faculty are appointed for a definite period of time, not exceeding one academic year unless otherwise specified, and the appointment automatically terminates at the close of that period unless there is an official notice of renewal. Other Faculty have an array of titles, which may vary depending on the college or school, and which may overlap with Full-Time Non-Tenure Track/Contract Faculty titles. Titles may include, among others, certain of the nontenure position titles set forth in Section 88 of these Bylaws.

*Non-Tenure Positions [University Bylaws, Sections 87, 88, and 89]*

Instruction or research service shall be without tenure implications of any kind, regardless of rank or title, if rendered in a part-time capacity, or in a temporary position, or in a program having a subsidy of limited duration. ~~Bylaw Sections 87(a) and Bylaw-88(a) of the University Bylaws~~ provide that Full-time Non-Tenure Track/Contract Faculty and Other Faculty are not eligible for tenure. ~~Bylaws Sections 87(b) and Bylaw-88(b) of the University Bylaws~~ provide that appointment to a non-tenure position shall be for a definite period of time, not exceeding one academic year unless otherwise specified, and shall automatically terminate at the close of that period unless there is an official notice of renewal. Non-tenure positions, which may be faculty or non-faculty positions, include the following:

- instructor titles (e.g., instructor, clinical instructor, research instructor, assistant professor/instructor);
- research and scientist titles (e.g., research professor, research associate professor, research assistant professor, research scholar, associate research scholar, assistant research scholar, senior research scientist, research scientist, associate research scientist, assistant research scientist, professor (research), associate professor (research), assistant professor (research)<sup>2</sup>, except when the title that includes research professor is conferred as a distinction upon a faculty member with tenure or on the tenure track);
- global titles (e.g., global distinguished professor, global professor, global visiting professor, global instructor, global professor, except when a title that includes global professor is conferred as a distinction upon a faculty member with tenure);
- adjunct titles (e.g., adjunct professor, adjunct associate professor, adjunct assistant professor);
- clinical titles (e.g., clinical professor, clinical associate professor, clinical assistant professor, professor (clinical), associate professor (clinical), assistant professor (clinical)<sup>3</sup>, master clinician);
- visiting titles (e.g., visiting professor, visiting associate professor, visiting assistant professor);
- arts and music titles (e.g., arts professor, associate arts professor, assistant arts professor, visiting arts professor, visiting associate arts professor, visiting assistant arts professor, music professor, music associate professor, music assistant professor, master artist, artist-in-residence);

<sup>2</sup> In the School of Medicine, research professor, research associate professor, and research assistant professor denote part-time status; professor (research), associate professor (research), and assistant professor (research) denote full-time status.

<sup>3</sup> In the School of Medicine, clinical professor, clinical associate professor, and clinical assistant professor denote part-time status; professor (clinical), associate professor (clinical), and assistant professor (clinical) denote full-time status.

- lecturer titles;
- titles related to the teaching of languages (e.g., senior language lecturer and language lecturer);
- teacher titles (e.g. master teacher, teacher, associate teacher, teaching fellow, teaching associate, teaching assistant);
- assistant and associate titles (e.g., library associate, research associate, assistant, clinical assistant, graduate assistant, research assistant);
- in residence titles (e.g., distinguished scientists in residence, writer in residence);
- industry titles (e.g., industry professor, industry associate professor, industry assistant professor, distinguished industry professor);
- scholar titles (e.g., scholar in residence, distinguished scholar, visiting scholar);
- practice titles (e.g., librarian of practice, professor of/from practice, associate professor of/from practice, assistant professor of/from practice); and
- fellow titles (e.g., assistant professor/faculty fellow).

Any position designated by a title not specified in this chapter shall be a non-tenure position unless the Board of Trustees determines otherwise. Additional detail about non-tenure positions can be found at the website of the [Office of Academic Appointments](#).

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## **FACULTY POLICIES APPLICABLE TO ALL OR MOST MEMBERS OF THE FACULTY INCLUDING TENURED/TENURE TRACK FACULTY, FULL-TIME NON-TENURE TRACK/CONTRACT FACULTY, AND OTHER FACULTY**

The following faculty policies are applicable to all categories of faculty unless otherwise indicated.

### **Academic Freedom**

*This section on academic freedom is taken from Academic Freedom and Tenure, Title I: Statement in Regard to Academic Freedom and Tenure.*

#### *Section II. The Case for Academic Freedom*

“Academic freedom is essential to the free search for truth and its free expression. Freedom in research is fundamental to the advancement of truth. Freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student in learning. Academic freedom imposes distinct obligations on the teacher such as those mentioned hereinafter.”

#### *Section IV. Academic Freedom*

“Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties, but outside occupations and research for pecuniary gain, except in the case of sporadic and wholly unrelated engagements should be based upon an understanding with the administration of the University.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should not introduce into their teaching controversial matter that has no relation to their subject.

Teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but this special position in the community imposes special obligations. As men and women of learning and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they at all times should be accurate, should exercise appropriate restraint, should show respect for the opinions of others and for the established policy of their institution, and while properly identifying themselves to outside audiences as associated with the University should clearly indicate that they are not institutional spokespeople unless specifically commissioned to serve in such a capacity.”

*Tenured/tenure track faculty members also are entitled to other protections related to tenure and academic freedom, discussed in more detail in “Faculty Policies Applicable to Tenured/Tenure Track Faculty” below.*

### **Responsibilities of the Faculty Member**

Members of the faculty are expected to meet their professional and institutional commitments at the University on a regular basis throughout the academic year. These commitments include time spent on teaching, research, student advising, clinical activities and various kinds of University or outside professional service on committees and in administrative or advisory roles.

Members of the faculty are expected to handle their teaching assignments with professional skill. They should familiarize themselves with the overall organization of the University, and especially with the operations of the school or college in which they serve, and with its requirements and regulations, with

which they will scrupulously comply. They should strive to be good citizens of the academic community, cooperative and efficient in meeting deadlines, submitting grades, and returning students' work with appropriate comments. They should be active participants as committee members, student advisers, or in whatever other capacity they can render the best service in the affairs of the department and the school. Ideally, they should also maintain interest in the current activities and problems of the larger community and in how the community and the University can benefit each other.

Tenure and tenure-track faculty should aim at the steady enlargement of knowledge in their fields—by enlarging their own knowledge through continuing study and by enlarging the knowledge of others through scholarly contributions. Faculty should keep abreast of publications about new developments in their subject area, and attend and actively participate in the meetings of appropriate learned societies. (Financial assistance in attending professional meetings may be available, according to the rules of the several schools and colleges.)

General criteria for promotion and tenure for tenure and tenure-track faculty are cited in [Title I, Section V](#) of the Statement in Regard to Academic Freedom and Tenure. Some schools and colleges also have written statements on faculty appointment policies and procedures, particularly those concerned with promotion and tenure.

[Section XI](#) of the Tenure Statement cites important information regarding yearly notification of nontenured faculty concerning tenure prospects, including a formalized early review for certain junior faculty during their third year of service and, in the School of Medicine and the Stern School, also in their sixth year of service.

#### *Teaching and Research Assignments for Full-Time Faculty*

As regards full-time faculty members, long-standing University policy normally limits regular teaching assignments to the usual fall and spring terms (approximately early September to mid-May) or equivalent. In the School of Medicine and the College of Dentistry, including the College of Nursing, regular teaching and research assignments are September through August.

Full-time faculty may accept teaching, research or other employment during the summer month(s) when they do not have regular teaching assignments, either at NYU or at another academic institution, or from another employer, or in NYU's January Term Session, provided such additional undertakings do not unduly interfere with the teacher's efficiency and serviceability to the department. In addition, with permission of the Dean or Chair, full-time faculty may be released from some teaching responsibilities during the academic year in order to conduct research. Assignments at NYU outside of the regular teaching obligations normally are made only as the result of a specific agreement with an individual faculty member.

Full-time teaching loads are determined administratively under guidelines approved by the Office of the Provost for a particular school or department. No additional compensation by reason of teaching overload may be paid to a full-time faculty member during the period of a regular teaching assignment, except in emergency circumstances duly approved in advance by the Office of the Provost. As an exception, teaching in the School of Professional Studies by a faculty member based outside of that school for additional compensation to the extent of one course per semester (in addition to a faculty member's regular assignment) will be permitted with the approval of the dean of the school in which the teacher's principal services are rendered, but such arrangements are subject to review and renewed approval from year to year. Exceptions for additional compensation by reason of teaching overload also may be made for teaching in the Gallatin School of Individualized Study by a faculty member based outside of that school and in experimental programs. Exceptions for additional compensation also may be made for teaching at

the portal campuses of NYU Abu Dhabi and NYU Shanghai by a faculty member based outside the applicable campus.

### *Meeting Classes*

The regulations of the University require all members of the faculty to be present for teaching duty and ancillary activities (e.g., committee work and student advisement) during the academic sessions to which they have been assigned. In addition, unless special arrangements have been made through the department or school, all members of the faculty are duty-bound to meet all their assigned classes at the place and hour scheduled. The length of the various academic sessions and the number of class meetings per session are set conformably to the requirements of the regulatory agencies for the different programs offered by the University, and may not be varied arbitrarily by individual teachers.

In case of illness necessitating absence from class, the teacher should communicate with the proper departmental officer or, if the latter is not available, with the dean. The department head or dean will determine what arrangements, if any, should be made to provide a substitute instructor or to make up the work of the class at a later date.

### *Calendar*

The fiscal years for the University extend from September 1 through August 31. In most divisions (except certain professional schools, where slightly different schedules obtain) the regular teaching year consists of two terms, beginning in early September and mid-January, respectively. The summer sessions conducted by the various divisions occur for the most part during the period from May to August. The University also offers a January Term Session. The calendars published in the University-wide and individual school bulletins will cite specific dates for each academic year conforming to local variations. This information is also available online (<http://www.nyu.edu>). The annual Commencement exercises are normally held in May.

### *Bulletins and Published (including on-line) Materials*

Each school and college of the University, under the direction of its dean, issues its own bulletin or bulletins or other published (including on-line) materials describing entrance and degree requirements, programs of study, and the like. All official publications of a school's or college's requirements and programs must be as accurate and up-to-date as possible.

It is incumbent upon the individual faculty member whose particular courses are described therein to inform the departmental executive officer of all essential changes that may necessitate a revision of the course description in the published materials.

### *Restriction on Outside Employment*

All faculty members compensated on a full-time basis are expected to devote their major energies to teaching, research, service, student counseling, and related activities at the University. This implies a limit on outside activities, particularly those that involve the rendering of service for extra compensation.

No one appointed to a tenure or tenure-track faculty position at NYU may simultaneously hold a tenure or tenure-track position elsewhere. Teaching service by Tenured/Tenure Track Faculty and Full-Time Non-Tenure Track/Contract Faculty at other institutions during the academic year must be approved in advance by the dean. For Tenured/Tenure Track Faculty and Full-Time Non-Tenure Track/Contract Faculty, extramural activities that are consistent with the individual's overriding obligation to the

University, including consulting and other gainful employment, must be consistent with the principles outlined above and may not require on the average more than one day per week in any academic semester or in any summer month in which the faculty member is receiving compensation for full-time employment at the University. For additional information, please refer to the University's [Policy on Academic Conflict of Interest and Conflict of Commitment](#).

Circumstances thought to merit exceptional treatment should be referred in writing to the appropriate dean and the Office of the Provost.

All full-time faculty and other faculty if requested by a school dean or the Office of the Provost must complete annually and submit to their school dean the faculty disclosure form then in effect, certifying their compliance with applicable University and school conflict of interest and conflict of commitment policies and disclosing the information requested about the faculty member's (and immediate family member's) outside activities and other interests related to the policies. Faculty members also may be required to complete disclosure forms at other times, such as when planning to participate in certain research projects. All faculty have an obligation to assure that they do not engage in activities that are prohibited by applicable University and school conflict of interest and conflict of commitment policies and to seek guidance in advance from their department chair, school dean, or the Office of the Provost (the Executive Vice President for Health in the case of the Schools of Medicine, Dentistry and Nursing) if there is any reasonable doubt as to whether an activity may constitute a conflict of interest or a conflict of commitment.

It is the responsibility of departmental chairpersons and heads and of the deans of the various schools to protect the interest of the University in the full-time service of its full-time faculty, professional research and library staffs, and administration.

#### *Limitation on Degree Candidacy*

Bylaw Section 81(c) of the University Bylaws provides: "No Tenured/Tenure Track Faculty member or Full-Time Non-Tenure Track/Contract Faculty member, other than librarians, will be permitted to enroll as a candidate for a degree or be recommended for a degree in course, unless specifically excepted by the Board. A degree candidate, other than a librarian, who accepts appointment as a Tenured/Tenure Track Faculty member or a Full-Time Non-Tenure Track/Contract Faculty member must thereupon relinquish such candidacy, unless specifically excepted by the Board."

While the rule does not prohibit a Tenured/Tenure Track Faculty member, Full-Time Non-Tenure Track/Contract Faculty member, or Other Faculty member from taking courses at this institution for credit to be applied elsewhere toward a degree, it does prohibit such an appointee from pursuing a course to be credited toward a degree at New York University. In applying the rule, the prohibition has been extended to administrators of policy-making rank.

#### *New York State Oath Requirement*

Section 3002 of the Education Law of the State of New York, as amended, requires in part that any United States citizen employed within the state as a teacher in a tax-supported or tax-exempt institution sign an oath or affirmation to support the Constitutions of the United States and of the State of New York.

This oath or affirmation must be executed by every newly appointed teacher before the first class session and returned for filing with the records of the institution.

The requisite form for complying with the law is available from the [Office of Academic Appointments](#) and in the offices of the deans of the schools and colleges (see the [NYU Public Directory](#) for contact information). Foreign nationals, of course, are not subject to this requirement.

## **Compensation**

The salary of a full-time member of the faculty who teaches in a school's regular fall and spring terms (i.e., a nine-month appointment), or a full-time faculty member in the School of Medicine, College of Dentistry, and College of Nursing who serves the entire academic year, normally is paid monthly in equal installments over twelve months.

In addition to the academic year salary, faculty members appointed on a nine-month basis may receive up to three additional months of summer compensation from NYU-administered sources (e.g., from federal or non-federal research grants). The maximum monthly salary from such sources is one-ninth of the academic year salary. Payment for teaching in the summer intersession, whether paid as additional compensation to regular full-time officers of instruction or to visiting or part-time personnel, is normally made on one or more of the following dates, depending on the duration of the assignment: July 1, August 1, September 1. In compliance with New York State Labor Law 195, at the time of hire NYU provides all new employees (including faculty) with written confirmation of their salary, as well as pay schedules and pay frequency. The law requires that the employee sign the notice as acknowledgment of receipt.

### *Deductions from Salary*

Deductions from the salary check are made for applicable income and other taxes (e.g., retirement taxes) as specified by law; and for applicable annuity, group insurance, disability income protection plan, dental plan, hospitalization and surgical-medical insurance premiums, and other benefits in accordance with individual requirements. Eligibility for benefits varies based on a variety of factors, including whether the faculty member is employed on a full-time versus part-time basis, whether the employee's benefits are dictated by a collective bargaining agreement, whether the employee is a temporary appointee, the country in which the faculty member is payrolled and/or performing services, and other factors.

## **Leave of Absence (Paid and Unpaid)**

Applications for leave of absence of not more than seven days should be made to the applicable dean; applications for leave of absence for more than seven days require the approval of the Office of the Provost.

A leave of absence may not be granted to a faculty member who has accepted a tenured appointment elsewhere. Leaves of absence for faculty performing services and/or payrolled outside of the United States may vary.

### *Illness/Disability Leave and Maternity Leave*

The salary of a Tenured/Tenure Track Faculty or a Full-Time Non-Tenure Track/Contract Faculty member may be continued for up to six months at the discretion of the dean, for absence caused by illness or disability, subject to approval by the Office of the Provost.

Legally, an absence caused by inability to work because of pregnancy, childbirth, or related medical conditions must be treated at least as favorably as an absence caused by illness or disability for all employment-related purposes. At the time a faculty member gives birth, she is entitled to an aggregate of six consecutive weeks of paid maternity leave preceding and following the date of birth.

A physician's statement certifying that the faculty member is unable to work because of illness or disability and the date on which it is anticipated that he or she can return to work may be required. The University, in addition, may require that the faculty member be examined by a physician designated by the University at no cost to the faculty member. In cases of childbirth, no certification will be required unless the request for leave extends beyond six weeks.

A Tenured/Tenure Track Faculty or a Full-Time Non-Tenure Track/Contract Faculty member who is totally disabled for more than six consecutive calendar months may claim benefits under New York University's long-term disability insurance.

### *Personal Leave*

Personal leave without pay may be granted at the discretion of the dean for a variety of reasons, including those cited below. Tenured/Tenure Track Faculty and Full-Time Non-Tenure Track/Contract Faculty may be granted one or more full semesters of leave without pay for compelling personal reasons, such as care of a seriously ill child, parent, spouse, or registered same-sex domestic partner. Leave by either parent for the purpose of taking care of a child or related activities, as distinguished from inability to work because of pregnancy or childbirth, is treated as personal leave.

Faculty members are entitled to all provisions of the federal Family and Medical Leave Act of 1993 that are not specifically provided for herein. (A copy of "[Your Rights under the Family and Medical Leave Act of 1993](#)" is available at the Benefits Office; a set of [new rules and updates](#) to the regulations are effective January 2010.)

### *Workload Relief Policy (Approved by the University Senate March 1, 2007)*

In order to provide relief to eligible full-time faculty members faced with the additional demands of being the primary care-giver to a newborn child, newly adopted child, new foster care or guardianship placement, or newly-established legal custodial care, New York University's workload relief policy grants one semester of workload relief from classroom teaching and administrative committee work or two semesters of half relief from such duties, based on the individual's normal yearly workload, at full salary. Workload relief is not considered a leave as faculty members are expected to make themselves available to the extent reasonable and practicable for their customary responsibilities of research, student consultation, and advising.

The faculty member's school remains financially responsible for the faculty member's salary during the workload relief period. Financial support for workload relief of classroom teaching, necessitated by having to hire appropriate replacements, is to be borne by a University workload relief fund. Please see the [Workload Relief Form](#) for details.

Individuals eligible for workload relief benefits include all Tenured/Tenure Track Faculty and Full-Time Non-Tenure Track/Contract Faculty. To qualify for workload relief, the faculty member must be the parent primarily responsible for the care of a newborn child, newly adopted child, new foster care or guardianship placement, or newly-established legal custodial care. In all circumstances, only one parent may be considered primarily responsible for the care of the child. If both parents could be eligible under this policy because they are both eligible full-time faculty, each such eligible faculty member could qualify sequentially for a half semester if the designation of primary responsible parent changed, but the total amount of workload relief would not increase.

Normally the first semester of workload relief will be the semester in which the temporary disability leave for childbirth is completed, the semester in which the adoption, foster care or guardianship takes place, or, in the case of the birth parent, the semester in which the birth takes place. If these events occur between semesters when classes are not in session, the first semester of the workload relief typically will be the following semester.

In the case of childbirth, at least five months before the start of the first semester of relief, a faculty member wishing to utilize workload relief for parenting under this plan should inform his or her Department Chair by filling out a Workload Relief Form, certifying that she/he is the primary caregiver and stating her/his intentions to take one (1) full semester or two (2) half semesters of relief. The form should be submitted to the person responsible at his/her School for processing the request as listed on the Workload Relief contact sheet. Details of the workload relief arrangement must be decided in consultation with the department chair or, in Schools without departmental organization, with the dean. In the case of adoption, foster care or guardianship, the faculty member should alert the department chair or dean as early as possible. Tenure clock stoppage will be granted for a cumulative maximum of two semesters during the probationary period to a faculty member who is the primary caregiver of a child whether or not the faculty member avails herself or himself of workload relief. The one full semester of relief or two half semesters of relief will count as credit toward a faculty member's sabbatical leave. (See below, *Tenure Clock Stoppage for Personal Reasons*.)

This policy is not intended to replace leave available to faculty members who are eligible for leave for the birth of a child, an adoption, or foster care placement under the [Family and Medical Leave Act of 1993](#) ("FMLA"). A set of [new rules and updates](#) to the regulations are effective January 2010. FMLA will run concurrently with workload relief as either intermittent or reduced workload leave. An FMLA certification must be completed and submitted with the Workload Relief Form to determine FMLA eligibility. Eligible faculty members may still elect to take unpaid FMLA leave if they wish to provide no service while providing care for their newborn child, newly adopted child, or foster care or guardianship placement.

#### *Benefits During Leave of Absence*

During a leave of absence, benefits may be affected. The [Benefits Office](#) should be contacted for details regarding how to continue benefit coverage and the length of time for which benefits may be continued. It is a faculty member's responsibility to contact the [Benefits Office](#) to arrange for continuation of benefits.

#### **Retirement**

In order to foster an ongoing relationship with the University's retirees, a number of perquisites are available through the University and the individual schools. Faculty members may contact their Dean's Office for details. To determine eligibility for benefits after retirement, the [Benefits Office](#) or the Dean's Office should be consulted.

#### **Term of Administrative Appointments [[University Bylaws, Section 77](#)]**

"Appointment to an administrative office, including but not limited to the office of executive dean, dean, vice dean, associate dean, assistant dean, director, secretary, department head, and department chair, will be without limit of time, unless otherwise specified, but may be terminated at any time without prejudice to [a faculty member's tenure or contractual](#) ~~any rights of the officer as holder of a professorship~~ (a) by the President and Chancellor, or the Board; (b) in the case of an appointment other than an executive dean or dean or head, by the executive dean or dean, or by their respective designees; and (c) in the case of an

appointment of a head, by the appropriate deans jointly or by the Provost.” A faculty member’s contracted rights are not affected solely by removal from an administrative position.

## **University Benefits**

### *Benefit Plans and Services*

The [Benefits Office](#) of the Human Resources Division provides information about the benefit plans and services available to faculty members, members of the professional research staffs, and administrative and professional staff members.

### *Housing for Faculty*

At NYU, faculty housing is a critical strategic resource that has supported NYU’s development into a national research university. Nearby housing helps to create a feeling of campus by bringing faculty, staff, and students together. It supports the academic mission of the University by increasing accessibility of faculty members to their students, their colleagues, and their research tools. Although NYU’s rental resources are substantial, they are not sufficient to address all our housing needs. University housing is allocated to faculty and staff in a manner designed to support, recruit and retain the full-time faculty of the University according to University priorities informed by the Deans of the Schools. University policies on Faculty Housing govern the allocation of housing: The highest priority is to house tenured and tenure track faculty, and among them, new faculty who will be joining NYU and who do not have housing in the metropolitan area. Almost equal priority is given to existing faculty who are of high retention importance as determined by the deans of each school. Any questions should be addressed through the individual school Dean’s Offices.

### *Service Recognition Awards*

Faculty will receive service recognition gifts upon completion of 10 years of service to the University, and every five-year milestone thereafter through 50+ years. The University also will present a certificate to every member of the faculty who has given 25 years of full- and/or part-time service to the University.

### *Travel Policies*

Information about University policies and guidelines concerning travel and reimbursement rates can be obtained from the [Office of the Controller](#). All faculty are encouraged to use [NYUTraveler](#), which was created to provide the NYU community with tools and services for their travel needs and to help keep them safer.

### *Releasing Employment Information*

Faculty members wishing to have information about their status at the University officially transmitted to persons or institutions outside the University should apply to the [Office of Academic Appointments](#), in order to execute the required consent form .

## **Legal Matters**

### *Legal Assistance Related to University Matters; Signing of Contracts; Service of Legal Papers*

The handling of all legal matters arising from or pertaining to the operations of the University is the responsibility of the General Counsel of the University and only the Office of General Counsel is

authorized to retain outside counsel on behalf of the University. All legal inquiries should be directed to the [Office of the General Counsel](#).

Administrators and faculty members should not sign contracts, leases, or other agreements without proper written authorization, as well as required legal and financial reviews, and should not reply to communications received from attorneys concerning University business, whether telephone messages, faxes, e-mails or letters. Responses to such communications must be prepared in consultation between the Office of the General Counsel and the faculty member or administrator concerned. Similarly, under no circumstances should anyone not an officer of the University accept service of legal papers, such as subpoenas, citations, court summonses, or violation notices. Anyone who wishes to serve such papers on the University should be referred to the Office of the General Counsel, which will accept them officially on behalf of the University.

Refusal by a faculty member or administrator to accept service is not illegal; it is in fact the proper procedure and in the best interests of the University. If a process server refuses to be cooperative and insists upon leaving the papers, immediately call the Office of the General Counsel, and ask for instructions.

The Office of the General Counsel is responsible only for official University business and is not staffed to provide personal legal assistance except in the special instances described in “Selected Policies Concerning the Protection of Rights and Other Matters” under the heading of [“Legal Protection for Faculty Members.”](#) In exceptional cases, however, the office will, upon request, suggest legal organizations or other counsel to University personnel in need of such assistance.

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## FACULTY POLICIES APPLICABLE TO TENURED AND TENURE TRACK FACULTY

*This part of the Faculty Handbook begins under the heading Academic Freedom and Tenure with Titles I-IV of the University's formal rules of tenure and related provisions. As noted in the preceding section, Faculty Titles, in 1960, the Board of Trustees issued a comprehensive statement on the subject of permanent or continuous tenure. It appeared in a section headed "Statement in Regard to Academic Freedom and Tenure." This provision has been amended, from time to time, by the Board of Trustees. The current provision is set forth below.*

General criteria for promotion and tenure for tenured and tenure-track faculty are cited in Title I, Section V. The core principles and procedures for tenure and promotion at the University appear in the [New York University Promotion and Tenure Guidelines](#). In addition, colleges and schools have their own internal rules, procedures, and policies, such as School statements on faculty appointment policies and procedures, particularly those concerning promotion and tenure criteria and review procedures, which may supplement – but do not supersede or replace – policies outlined in this Faculty Handbook unless an exception has been granted by the Board of Trustees or President and Chancellor.

### **Academic Freedom and Tenure**

(Titles I and II were adopted by the University Board of Trustees on October 24, 1960, and have been amended through December 2, 1996).

#### ***Title I: Statement in Regard to Academic Freedom and Tenure***

##### *I. Authorization by the Board of Trustees*

The Board of Trustees of New York University has authorized the following statement in regard to academic freedom and tenure at New York University. It reserves the right to amend this statement at its discretion, but no amendment shall take away a status of permanent or continuous tenure acquired before such amendment.

##### *II. The Case for Academic Freedom*

Academic freedom is essential to the free search for truth and its free expression. Freedom in research is fundamental to the advancement of truth. Freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student in learning. Academic freedom imposes distinct obligations on the teacher such as those mentioned hereinafter.

##### *III. The Case for Academic Tenure*

Academic tenure is a means to certain ends, specifically: (1) freedom of teaching and research; and (2) a sufficient degree of economic security to make the profession of teaching attractive to men and women of ability.

##### *IV. Academic Freedom*

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties, but outside occupations and research for pecuniary gain, except in the case of sporadic and wholly unrelated engagements, should be based upon an understanding with the administration of the University.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should not introduce into their teaching controversial matter that has no relation to their subject.

Teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but this special position in the community imposes special obligations. As men and women of learning and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they at all times should be accurate, should exercise appropriate restraint, should show respect for the opinions of others and for the established policy of their institution, and while properly identifying themselves to outside audiences as associated with the University should clearly indicate that they are not institutional spokespeople unless specifically commissioned to serve in such a capacity.

V. *Academic Tenure*

1. Part-time positions and other positions] A distinction is made between part-time and full-time members of the teaching staff. Unless their notices of appointment explicitly state that they are appointed for full-time teaching service, officers of instruction, of whatever rank, are considered part-time members of the teaching staff. The full-time members of the teaching staff are those teachers who give full-time service to the University and whose notices of appointment explicitly so indicate.

All part-time appointees to the University staff, irrespective of title, rank, or cumulative length of service, are entitled to no right of tenure, and their appointments are limited strictly to the periods stipulated in the official notices thereof. Likewise, all instructors, and all those receiving appointment in such temporary capacities as fellow, assistant, associate, lecturer, or as acting, adjunct, clinical, and visiting officers of instruction in the several ranks, whether rendering full- or part-time service, are ineligible for tenure on the basis of such service and are restricted in the duration of their connection with the University to the period stipulated in the official notices of appointment. The same stipulation applies to personnel appointed with professorial or other titles, whether on full- or part-time service, on subsidized assignments such as sponsored research, or in teaching programs where expense of the program is dependent upon a subsidy of limited duration.

2. [Tenure described] The general policy of the University with respect to probation and tenure for full-time assistant professors, associate professors, and professors is given below. After expiration of the stipulated probationary periods, full-time associate professors and professors are considered to have permanent or continuous tenure, and their services are to be terminated only for adequate cause, except in the case of retirement, or under extraordinary circumstances because of financial exigencies, or because of the discontinuance of a considerable part of the University, such as a college, school, or division or a department in a college, school, or division. It is understood that the University has the right to reduce the length of the probationary period in specific cases.
3. [Assistant Professor] The rank of Assistant Professor should be granted only to those who have proved their worth as teachers and have given evidence of character and productive scholarship. The assistant professor should possess the maturity and attainment in the field of scholarship or professional practice of which the doctor's degree is usually the testimonial. Appointment to an assistant professorship carries with it the possibility but no presumption of reappointment and includes no right to permanent or continuous tenure or to further reappointment, or to promotion to any higher rank.

A full-time assistant professor in any school, college, division, or department except the School of Medicine and its departments, the Leonard N. Stern School of Business and its departments, and the College of Dentistry and its departments and its College of Nursing, who is not promoted at the expiration of seven years as full-time assistant professor shall be ineligible for further full-time appointment in the University. A full-time assistant professor in the School of Medicine or any of its departments and the College of Dentistry or any of its departments or its College of Nursing, who is not promoted at the expiration of ten years as a full-time assistant professor shall be ineligible for further full-time appointment in the University. A full-time assistant professor in the Leonard N. Stern School of Business or any of its departments, who is not promoted at the expiration of nine years as a full-time assistant professor shall be ineligible for further full-time appointment in the University.

4. [Associate Professor] The rank of Associate Professor should be granted only to those who, in addition to all the qualifications for an assistant professorship, have an unusual contribution to make to the University through the excellence of their character, teaching, productive scholarship, or other educational service. There is no presumption in appointing an associate professor that he or she will later be promoted. Reappointment as an associate professor does not imply any subsequent appointment at higher rank. Under any of the following conditions the appointment or reappointment of an associate professor carries with it the right of continuous or permanent tenure if it is for: (1) the sixth year as a full-time associate professor at New York University; or (2) (a) in any school, college, division, or department except the School of Medicine and its departments, the College of Dentistry and its departments and its College of Nursing, and the Leonard N. Stern School of Business and its departments, the eighth year as a full-time teacher at New York University in the rank or ranks of assistant professor or associate professor; or (b) in the School of Medicine or any of its departments and the College of Dentistry or any of its departments or its College of Nursing, the eleventh year, as full-time teacher at New York University in the rank or ranks of assistant professor or associate professor; or (c) in the Leonard N. Stern School of Business or any of its departments, the tenth year as full-time teacher at New York University in the rank or ranks of assistant professor or associate professor, or (3) (a) in any school, college, division, or department except the School of Medicine and its departments, the College of Dentistry and its departments and its College of Nursing, and the Leonard N. Stern School of Business and its departments, the fifth year as a full-time teacher at New York University in the rank or ranks of assistant professor or associate professor and follows a term of more than three years, i.e., not less than seven semesters of full-time teaching in one or more institutions of higher education other than New York University in the rank or ranks of assistant professor, associate professor, or professor, except as provided in paragraph six of this section; (b) in the School of Medicine or any of its departments and the College of Dentistry or any of its departments or its College of Nursing, the eighth year as a full-time teacher at New York University in the rank or ranks of assistant professor or associate professor and follows a term of more than three years, i.e., not less than seven semesters of full-time teaching in one or more institutions of higher education other than New York University in the rank or ranks of assistant professor, associate professor, or professor, except as provided in paragraph six of this section; (c) in the Leonard N. Stern School of Business or any of its departments, the seventh year as a full-time teacher at New York University in the rank or ranks of assistant professor or associate professor and follows a term at more than three years, i.e., not less than seven semesters of full-time teaching in one or more institutions of higher education other than New York University in the rank or ranks of assistant professor, associate professor, or professor, except as provided in paragraph six of this section.

If a full-time teacher at the time of his or her first appointment at New York University has formally disclosed to the appropriate dean or officer of central administration the fact that he

or she has gained permanent or continuous tenure in another institution of higher education in the United States having tenure regulations similar to those in effect at New York University and leaves that institution to accept appointment as a full-time associate professor at New York University, it is assumed that he or she has permanent or continuous tenure at New York University unless it is agreed in writing that his or her appointment is for a probationary period of not more than four years. It shall be the responsibility of the University official hiring the teacher to raise the question of tenure possibly achieved elsewhere.

5. [Professor] The rank of Professor should be granted only after careful consideration of the individual's character, scholarship, productivity, teaching ability, and reputation among peers in his or her own field, as well as his or her capacity for inclining students toward noteworthy attainments. It should be granted only to men and women who have been so tested that there is reasonable certainty of their continuing usefulness throughout the remainder of their working years. It should never be granted as the reward of seniority and should be reserved as a mark of distinction in the field of scholarship and instruction. It should never be granted as a recognition of usefulness in administration.

Under any of the following conditions the reappointment of a professor carries with it the right of continuous or permanent tenure: (1) if the reappointment is for the fourth year as a full-time professor at New York University; or (2) if the reappointment is for the sixth year as a full-time professor or associate professor at New York University; or (3) (a) in any school, college, division, or department except the School of Medicine and its departments, the College of Dentistry and its departments and its College of Nursing, and the Leonard N. Stern School of Business and its departments, if the reappointment is for the eighth year as a full time teacher at New York University in the rank or ranks of assistant professor, associate professor, or professor; (b) in the School of Medicine or any of its departments and the College of Dentistry or any of its departments or its College of Nursing, if the reappointment is for the eleventh year as a full-time teacher at New York University in the rank or ranks of assistant professor, associate professor, or professor; (c) in the Leonard N. Stern School of Business or any of its departments, if the reappointment is for the tenth year as a full-time teacher at New York University in the rank or ranks of assistant professor, associate professor, or professor; or (4) (a) in any school, college, division, or department except the School of Medicine and its departments, the College of Dentistry and its departments and its College of Nursing, and the Leonard N. Stern School of Business and its departments, if the reappointment is for the fifth year as a full-time teacher at New York University in the rank or ranks of assistant professor, associate professor, or professor and follows a term of more than three years of full-time teaching in the rank or ranks of assistant professor, associate professor, or professor in one or more institutions of higher education other than New York University except as provided in paragraph six of this section; (b) in the School of Medicine or any of its departments and the College of Dentistry or any of its departments and its College of Nursing, if the reappointment is for the eighth year as a full-time teacher at New York University in the rank or ranks of assistant professor, associate professor, or professor and follows a term of more than three years of full-time teaching in the rank or ranks of assistant professor, associate professor, or professor in one or more institutions of higher education other than New York University except as provided in paragraph six of this section; (c) in the Leonard N. Stern School of Business or any of its departments, if the reappointment is for the seventh year as a full-time teacher at New York University in the rank or ranks of assistant professor, associate professor, or professor and follows a term of more than three years of full-time teaching in the ranks of assistant professor, associate professor, or professor in one or more institutions of higher education other than New York University except as provided in paragraph six of this section.

If a full-time teacher at the time of first appointment at New York University has formally disclosed to the appropriate dean or officer of central administration the fact that he or she has gained permanent or continuous tenure in another institution of higher education in the United States having tenure regulations similar to those in effect at New York University and leaves that institution to accept appointment as a full-time professor at New York University, it is assumed that he or she has permanent or continuous tenure at New York University unless it is agreed in writing that his or her appointment is for a probationary period of not more than three years. It shall be the responsibility of the University official hiring the teacher to raise the question of tenure possibly achieved elsewhere.

6. [Exclusion of prior full-time teaching service at another institution] When full-time teaching service at another institution of higher education does not meet the criteria recognized for service at New York University, that service may be excluded from the probationary period under paragraph 4, clause (3), or paragraph 5, clause (4), of this section. In determining whether prior service at another educational institution should not be included, consideration shall be given to whether or not the prior service: (a) was in an Association of American Universities institution or equivalent; (b) followed the attainment of the terminal degree; (c) was in a tenure earning position; and (d) related factors. Recommendations that service at another institution of higher education not be included within the probationary period should be predicated on a written agreement between the prospective faculty member and the dean, and should be submitted by the dean to the Provost for approval before the initial appointment is effective. The faculty member will be notified in writing by the Office of the Provost whether or not prior service will be included within the probationary period at New York University.
7. [Administrative posts; promotions] Appointment to administrative posts may be terminated or modified by the University Board of Trustees without prejudice to the teaching rights of officers holding such positions. If a teacher gains permanent or continuous tenure at New York University in one rank, his or her tenure will not be invalidated by subsequent promotions in rank.

#### VI. *Termination of a Tenure Appointment*

1. When a member of the teaching staff has permanent or continuous tenure or is serving an appointment for a term of years which has not expired, his or her services may be terminated by the University only for adequate cause, except in the case of retirement, or under extraordinary circumstances because of financial exigencies, or because of the discontinuance of a considerable part of the University, such as a college, school, or division or a department in a college, school, or division.<sup>4</sup>
2. Termination for cause:
  - (a) [Adequate cause] Adequate cause includes (but is not limited to) one or more of the following: incompetent or inefficient service; neglect of duty; repeated and willful disregard of the rules of academic freedom as set forth in this statement; physical or mental incapacity; or any other conduct of a character seriously prejudicial to his or her teaching or research or to the welfare of the University. [Cf. [University Bylaws, Section 92, Removal of Tenured Faculty and Tenured Librarians.](#)]

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<sup>4</sup> The Board of Trustees has approved resolutions concerning "[Procedures for Termination and Reorganization of Programs](#)" dated December 10, 1979 and December 1, 1997.

- (b) [Rules; notice; record] Proceedings for termination of service for cause shall be conducted in accordance with such rules as may from time to time be adopted by the Board of Trustees, and shall be initiated by service upon the person involved of a written notice setting forth clearly and directly all charges preferred against him or her and informing him or her of his or her rights under this section and under relevant University bylaws and rules regulating proceedings on such charges. The person charged shall be entitled to a hearing before a hearing panel of the Faculty Tenure Committee of the University in accordance with the regulations pertaining thereto. A full stenographic record of the hearing shall be given to the parties concerned. In the hearing of charges of incompetence, the testimony should include that of teachers or other scholars, whether from this University or from other institutions.
- (c) [Appeal to the Tenure Appeal Committee] Upon the request of either the faculty member charged or the charging party, the record, findings, conclusions, and proposed sanctions of the hearing panel of the Faculty Tenure Committee shall be forwarded to the Tenure Appeal Committee for review and final determination. In the absence of such request, the findings, conclusions, and proposed sanctions of the hearing panel shall be final.
- (d) [Rules bind all parties] The rules regulating proceedings to terminate service for cause shall be binding upon all parties.
- (e) [Summary suspension] Summary suspension pending termination proceedings is an extraordinary remedy, but nothing in this statement shall be interpreted as precluding such action by the President and Chancellor the dean of the college, school, or division involved with the assent of the President and Chancellor whenever, in his or her judgment, continuance of the person in service threatens substantial harm to himself or herself, to others, or to the welfare of the University. Unless legal considerations forbid, any such suspension shall be with full base pay. At any time during the pendency of termination proceedings, the President and Chancellor may lift or modify any suspension in the interest of substantial justice.
- (f) [Review of suspension] In the event of summary suspension, the propriety and effect of such suspension shall be reviewed by the hearing panel of the Faculty Tenure Committee when it commences its proceedings on the merits of the charges made, and the panel may recommend to the President and Chancellor that the suspension be revoked or limited in its effects pending the outcome of the proceeding.
- (g) [Salary following dismissal] A person having permanent or continuous tenure who is dismissed for cause may, upon the recommendation of the hearing panel of the Faculty Tenure Committee and, in the event of an appeal, upon the approval of the Tenure Appeal Committee, receive his or her salary for up to one year from the date of mailing to him or her, by registered mail, of a notice of such dismissal.

## *VII. Existing Commitments*

This statement, while applicable generally to all members of the teaching staff of New York University at the time of its adoption, is not intended to modify existing commitments, as in the case of assistant professors previously appointed without reference to non-tenure restrictions.

## *II. Notification of Resignation*

The following provisions shall apply to notifications of resignation:

1. [Early notice] Notification of resignation ought, in general, to be early enough to obviate serious embarrassment to the University, the length of time necessarily varying with the circumstances of the particular case.
2. [Minimum notice] Subject to this general principle it would seem appropriate that a professor or an associate professor should ordinarily give not less than four months' notice and an assistant professor or instructor not less than three months' notice.
3. [Notification before transferring] It is assumed that a teacher may answer an informal inquiry about whether he or she would be willing to consider transfer to another institution under specified conditions without previous consultation with University officials, with the understanding, however, that if a definite offer follows he or she will not accept it without giving such notice as is indicated in the preceding provisions. A teacher is at liberty to ask his or her superior officers to reduce, or waive, the notification requirements there specified, but he or she is expected to conform to their decision on these points.

*IX. Whom Tenure Cannot Protect*

Nothing in this statement is to be interpreted as giving the protection of tenure to anyone who advocates the overthrow of the government of the United States by force, violence, or any unlawful means.

***Title II: Appointment and Notification of Appointment***

*X. General Appointment Procedures Affecting the Full-Time Tenure-Earning Ranks*

1. [Recommendation by department] Recommendations of appointment or reappointment of full-time assistant professors, associate professors, and professors, who have not achieved permanent or continuous tenure, shall be made by the chief executive officer of each department to the appropriate dean. The chief executive officer is the head of an all-University department or the chairperson of a school or college department that is not part of an all-University department.
2. [Advisory body] In the preparation of his or her recommendation the chief executive officer of each department shall have the counsel of an advisory body of tenured faculty members of the department. In case he or she is not the chief executive officer of the department, the chairperson of a school or college department in which a recommendation for appointment is under consideration shall be a member of the advisory body of tenured faculty members.
3. [Establishing advisory body] Each academic department shall, in accordance with its own procedures, establish an advisory committee on appointments.
4. [Transmitting recommendations] The department head or chairperson shall transmit to the appropriate dean, along with his or her recommendation and reasoning, the recommendation and reasoning of the advisory body, together with their names, the method of their selection, and a report of the numerical vote.
5. [Recommendations by dean] In schools without a departmental organization, the dean, in the preparation of his or her recommendations of appointment, shall have the counsel of an advisory body of tenured faculty members of the school. The dean shall notify the faculty members of his or her school of the composition of the advisory body, and the method of their selection.

6. [Approval by dean] The dean shall approve or disapprove the recommendation, and shall notify the department head or chairperson if there is a departmental organization, and the advisory body, of the ultimate decision along with reasons therefor if the recommendation is disapproved.
7. [Other advisory bodies] Nothing in the appointment procedures described above shall be construed to preclude the possibility that other advisors or advisory bodies or student groups may be consulted to meet the needs of individual schools or specific situations.

*XI. Notification of Non-Tenured Faculty Members*

1. [Notification; prospects] During his or her probationary period, each full-time assistant professor, associate professor, and professor shall be notified annually by the departmental head or chairperson, or by the dean in schools without departmental organization, of his or her prospect of being recommended by the department on the evidence then available for an appointment resulting in tenure. Where it is unlikely that tenure will be achieved, such notification shall be in writing.<sup>5</sup>
2. [Notification; no reappointment] Notice of intention not to reappoint a full-time assistant professor, associate professor, or professor shall be sent to the individual affected according to the following schedule:
  - (a) Not later than March 1 of the first year of academic service, if the appointment is to be terminated on August 31.
  - (b) Not later than December 15 of the second year of academic service, if the appointment is to be terminated on August 31.
  - (c) In all other cases, not later than August 31, if the appointment is to be terminated on the following August 31, or not later than one year before the termination of the appointment.

However, a faculty member whose period of appointment is due to terminate on a date other than August 31, after receipt of the notice required by this paragraph 2, shall have the right, upon written notification to his or her dean at least 120 days prior to the termination date of the period of appointment, to an extension of his or her appointment until the following August 31. That right shall be communicated to the faculty member in the notice required by this paragraph 2. Under no circumstances shall such extension of appointment, however described, be considered to create any right to further appointment nor shall it, or any other faculty appointment, carry with it a right of continuous or permanent tenure in the absence of written notice awarding such tenure after the carrying out of the procedures described above in Section X.

*XII. Tenure Appointments*

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<sup>5</sup> In addition to the current requirement of yearly notice to each faculty member, set forth in Title II, Section XI.1, a formalized early review on tenure prospects is to be completed in the third year of service in the probationary period for assistant professors whose probationary timetable is not shortened due to qualifying previous service. In the School of Medicine and any of its departments, the Leonard N. Stern School of Business and any of its departments, and the College of Dentistry and any of its departments including its College of Nursing, a formalized early review on tenure prospects is to be completed in the third year of service for all assistant professors and in the third and sixth year of service for assistant professors whose probationary timetable is not shortened due to qualifying previous service.

1. [Procedure] In addition to the general appointment procedures, the process of recommending an appointment that would result in tenure shall be as follows:
  - (a) The dean shall forward his or her recommendation by June 1 to the Provost, with a copy to the department head or chairperson and to the advisory body or, in schools without departmental organization, to the dean's advisory body. The dean's recommendation shall be accompanied by the recommendations he or she has received from the department head or chairperson and the advisory body.
  - (b) The Provost shall support or oppose the dean's recommendation in his or her recommendation to the President and Chancellor, and shall notify the dean of the final decision, along with reasons therefor, if the recommendation is disapproved. The dean in turn shall communicate the decision to the department head or chairperson, if there is a departmental organization, and to the advisory body. The dean shall notify the affected faculty member of the decision.
2. [Negative recommendations] In the case of an appointment that would, if made, complete the stipulated probationary period and result in tenure, negative recommendations as well as positive ones shall be transmitted by the department head or chairperson to the dean, and by the dean to the Provost.

***Title III: Rules Regulating Proceedings to Terminate for Cause the Service of a Tenured Member of the Teaching Staff, Pursuant to Title I, Section VI, of the Statement in Regard to Academic Freedom and Tenure***

(Titles III and IV were adopted by the University Board of Trustees on October 24, 1960 and have been amended through December 8, 1986)

*I. Initiation of Dismissal Proceedings*

1. Whenever the President and Chancellor or the Provost, or the dean of a college, school, or division of the University with the assent of the President and Chancellor or the Provost shall deem such action is warranted, that person shall initiate proceedings to terminate for cause the service of a tenured member of the teaching staff. He or she shall formulate, or cause to be formulated, the charges in writing. A copy of such charges, together with notice of proceedings for termination of his or her service for cause, shall be mailed by registered mail to the person involved ("the respondent").
2. The respondent shall serve a written answer upon his or her dean and the President and Chancellor of the University within twenty days after service of the charges and notice upon him or her admitting or denying each of the allegations contained in the charges and setting forth any defenses to the charges. The time for service of the answer may be extended by the President and Chancellor or the Provost in the interests of substantial justice.
3. Upon receipt of the answer of the respondent, the dean shall forward to the chairperson of the Faculty Tenure Committee copies of the written charges and of the answer to such charges.
4. If the respondent fails to serve a written answer within twenty days, or any extension of such time, the dean shall nevertheless forward the charges to the chairperson of the Faculty Tenure Committee with a statement showing that no answer has been served by the respondent.

5. Within fifteen days after submission of the charges and answer, or of the charges alone, as the case may be, to the Faculty Tenure Committee, the chairperson of such committee shall set a time for the commencement of a hearing, which shall not be more than thirty days thereafter unless further time is granted by the chairperson upon request of either party.

## *II. The Faculty Tenure Committee and Its Hearing Panels*

1. The Faculty Tenure Committee shall have jurisdiction, under the “Statement in Regard to Academic Freedom and Tenure” published by the Board of Trustees of New York University, to establish a hearing panel to hear the charges against a tenured faculty member in proceedings for termination of his or her service for cause. Its powers are confined to such cases and do not extend to grievances concerning the terms of special contracts of employment, promotion, salary, conditions of work, or similar questions.
2. The Faculty Tenure Committee shall consist of a faculty representative from each school or college in the University. The representative shall be a former elected senator who is still a full-time teacher in the University and is not a dean or the incumbent of a comparable administrative position. The former senator whose term has most recently concluded shall be named first, and in his or her absence by reason of leave, illness, or other inability to serve, the next most recent former senator, and if he or she be unable to serve, then the next most recent former senator, and so on until the list of former senators has been exhausted. If two or more senators had their term of office expire on the same date, lots shall be cast to determine the former senator who shall first be eligible to serve. If there be no available and properly qualified member of the faculty of any unit, then a representative who is eligible to be an elected member of the Senate shall be elected by the faculty of the unit in the manner in which a member of the Senate is elected. The Faculty Tenure Committee shall, when the Committee is called upon to consider a case, elect a Committee chairperson who shall serve until a hearing panel has been selected and has elected its own chairperson.
3. Whenever a case has been referred to the Faculty Tenure Committee, the Committee shall designate from its membership a hearing panel of five members to hear and decide the case. One member of the panel shall be the faculty representative from the same school or college as the respondent. The remaining four members shall be selected by the Faculty Tenure Committee, and such selection shall proceed notwithstanding the unavailability to serve of any former senator from one or more schools or colleges. The hearing panel shall select its own chairperson. Once identified to serve in a particular case, the members of the hearing panel shall continue to serve until the completion of all proceedings, except as otherwise provided by these rules.

## *III. Conduct of Hearings before the Hearing Panel of the Faculty Tenure Committee*

1. An arbitrator who is an attorney shall be the presiding officer at the hearing on the charges. The arbitrator shall be chosen from a list of 12 qualified attorney-arbitrators compiled by the American Arbitration Association. The charging party and the respondent each may strike up to four names from the list and each shall rank, in order of preference, the names of those whom they have not stricken. The Association shall then designate as the arbitrator the available person with the highest degree of joint preference of the parties. Should more than one available person have an equally high joint preference, the Association shall select the arbitrator by lot from those with the highest joint preference.
2. A calendar of hearing dates in a proceeding for dismissal shall be fixed by the chairperson of the hearing panel after consultation with the parties to the proceeding and the arbitrator; the

calendar shall be read into the record on the opening day of the hearing; it shall be adhered to unless the hearing panel orders exceptions for due cause. Whenever the interests of substantial justice appear to so require, the hearing panel may direct either or both parties to submit a summary of the evidence, a first list of witnesses to be called, or both. If the statement of the charges, or the answer thereto, appears to the hearing panel to be indefinite or obscure, the hearing panel may require a more definite statement. Where the respondent has failed to serve an answer to the charges and where it further appears that the respondent is unable to understand the charges and to participate meaningfully in the proceeding, the panel shall obtain the services of a qualified person to represent the respondent. In the absence of such circumstances or other good cause, upon the failure of the respondent to serve an answer prior to the commencement of a hearing or to appear at the hearing, the panel may, in its discretion, preclude the subsequent assertion of any defense or the introduction of evidence on behalf of the respondent.

3. The arbitrator shall conduct the hearing and rule on all procedural matters, including the admissibility of evidence, subject to the right of each party to appeal to the panel. Upon such appeal, the decision of a majority of the panel members shall control. The panel shall have the power to enlarge the time appointed in these procedures for doing any act or taking any proceedings, where the interests of substantial justice appear to so require.
4. The hearings shall not be restricted by the rules of procedure or of the admissibility of evidence which prevail in the courts of law. Subject to the provisions of section 3 of this article III, each member of the panel, at the hearing, may inquire into whatever is believed relevant to the inquiry. Whenever the proceedings originate from a finding of scientific misconduct in accordance with the separate rules governing such proceedings, the hearing panel shall deem the report of the earlier committee to constitute the facts as to the existence of such misconduct.
5. The respondent may be assisted by counsel of his or her choice, as may be the charging party. Counsel for both sides shall cooperate at all times with the panel and the arbitrator.
6. A request by either party to present witnesses shall be made to the panel, which may limit the hearing of witnesses at its discretion. If witnesses are called, each party shall have the right of cross-examination.
7. Each party may introduce exhibits, which shall constitute part of the record of the case. They shall be retained in the custody of a suitable person designated by the chairperson unless, after appropriate precautions to preserve a record of their purport, the chairperson shall order otherwise.
8. A stenographic record shall be made of all proceedings at the hearing. However, on order of the chairperson, procedural matters may be discussed in executive session, the minutes of which need not be included in the transcript of the record of the hearing. This transcript shall be available to all parties to the hearing.
9. Each party shall have equal opportunity at the final session of the hearing for the summation of the case, either in person or by counsel, but no new evidence or testimony may be introduced during such summation.
10. All five members of the hearing panel shall be present at the hearing. If, after the commencement of the hearing, a member of the panel becomes unable to continue to serve, he or she shall be excused from further service. Should a member of the panel repeatedly fail

to carry out his or her obligations as a member of the panel, he or she may be discharged from further service upon the vote of a majority of the remaining members of the panel. In no event, however, may the hearing panel proceed with fewer than three members, and should the number of panel members be reduced to fewer than three, the Faculty Tenure Committee shall designate a new hearing panel which shall commence a de novo proceeding. The members of the original panel who remained on the panel at the time that it ceased to function shall be eligible to serve on the successor panel. The affirmative vote of a majority of the panel shall constitute any action by the panel. Subject to the foregoing, the panel may adopt rules not inconsistent with the provisions herein set forth.

11. Upon completion of the hearing, the panel shall deliberate and make its report. The deliberations shall be conducted in executive session and shall be attended only by the members of the hearing panel. The decision of the panel must be supported by a majority of its members and no recommendation of dismissal shall be made based solely upon the failure of the person involved to answer the charges or appear at the hearing.

*IV. Report of the Hearing Panel of the Faculty Tenure Committee*

1. The report of the hearing panel of the Faculty Tenure Committee shall be in writing and shall consist of (a) a transcript of the record of the hearing and the exhibits offered or introduced into evidence by the parties; (b) such findings, conclusions, and proposed sanctions as the panel shall make, including a statement of the facts deemed essential to the findings; (c) a memorandum setting forth the reasons for any recommendations, including any recommendation for severance pay where dismissal for cause is recommended; and (d) any memorandum submitted by any member of the panel, at his or her own discretion, with reference to his or her opinion as to the matters in controversy.
2. Each finding, conclusion, and recommendation shall be reported with the numerical vote of the members of the panel but not with the names of the members who voted for or against the same.
3. Complete copies of items (b), (c), and (d) described in section 1 of this Article IV shall be transmitted to the President of the University and to the parties to the hearing. Either party may take an appeal from the findings, conclusions, and recommendations of the hearing panel by filing a written notice of appeal with the President of the University within ten days of the receipt of the aforesaid items. In the event of an appeal, the full report as described in section 1 of this article IV shall be submitted to the Tenure Appeal Committee as described below.

*V. The Tenure Appeal Committee of the University*

1. The Tenure Appeal Committee shall have jurisdiction, under the "Statement in Regard to Academic Freedom and Tenure" published by the Board of Trustees of New York University, to hear an appeal from the findings, conclusions, and recommendations of a hearing panel of the Faculty Tenure Committee in a proceeding for the termination for cause of a tenured faculty member. Its powers are confined to such cases and do not extend to any other matter concerning the award or the termination of tenure.
2. The Tenure Appeal Committee shall consist of three persons, none of whom hold a full time appointment in the same school as the respondent, as follows: the chairperson of the Faculty Council; the chairperson of the Academic Affairs Committee of the Board of Trustees; and a person designated by the President of the University, ordinarily a dean, having the status of a tenured faculty member. In the event that either of the first two persons is unable to serve in a

given case, a substitute person shall be designated, respectively, by the Faculty Council and the Board of Trustees. Any substitute for the chairperson of the Faculty Council shall be a member of the Faculty Council and any substitute for the chairperson of the Academic Affairs Committee of the Board of Trustees shall be a trustee of the University.

*VI. Action by the Tenure Appeal Committee*

1. Upon the request of either the respondent or the charging party, the Tenure Appeal Committee of the University shall consider the findings, conclusions, and recommendations of the hearing panel of the Faculty Tenure Committee on the record made at the hearing before the panel. If the Tenure Appeal Committee deems the record not complete, it may refer the matter back to the panel for further data, findings, and recommendations.
2. An opportunity for argument before the Tenure Appeal Committee shall be afforded to each of the parties or their representatives before the final vote on the merits of the controversy.
3. Upon appeal a tenured member of the teaching staff shall be removed for cause only by a vote of a majority of the Tenure Appeal Committee to affirm the findings of the hearing panel in support of one or more of the charges. A recommendation for dismissal for cause made by the hearing panel shall be upheld only if the Tenure Appeal Committee determines: (i) that the findings against the respondent on one or more of the charges are supported by substantial evidence in the record as a whole; (ii) that the hearing was conducted fairly and in substantial compliance with the rules set forth above for the conduct of such hearings; and (iii) that the sanction of dismissal is appropriate. If the Tenure Appeal Committee does not determine that the findings in support of one or more of the charges are supported by substantial evidence in the record as a whole, or determines that the hearing was not conducted fairly or was not conducted in substantial compliance with the governing rules, or that the sanction of dismissal is not appropriate it shall, as the interests of substantial justice shall require: (i) dismiss the charges; (ii) remand the case for a new hearing before the same or a new hearing panel; or (iii) reduce the sanction, provided however that any decision to reduce the sanction must be upon the unanimous vote of the Tenure Appeal Committee.
4. Where the hearing panel has sustained one or more of the charges but has not recommended dismissal for cause and has instead recommended a lesser sanction, the Tenure Appeal Committee shall, upon appeal, similarly review the findings, conclusions, and recommendations of the panel. The Tenure Appeal Committee is empowered to make the final determination with respect to the appropriate sanction to be imposed provided, however, that any decision to increase the sanction recommended by the hearing panel must be upon the unanimous vote of the Tenure Appeal Committee. Where the hearing panel has not sustained any of the charges, the Tenure Appeal Committee shall, upon appeal, again review the findings, conclusions, and recommendations of the panel, and where it determines that the findings are not supported by substantial evidence in the record as a whole or that the hearing was not conducted fairly or was not conducted in substantial compliance with the governing rules to the detriment of the charging party, it may, in its discretion, remand the case for a new hearing before a new panel of the Faculty Tenure Committee.
5. After the conclusion of its deliberations, the Tenure Appeal Committee shall prepare a report setting forth its findings and conclusions, stating the reasons therefor, including the dissenting views of any member of the Committee.
6. The secretary of the University shall provide a copy of the report of the Tenure Appeal Committee to the parties and to the President of the University.

7. The final disposition of the case shall be made public only after the parties to the hearing have been officially informed of the decision of the Tenure Appeal Committee. Until that time no information concerning the hearings shall be disclosed to the public.

*VII. General Provisions*

1. The members of the Board of Trustees, the President and Chancellor of the University and other officers of administration, the members of the Tenure Appeal Committee, the members of the Faculty Tenure Committee, the dean and members of the faculty, and all witnesses and other participants in any hearing shall be absolutely privileged as to statements or publications made in connection with the hearings, and shall have complete immunity for any decision, statement of fact, or comment relating thereto.

***Title IV: General Disciplinary Regulations Applicable to Both Tenured and Non-Tenured Faculty Members on the Tenure Track***

1. [General obligations] Quite apart from any question of tenure or the termination for cause of the service of a faculty member with tenure, 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.
2. [Particular obligation] In particular, the faculty member is obligated to live up to the standards of academic freedom as outlined in this statement. Disciplinary action may also 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, and so forth.

*Disciplinary Procedures*

- A. The following procedure is applicable where a question arises concerning an alleged violation by any member of the faculty of a rule or regulation of the University, with the exception of the proceedings brought by the appropriate official to terminate the services of a faculty member with tenure.
- B. **Initiation of Disciplinary Proceedings**
  1. [Who may file a complaint] Any officer of the University, any member of the faculty or staff, or any student may file a complaint against a member of the faculty for conduct prohibited by the rules and regulations of the University, or its schools, colleges, and departments.
  2. [Summary suspension] Summary suspension pending investigation and hearing is an extraordinary remedy, but nothing in this statement shall be interpreted as precluding such action by the President and Chancellor or the Provost or the dean of the college, school, or division involved with the assent of the President and Chancellor or Provost, whenever, in the judgment of either, suspension is necessary in the interest of the University community.

3. [Where to file a complaint] The complaint shall be filed with the dean of the faculty member's school, except that a complaint against a dean shall be filed with the Provost. Complaints must be filed within a reasonable time after an alleged violation.
4. [Informal resolution at school level] When a complaint is filed against a member of the faculty, an effort shall be made to resolve the matter informally under the direction of the dean of the member's school at the departmental level or with a committee of the faculty of that school. Where the charge is against the dean as a faculty member, the informal effort shall be under the direction of the Provost. Where the matter cannot be resolved in this manner, disciplinary proceedings shall proceed.
5. [Hearing committee for the non-tenured] Where the faculty member does not have continuous or permanent tenure, the matter shall be referred, with all pertinent information, to the Chairperson of the Faculty Council, who shall appoint a special committee of the faculty, either members of the Council or not, to hear the matter. The majority of the committee members shall be from the school in which the faculty member holds primary appointment. The Chairperson of the Faculty Council shall appoint the chairperson of the committee.
6. [Procedures and authority under Item 5] The special hearing committee shall adopt its own rules of procedure and shall have authority to impose any of the penalties, other than dismissal, listed in paragraph B.9 and to recommend dismissal. Decisions shall be by majority vote. A recommendation for dismissal must be approved by the dean (except where he or she is the subject of the charge) and the Provost.
7. [Hearing committee for the tenured] Where the faculty member has continuous or permanent tenure, and the proceeding or charge was not brought by the President, and Chancellor, the Provost, or the dean of the member's school or college, specifically in order to terminate service (Title III), the matter shall be referred to the chairperson of the Faculty Tenure Committee, who shall appoint a special hearing committee and chairperson from the membership of the Faculty Tenure Committee. One member of the hearing committee shall be from the college or school in which the faculty member holds primary appointment.
8. [Procedures and authority under Item 7] The special hearing committee of the Faculty Tenure Committee shall adopt its own rules of procedure and shall have authority by majority vote to impose any of the penalties, other than dismissal, listed in paragraph B.9. If the possibility of dismissal should be at any time involved, the procedure must follow that in Title III.
9. [List of penalties] Penalties for violations of the rules and regulations of the University, or its schools, colleges, and departments shall include, but are not limited to, the following:
  - a) Reprimand
  - b) Censure
  - c) Removal of privileges
  - d) Suspension
  - e) Dismissal
10. [Appeal] A faculty member may appeal the decision by the hearing committee to impose a penalty. Appeal shall be to Provost. Grounds for an appeal shall be that the decision was not supported by substantial evidence in the record taken as a whole or that the proceedings were not conducted in substantial compliance with the principles enumerated herein. In cases involving scientific misconduct, substantial deviance from procedures set out for fact-finding within the affected school shall also be grounds for appeal. Any such appeal must be made to

the Provost within fifteen calendar days after receipt of notice of the decision of the hearing committee. The Provost may seek the advice of such individuals or groups as he or she deems appropriate.

In deciding the appeal the Provost may affirm or reverse the decision of the hearing committee, may remand the case for a new or further investigation by the same or a different committee, or may increase or decrease the sanction imposed as the interests of substantial justice appear to him or her to require. Where scientific misconduct is at issue, the Provost may also remand the case to the dean of the appropriate school with a request for a new or further fact-finding by the same or a new committee, appointed in accordance with the provisions of the rules governing such cases.

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## **Additional Faculty Policies Applicable to Tenured/Tenure Track Faculty**

### **Sabbatical Leave**

#### *Purpose*

A sabbatical leave, as distinguished from a terminal leave, a leave without compensation, or a leave for reasons of health, is defined as a leave for the purpose of encouraging faculty members (including administrative officers who hold faculty rank) to engage in scholarly research or other activities that will increase their scholarly achievement or their capacity for service to the University. A sabbatical leave will not be granted for the purpose of taking regular academic or other employment of pecuniary advantage elsewhere. (A partial exception to this policy, applicable to certain kinds of research grants, is explained below.)

#### *Eligibility*

Except as provided by school policies that permit sabbatical leaves for Full-Time Non-Tenure Track/Contract Faculty, eligibility for a sabbatical leave is limited to full-time members of the faculty who have achieved tenure rights and who have completed six years of full-time service as members of the faculty at New York University. In general, at least six years must elapse between consecutive sabbaticals.

It is stipulated that at the conclusion of a sabbatical leave the faculty member will forward to the department chairperson and the dean copies of a report on activities undertaken during the period of the leave.

#### *Term and Compensation of the Sabbatical*

In general, a sabbatical leave is granted to the eligible faculty member, starting September 1, for the usual teaching terms (i.e., September to June inclusive) of one academic year, at three quarters of annual base salary. However, as an alternative, a faculty member who has qualified for a full year of sabbatical leave at three-quarters salary may apply for such sabbatical to be divided into two terms falling within a seven-year period, each such term representing a seventh semester at three-quarters of the base salary applicable thereto. As another alternative, a faculty member who is qualified for a full year's sabbatical leave at three-quarters salary may elect, in lieu thereof, to apply for only one semester of sabbatical leave during the sabbatical year, at the full base salary for that semester. Appropriate variations apply in units, such as the College of Dentistry, the School of Medicine and the Libraries, in which active service is rendered on a 12-month basis rather than a 9-month basis.

The cost of replacing a faculty member during sabbatical leave will be kept as low as possible by arrangements such as rotating ("bracketing") courses, employing part-time faculty members, and making internal adjustments in the departments concerned.

#### *Procedure for Granting a Sabbatical Leave*

[Application](#) for a sabbatical leave should be made in writing by the faculty member and submitted to the department chairperson no later than December 1 preceding the academic year for which the leave is sought. Because of the impact of a leave on departmental planning, early application is recommended.

The department chairperson must forward the application with an accompanying recommendation to the appropriate dean on or before the following December 15. The recommendation shall include a statement of the proposed method of handling the normal duties of the faculty member while on leave.

The dean must forward each application and the accompanying recommendation of the department chairperson, together with the dean's own recommendation, to the Office of the Provost on or before January 15. The Office of the Provost, after such additional consultation with the dean as may be desirable, will announce the determination.

#### *Sabbatical Leave and Sponsored Research and Related Activities*

All sabbatical leave arrangements approved by the University carry the restriction that the faculty member is not permitted to engage in any form of regular academic or other employment to supplement the sabbatical salary. However, a member of the faculty is entitled to supplement the salary provided by the University during the period of leave with funding provided by an external sponsor for research and related activities, in an amount approved by the sponsor, so long as the total compensation is no more than the full base salary and the leave otherwise comports with the terms and conditions of the award. The faculty member must take the initiative to report plans for sabbatical leave to the sponsor and identify the salary supplementation explicitly in the proposal whenever possible, and must make known to the department chairpersons and dean at the time of request for sabbatical leave that such funding is being, or will be, sought from the sponsor.

#### *Benefits During Sabbatical Leave of Absence*

During a leave of absence, benefits may be affected. The [Benefits Office](#) should be contacted for details regarding how to continue benefit coverage and the length of time for which benefits may be continued.

It is a faculty member's responsibility to contact the Benefits Office to arrange for continuation of benefits. More information is available in the benefits booklets or at the Benefits Office.

#### **Tenure Clock Stoppage for Personal Reasons (Approved by the University Senate March 1, 2007)**

Tenure clock stoppage may be granted automatically for a maximum of two semesters during the probationary period for any one of, or combination of, the following personal reasons:

1. Tenure clock stoppage may be authorized during a period of full service to faculty members who are primary caregivers of a child; and to primary caregivers of a parent, a spouse, or a domestic partner in a health crisis of extended duration. A domestic partner qualifies if he or she is registered with the University for benefits purposes. "Primary care" means day-to-day responsibility for the care of a child, parent, spouse, or registered domestic partner for a substantial portion of the period.
2. Tenure clock stoppage may be authorized to a faculty member who is granted one or more full semesters of leave for any one of, or combination of, illness/disability leave, maternity leave, or personal leave.

Tenure clock stoppage for up to two semesters will be granted automatically in the case of a parent primarily responsible for the care of a newborn child, newly adopted child, new foster care or guardianship placement, or newly-established legal custodial care, upon notification to the Chair of the Department or, in the case of Schools without departmental organization, the Dean.

In other cases, a request for tenure clock stoppage normally will require advance approval by the Dean and the Office of the Provost. [Requests](#) should be made as early as possible, and when feasible, approvals should be in place no later than the onset of the semester preceding the period of tenure clock stoppage.

Note: The granting of tenure clock stoppage does not influence granting of tenure in the future.

## **Faculty Grievance Procedures**

(Adopted by the University Senate May 10, 1973, approved by the Board of Trustees May 21, 1973)

The purpose of these regulations is to establish University procedures by means of which Tenured/Tenure Track faculty members can seek redress of their grievances. A grievant must be a faculty member of New York University when he or she initiates the appellate grievance procedure under B, infra.

### *A. Faculty Grievances, General*

Faculty grievances are classified into two main types:

1. Those connected with appointment, reappointment, promotion, or tenure.
2. Those concerned with other matters, such as duties, salaries, perquisites, and working conditions.

Although it may be preferable to treat all grievances as uniformly as possible, whatever the issue, those stemming from appointment decisions must be dealt with in a manner that conforms to the general appointment procedures. The initial protection for the faculty member is in the “[Statement in Regard to Academic Freedom and Tenure](#)” and the regulations and procedures on “[Appointment and Notification of Appointment](#)”. It is expected that most grievance cases, particularly those concerned with matters such as duties, salaries, perquisites, and working conditions, will be settled within each school or faculty. The schools and faculties have wide latitude in establishing procedures to meet their needs.

3. In the case of all grievances, attempts shall be made to settle the dispute by informal discussions between the concerned parties, possibly with the assistance of mediators.
4. Each school or faculty shall establish a faculty committee to hear grievance cases in order to advise the dean. This grievance committee shall be elected by the voting members of the faculty and shall be a standing committee of the school or faculty. A majority of the committee shall be tenured members of the faculty. It shall not include departmental chairpersons or departmental heads or any faculty member whose primary assignment is administrative.
5. 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 grievance committee of the school or faculty. The dean shall do so within 15 working days<sup>6</sup>. After obtaining the recommendation of the grievance committee, the dean shall decide the case and in writing shall notify the concerned parties and the grievance committee of his or her decision, together with reasons therefor, and information on the procedure for appeal.

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<sup>6</sup> Explanatory note: In any instance in which the dean has not convened the school’s grievance committee within the mandated 15 working days, the faculty member has the right to bring it to the attention of the Office of the Chancellor.

6. If a faculty member has no grievance at a level below the dean but the dean makes a decision against the faculty member, the latter may request the dean for a hearing before the grievance committee of the school or faculty. The dean shall convoke the grievance committee within 15 working days<sup>7</sup>. After receiving the recommendation of the committee, the dean shall then make his or her final decision and shall notify as in A-5.

*B. Appeal from a Dean's Decision on Appointment, Reappointment, Promotion, or Tenure*

1. Appeals from such decisions can be made only on the following grounds:
  - a) That the procedures used to reach the decision were improper, or that the case received inadequate consideration;
  - b) That the decisions violated the academic freedom of the person in question, in which case the burden of proof is on that person.
2. A faculty member intending to make an appeal shall indicate such intention in writing to the Provost within 15 days after receiving written notification of the dean's decision. An exception to this may be made only with the consent of the grievant, the dean, and the Provost.
3. Where such an appeal is made, the dean shall transmit to the Provost a report of the proceedings in the case at its earlier stages. The Provost shall in each case obtain the advice of a standing committee of no less than three tenured faculty members selected by the Tenured/Tenure Track Faculty Senators Council but not necessarily members of that body. This committee shall be called the Tenured/Tenure Track Faculty Senators Council Grievance Committee.
4. The Tenured/Tenure Track Faculty Senators Council Grievance Committee shall hold a hearing and shall complete its deliberations and notify the Provost of its recommendations, preferably within 30 days of the close of the hearing, but in any case within 60 days.
5. The Committee shall not judge professional merits, but only ascertain whether procedural safeguards have been observed. Evidence that a decision appealed from is so arbitrary that it has no rational foundation may be considered on the issue of "inadequate consideration" (B-1-a above)
6. The Committee shall at all times follow the requisites of a fair and equitable hearing, but it is not to be restricted by the technical rules of evidence or the formality of the adversary proceeding as in a court trial. In each case the Committee shall determine its own procedure, adapting the requirements of the particular case to the equity of the situation. This shall include, for example, the question of a record of the hearing, the examination of witnesses, the schedule and public nature of meetings, etc. The grievant, however, may determine whether he or she shall have the aid of an advisor or counsel.
7. After receiving the advice of the Tenured/Tenure Track Faculty Senators Council Grievance Committee, the President and the Chancellor of the University and Executive Vice President for Academic Affairs shall decide the case and notify the grievant, the dean, and the

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<sup>7</sup> See previous footnote.

Chairperson of the Tenured/Tenure Track Faculty Senators Council Grievance Committee. If the advice of the latter is not followed, the reasons shall be reported with the decision.

8. If the dean's decision is favorable to the faculty member and hence is not appealed and the Office of the Chancellor of the University and Executive Vice President for Academic Affairs reverses that decision without seeking the advice of the Tenured/Tenure Track Faculty Senators Council Grievance Committee as described in B-1 through 7, the faculty member may then invoke the appeal procedure.

*C. Appeal from a Dean's Decision on Matters Such as Duties, Salaries, Perquisites, and Working Conditions (A-2 above)*

Where such an appeal is desired by a faculty member and the Chancellor of the University and Executive Vice President for Academic Affairs is so informed within 15 days after the member is notified of the decision, the Central Administration shall make informal procedures available.

Appeal from the dean's decision can be made only on the same grounds as in B-1 above.

*D. Copies of the Grievance Procedures*

A copy of the school's grievance procedure and of this appellate procedure should be given to each full-time faculty member.

## **Retirement**

### *Retirement of Tenured Faculty and Tenured Librarians [University Bylaws, Section 91]*

"The tenure rights of Tenured Faculty and librarians who have attained tenure will cease August 31 of the academic year, September 1 to August 31, in which they give notice of their intention to retire from active service, unless an alternative effective date is agreed upon, and there shall be no presumption of reappointment thereafter."

#### *Professor Emerita; Professor Emeritus*

The titles of Professor Emerita and Professor Emeritus are given only to full professors who have served New York University with academic distinction for a long enough time prior to retirement to have become identified historically in the profession as New York University professors. This title is given only upon formal retirement from active service, or at least from full-time active service. It is not automatic; it must be recommended by a department and approved through the normal procedures applicable to other academic titles. Comparable principles apply to the use of the designation Emerita and Emeritus for administrative personnel.

## **FACULTY POLICIES APPLICABLE TO FULL-TIME NON-TENURE TRACK/CONTRACT FACULTY**

### **Appointment, Reappointment, Promotion, and Performance Assessment**

The core principles and procedures for hiring, reappointment, promotion and performance assessment are found in the [University Guidelines for Full-Time Non-Tenure Track/Contract Faculty Appointments](#). In addition, Schools and units have their own internal rules, procedures, and policies, which may supplement the University Guidelines – but do not supersede or replace – policies outlined in this Faculty Handbook unless an exception has been granted by the Board of Trustees or President.

### **Grievances Related To Reappointment and Promotion**

The basic processes related to grievances related to reappointment and promotion are found in the [University Guidelines for Full-Time Non-Tenure Track/Contract Faculty Appointments](#). In addition, Schools and units have their own internal rules, procedures, and policies, which may supplement the University Guidelines – but do not supersede or replace – policies outlined in this Faculty Handbook unless an exception has been granted by the Board of Trustees or President.

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## SELECTED UNIVERSITY RESOURCES FOR FACULTY

### Libraries

NYU Libraries is an 11-library, 5.9 million volume system whose flagship is the Elmer Holmes Bobst Library on Washington Square. To learn more about the extensive resources and services available to faculty and students throughout NYU's global network, please visit the [Libraries](#).

### New York University Press

[New York University Press](#) publishes over 110 new books each year with nearly 3,000 titles in print. NYU faculty members are highly encouraged to submit book manuscripts in those disciplines where the Press is actively publishing: anthropology, criminology, cultural and American studies, environmental studies, law, media studies and communication, politics, religion, and sociology. While the Press considers manuscripts from scholars everywhere, it gives particular attention to the work of NYU faculty members.

### Office of University Relations and Public Affairs

[The Office of University Relations and Public Affairs \(URPA\)](#) is responsible for ensuring that the University's message, agenda, and image are effectively and creatively projected to external and internal audiences. URPA provides assistance to NYU academic and operating units in dealing with the media; publications needs, both online and print; interaction with government at all levels; planning major events; and outreach to the community, including student volunteer efforts.

### Office for University Development and Alumni Relations

[The Office of Development and Alumni Relations \(UDAR\)](#) is dedicated to soliciting the private funds necessary to support the strategic goals of the University in teaching, learning and research. UDAR raises funds for immediate University use and also for the University's endowment for such critical operations as student aid, faculty support, academic and research program development, and facilities and infrastructure. Alumni may access the Alumni site for alumni news and information about benefits and events.

### Office of Faculty Resources

The [Office of Faculty Resources](#) (OFR) helps faculty navigate various programs and services that NYU has to offer them. Faculty can find information on programs and departments that assist in the pursuit of teaching, research, funding, or simply living and working in New York City.

### Resources and Support Offices for Research

A number of University offices are dedicated to directing and supporting faculty research, including externally sponsored research. These include the [Office of Sponsored Programs](#) (OSP), [Contract Office](#), [Environmental Health and Safety](#), [Entrepreneurial Institute](#), [Government Affairs and Civic Engagement](#), [Office of Postdoctoral Affairs](#), [Office of Veterinary Resources](#), [Sponsored Programs Administration \(SPA\)](#), [University Animal Welfare Committee](#), and [University Committee on Activities Involving Human Subjects](#). NYU provides a large number of [institutional funding opportunities](#), research residencies through the [Provost's Global Research Initiatives program](#), and [international research programs](#) at the portal campuses and research institutes of NYU Shanghai and NYU Abu Dhabi.

### Faculty Resource Network

NYU's [Faculty Resource Network](#) (FRN), established in 1984, is an award-winning professional development initiative that sponsors programs for faculty members from a consortium of over 50 colleges and universities, which are designed to improve the quality of teaching and learning at its member and affiliate institutions.

### **Center for the Advancement of Teaching**

Established in 2001, and renamed in 2013, the [Center for the Advancement of Teaching](#) supports and nurtures effective teaching and learning at New York University, providing practical resources to members of the NYU community to enhance their effectiveness in the classroom.

### **Visiting Scholars Program**

The program for visiting scholars, visiting research professors, and visiting exchange professors extends specified courtesy titles and privileges to scholars of distinction who visit New York University in order to engage in research and scholarship, and in general scholarly and cultural interaction with New York University's faculty and students. The courtesy titles may not be granted for the purpose of providing free courses or other privileges to graduate or post-graduate students, or for the sole purpose of providing library privileges.

Visiting scholars, visiting research professors, and visiting exchange professors are considered guests of the University who may visit for a temporary period of up to one year (renewable). As non-employees, they have no teaching or other responsibilities and are not entitled to salary or housing. Visiting scholars, visiting research professors, and visiting exchange professors covered by this program may not in any way perform in the role of an employee at New York University. For further information, faculty members may contact their Dean's Office and can view the [Visiting Scholar application form](#).

# *The Students*

## THE ADMINISTRATION OF STUDENT AFFAIRS

Each school makes provisions for the organization, conduct, and supervision of intraschool student affairs including its own student government and student service groups. The Student Senators Council, acting with the University Committee on Student Life, has special responsibilities for studying and making recommendations in areas of student concern.

The University also offers a wide range of extracurricular activities, programs, and support services for students under the jurisdiction of the Senior Vice President for Student Affairs. When relevant issues or problems arise in working with students, faculty members may find useful resources and expertise in the areas listed below:

To help a student in trouble, faculty can contact Helping Someone in Trouble at <https://www.nyu.edu/life/safety-health-wellness/wellness-exchange/helping-someone-in-trouble.html>

### **The New York Division of Student Affairs encompasses the following offices and services:**

Athletics, Intramurals and Recreation at <http://www.gonyuathletics.com/>

Center for Multicultural Education and Programs at <https://www.nyu.edu/life/student-life/student-diversity/multicultural-educationandprograms.html>

Center for Spiritual Life at <https://www.nyu.edu/life/student-life/student-diversity/spiritual-life.html>

Center for Student Activities, Leadership, and Service at <https://www.nyu.edu/about/leadership-university-administration/office-of-the-president/office-of-the-provost/university-life/office-of-studentaffairs/office-of-student-activities.html>

Community Standards and Compliance at <https://www.nyu.edu/about/leadership-university-administration/office-of-the-president/office-of-the-provost/university-life/office-of-studentaffairs/student-community-standards.html>

Lesbian, Gay, Bisexual, Transgender and Queer Student Center at <https://www.nyu.edu/life/student-life/student-diversity/lesbian-gay-bisexual-transgender-and-queer-student-center.html>

Office of Global Services at <https://www.nyu.edu/about/leadership-university-administration/office-of-the-president/office-of-the-provost/university-life/office-of-studentaffairs/office-of-global-services.html>

Residential Life and Housing Services at <https://www.nyu.edu/about/leadership-university-administration/office-of-the-president/office-of-the-provost/university-life/office-of-studentaffairs/residential-life-and-housing-services.html>

Student Resource Center at <https://www.nyu.edu/life/resources-and-services/student-resourcecenter.html>

Wasserman Center for Career Development at <https://www.nyu.edu/life/resources-and-services/career-development.html>

Student Health, including

Student Health Center at <https://www.nyu.edu/life/safety-health-wellness/student-health-center.html>

Henry and Lucy Moses Center for Students with Disabilities at <https://www.nyu.edu/life/safety-health-wellness/students-with-disabilities.html>

Health Promotion at <http://www.nyu.edu/life/safety-health-wellness/student-health-center/services/health-promotion.html>

Live Well NYU at <https://www.nyu.edu/life/safety-health-wellness/live-well-nyu.html>

Counseling and Wellness Services at <https://www.nyu.edu/life/safety-health-wellness/student-health-center/services/mental-health.html>

Wellness Exchange and 24-7 Hotline at <https://www.nyu.edu/life/safety-health-wellness/wellness-exchange.html>.

### **Student Services at NYU Abu Dhabi and NYU Shanghai**

Information is available for NYU Abu Dhabi at <http://nyuad.nyu.edu/en/campus-life/student-services.html>.

Information is available for NYU Shanghai at <http://shanghai.nyu.edu/campus-life/ss>.

### **Academic Discipline**

University Bylaw Section 80 of the University Bylaws provides that “the power of suspending or dismissing a student in any college or school is lodged with the voting faculty of that school, but the President and Chancellor or the dean of a college or school, or their respective representatives, may suspend a student pending the consideration of his or her case by his or her faculty. The Senate shall have power to act in situations involving more than one college or school.” In general, each school handles breaches of academic discipline, such as plagiarism or cheating on examinations. Matters involving breaches of the peace or disruptive disturbances may come within the jurisdiction of the Faculty or the Senate, depending on the nature of the circumstances. The Senate has approved a “Statement of Policy on Student Conduct at New York University” and the “Student Disciplinary Procedures”, as well as a general set of “New York University Rules for the Maintenance of Public Order”. For further information, contact the Dean’s Office in the appropriate school or the Office of the Vice President for Student Affairs.

### **Student Press**

The general undergraduate newspaper is the Washington Square News, published daily and available online at <http://www.nyunews.com> and through a smartphone app.

### **Privacy of a Student’s Educational Records**

Among its several purposes, the federal Family Educational Rights and Privacy Act of 1974 (FERPA) was enacted to protect the privacy of a student’s education records, by limiting access to student records and the disclosure of information contained in them, to establish the rights of students to inspect and review their education records, and to provide students with an opportunity to have inaccurate or misleading information on their education records corrected. See “[Guidelines for Compliance with the Family Educational Rights and Privacy Act of 1974](#)”.

# *Selected University Policies*

## **SELECTED POLICIES CONCERNING THE PROTECTION OF RIGHTS AND OTHER MATTERS**

[NYU Code of Ethical Conduct](#)

[NYU Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Employees](#)

[Affirmative Action Policy/Equal Opportunity Policy](#)

[Preventing Threatening or Violent Behavior in the Workplace](#)

[Legal Protection for Faculty Members](#)

[Procedures for Termination or Reorganization of Academic Programs](#)

[Policy on the Employment of Members of the Same Family](#)

[University Practice with Respect to Memberships and Subscriptions](#)

[Guidelines for Compliance with the Family Educational Rights and Privacy Act \(FERPA\)](#)

[Guidelines for Sponsored Research](#)

[Principles and Procedures for Dealing with Allegations of Research Misconduct](#)

[Policy on Academic Conflict of Interest and Conflict of Commitment](#)

[Statement of Policy on Intellectual Property](#)

[Educational and Research Uses of Copyrighted Materials Policy Statement](#)

[Statement of Policy on Honorary Degrees](#)

[University Calendar Policy on Religious Holidays](#)

## **SELECTED POLICIES CONCERNING GOOD ORDER IN THE CONDUCT OF UNIVERSITY AFFAIRS**

[Guidelines for the Use of University Facilities](#)

[New York University Rules for the Maintenance of Public Order](#)

[Statement of Policy on Student Conduct at New York University](#)

[Student Disciplinary Procedures](#)

[Policy on Solicitation](#)

[Speakers and Other Campus Visitors](#)

[Guidelines Regarding Protest and Dissent](#)

[New York University Policies on Substance Abuse and Alcoholic Beverages](#)

[University Smoke Free Campus Policy](#)