

**University of Utah College of Law**  
**Statement on Appointments, Reappointments, and Promotions, and Rights**  
**and Responsibilities-- of Auxiliary Faculty (Clinical, Lecturer, Adjunct,**  
**Research, and Visiting).**  
**Version 2**

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The College of Law rules regarding auxiliary faculty are organized as five separate documents appended to an overview document. For convenience these are presented here compiled into a single document, using common page numbering.

The compiled parts include:

1. Summary of Rights and Responsibilities of Faculty by Category (Summary-overview) [p. 2]
2. Standards and Procedures for Appointment, Reappointment and Promotion of *Clinical* Faculty [p. 12]
3. Standards and Procedures for Appointment, Reappointment and Promotion of *Lecturer* Faculty [p. 19]
4. Standards and Procedures for Appointment, Reappointment and Promotion of *Adjunct* Faculty [p. 27]
5. Standards and Procedures for Appointment, Reappointment and Promotion of *Research* Faculty [p.33]
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## **(1). Summary—overview**

### **University of Utah, S.J. Quinney College of Law Summary of Rights and Responsibilities of Faculty by Category (Adopted March 2008, Revisions adopted April 2009)**

#### I. Introduction, scope, committees and personnel, and policy.

A. Introduction. This document and its appendices describe the various categories of faculty employed by the S.J. Quinney College of Law (“College”), summarize the rights and responsibilities of faculty in each category,<sup>1</sup> and summarize the processes the College uses for periodic evaluations of faculty in each category, and the criteria and standards the College applies in conducting evaluation reviews of faculty in the auxiliary categories. More detailed standards and procedures for individual categories of faculty are appended hereto.

This document and its appendices implement and supplement but do not replace or modify descriptions of faculty rights and responsibilities or relevant procedures as provided by University Policies, and readers should always consult those Policies in conjunction with reading this document. At the time of publication, the current most relevant policy is University Policy 6-310 (Appointment, Reappointment and Evaluation of Auxiliary Faculty and Other Instructional Personnel). Other relevant policies include Policy 5-001 (Personnel Definitions), Policy 6-001 (Faculties, Committees and Councils), Policy 6-300 (University Faculty Section 4. Auxiliary Faculty), Policy 6-301 (Appointments, Annuities and Retirement), Policy 6-302 (Appointments of Faculty), and Policy 6-316 (Code of Faculty Rights and Responsibilities).

B. Scope. Of those categories of faculty provided for by University Policies, the College currently uses the following: Regular Faculty (Tenured, and Tenure-track), and Auxiliary Faculty (Clinical, Lecturers, Adjuncts, Research, and Visiting). Not all categories are necessarily used at any given time (such as Research Faculty), but any may be used from time to time at the discretion of the College’s Faculty Appointments Committee and the dean. The College has not historically used any category of non-faculty instructional personnel (such as associate instructors or teaching fellows) to teach its courses, and accordingly this document does not include review procedures or standards applicable for such persons. For purposes of this document, “full-time faculty” include those whose principal employment is at the College, whose principal professional responsibilities are at the College, and who ordinarily teach full course loads for their respective category of faculty in years in which they do not have a sabbatical, other leave, or course release for research, administrative, or other reasons; and “part-time faculty” include those whose principal employment is at not at the College, whose principal professional responsibilities are not at the College, and who ordinarily teach less than a full course load for their respective category of faculty.

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<sup>1</sup> Law library faculty positions are not included in this document, because they are covered by University-wide policies regarding library faculty.

C. Committees and individuals involved in hiring and review. Committees of the College involved in the various reviews described here include the Tenured Faculty Review (TFR) Committee, the Retention, Promotion and Tenure Advisory (RPT) Committee, the Auxiliary Faculty Review (AFR) Committee, and the Faculty Appointments Advisory Committee. Each is described below, along with other individuals involved in the appointment, review, reappointment, and promotion process for various categories of faculty.

1. The College of Law Tenured Faculty Review Committee (“TFR”) conducts the College’s reviews of tenured faculty, and its functions are as described in Part II-A. The TFR Committee is comprised of three members elected by the faculty and one member appointed by the dean. All regular faculty are eligible to vote in the election of TFR Committee members but only tenured faculty may serve on the committee. TFR members serve in staggered, two-year terms.

2. The College of Law Retention, Promotion and Tenure Advisory Committee (“RPT”) membership is as defined by University Policy (essentially all of the tenured faculty, with a chairperson elected by all of the regular faculty), and it performs the functions defined by that Policy, as further described in the College of Law Statement of Standards and Procedures for Retention, Promotion, and Tenure. Its work culminates in recommendations to the President for the retention, promotion, or tenure of tenure-track faculty.

3. The College of Law Auxiliary Faculty Review Committee (“AFR”) prepares materials for reviews of auxiliary faculty, and then presents those materials to the appropriate decision-making committee. For reviews of auxiliary faculty conducted in conjunction with proposed reappointments of such faculty the AFR Committee presents its materials (and makes recommendations) to the Appointments Committee (see III-A, B, C).

The AFR Committee has a base membership (described more fully in the College’s Statement of RPT Standards) comprised of three (or more) members of the tenured faculty, and one member of the auxiliary faculty who holds the rank of Professor. One is the elected chairperson of the RPT Committee, who also chairs the AFR Committee, and the others are selected by the dean (who has the discretion to select two, or more if needed for heavy workloads). In cases in which the AFR is reviewing clinical faculty, the base membership is augmented by at least one clinical faculty member, selected by the dean. (see III-A)

4. The College of Law Faculty Appointments Advisory Committee (“Appointments”) membership is as defined by University Policy (essentially the regular faculty, optionally augmented in certain cases by designated auxiliary faculty, with the dean as chairperson). In accord with that Policy, one function of the committee is to make recommendations to the President regarding all appointments of auxiliary faculty, including reappointments. The committee makes such recommendations on reappointment informed by the results of the periodic reviews described here. Accordingly, review materials and recommendations developed by the Auxiliary Faculty

Review Committee regarding auxiliary faculty who are to be considered for reappointment are presented to the Appointments Committee for its deliberations.

5. Some references are made in this document to the College of Law College Council (“College Council”), and a description of that body appears in the separate document--Charter of the College Council.

6. The Office of the Dean of the College has a central role in all reviews of all categories of faculty, and that work is ordinarily led by the Associate Dean for Academic Affairs (“Associate Dean”).

7. Students of the College are involved in all reviews of all categories of faculty, always through their completion of standard course evaluations, and in many instances through the preparation of formal reports by the representative College of Law Student Advisory Committee (“SAC”). SAC members are governed by University Policy and typically consist of the Student Bar Association officers and/or class representatives.

D. Policy. In all appointments and reappointments of auxiliary faculty, as it does in appointments of regular faculty, the College conducts its recruitment consistent with university policies and procedures, and with special attention to a goal of recruiting and maintaining as diverse a faculty as possible from the perspectives of race, gender, sexual orientation, age, and intellectual perspective. Moreover, the College policies state explicitly that termination for cause shall not infringe on any faculty member’s right to exercise academic freedom or his or her rights as a citizen of the United States.

II. Regular Faculty. Tenured and tenure-track faculty comprise the regular faculty of the College, and are described below to explain how auxiliary faculty rights and responsibilities compare to those of regular faculty.

### **A. Tenured Faculty**

#### 1. Description and responsibilities

Tenured faculty members are responsible for teaching, scholarship, and service at the College of Law, university, and community levels. College and university service includes a collective responsibility to oversee and to participate in the administration and governance of those institutions, and tenured members of the faculty are expected to play a leadership role in those functions, by chairing committees or otherwise exercising leadership responsibilities. Tenured faculty members have the responsibility to serve as mentors for tenure-track and other members of the faculty.

#### 2. Ranks

Tenured faculty may hold the rank of associate professor or professor. Ordinarily, tenured faculty members are promoted to full professor concurrently with a grant of tenure, or in the case of lateral hires, may be hired as full professor with tenure.

### 3. Review procedures

The associate dean reviews teaching evaluations for all members of the faculty, including tenured faculty, at least annually. Any issues or problems are discussed and addressed individually, as needed.

Tenured faculty undergo more comprehensive reviews of teaching, scholarship, and service every five years by the Tenured Faculty Review (TFR) Committee, in consultation with the associate dean and the dean, and in accordance with University Policy. The TFR process is designed to enhance each member's contribution to this College and University, and to ensure that tenured members of the faculty continue to perform the duties and responsibilities expected of tenured faculty. In conducting reviews, the committee and the dean assess the faculty member's continuing teaching effectiveness, scholarly productivity, and service activities. More detail is included in the College's TFR Standards and Procedures.

### 4. Voting rights

Tenured faculty members may vote at faculty meetings and at College Council meetings (as more fully described in the College Council Charter), and on the retention of or granting of tenure to other members of the faculty. Tenured full professors may vote on the appointment or promotion of all categories of faculty. Tenured associate professors (if any) may vote on the appointment of all categories and ranks of faculty, except on the rank of appointment (or promotion) of regular faculty to the rank of full professor.

## **B. Tenure-track Faculty**

### 1. Description and responsibilities

Tenure-track faculty members are responsible for teaching, scholarship, and service at the College of Law, university, and community levels. College and university service includes a collective responsibility to help oversee and to participate in the administration and governance of those institutions, and tenure-track faculty are expected to play a significant role in those functions, which may include chairing committees and taking on other leadership roles.

### 2. Ranks

Tenure-track faculty members are appointed initially at the rank of associate professor, consistent with the practices at most U.S. law schools, and are considered for promotion to full professor concurrently with a grant of tenure.

### 3. Review, retention, and promotion procedures

The associate dean reviews teaching evaluations for all members of the faculty at least annually. Any issues or problems are discussed and addressed individually, as needed. Each tenure-track faculty member is assigned two faculty mentors who provide advice as needed on issues of teaching, scholarship, and other factors. That formal relationship continues through a

tenure and promotion decision. Mentors are selected by the chair of the RPT Committee, in consultation with the tenure-track faculty member and the associate dean, during the first semester of employment. Tenure-track faculty undergo informal reviews in their first, second and fourth years, and formal reviews in their third and fifth years. In the third year, tenure-track faculty undergo a formal retention review. In the fifth year, tenure-track candidates are considered for tenure, and ordinarily for promotion to full professor. Those reviews are conducted by the RPT Advisory Committee, and considered by the existing tenured faculty. Recommendations are forwarded to the dean, and then to the senior vice president for academic affairs. More detail is included in the College's Retention, Promotion, and Tenure Standards and Procedures.

#### 4. Voting rights

Tenure-track faculty members may vote at faculty meetings and at College Council meetings (as more fully described in the College Council Charter). In accordance with University Policy, tenure-track faculty of either assistant or associate professor rank may vote on the appointment of all categories of faculty, including all appointments of auxiliary faculty regardless of rank, but may not vote on the rank of appointment of regular faculty at a higher rank than that of the voter. Tenure-track associate professors may vote on the promotion of regular faculty assistant professors to the rank of associate professor. Tenure-track faculty do not vote on matters of retention of regular faculty or granting of tenure.

### **C. Clinical Faculty**

#### 1. Description and responsibilities

Clinical faculty are full-time members of the faculty who are primarily responsible for teaching clinical, skills and other experiential learning courses, including the first-year legal methods program, and for service at the College of Law, university, and community levels. College and university service includes a collective responsibility to help oversee and to participate in the administration and governance of those institutions. Clinical faculty may also engage in scholarship, and will be supported to do so in the same way as other faculty members. They may also teach courses in other parts of the curriculum as needed and appropriate. Clinical faculty serve for fixed contract terms of one to five years, which may be renewed through reappointment in accord with University Policies and the Standards and Procedures for Appointment, Reappointment and Promotion of Clinical Faculty.

#### 2. Ranks

Clinical faculty may be appointed at the rank of assistant, associate, or full professor. Clinical faculty appointed initially at the rank of clinical assistant professor are appointed for a two-year term and are eligible for reappointment with promotion to clinical associate professor after two years. Clinical faculty appointed at the rank of clinical associate professor are appointed for a three-year term and are eligible for reappointment with promotion to clinical professor after three years. Clinical faculty with distinguished prior careers in teaching or

practice may be appointed at the rank of clinical professor. Clinical professors hold five-year terms with a presumption of renewal to ensuing five-year terms.

### 3. Review, reappointment, and promotion procedures

The associate dean reviews teaching evaluations for all members of the faculty, including clinical faculty, at least annually. Any issues or problems are discussed and addressed individually, as needed. Junior clinical faculty work under the direct tutelage of more senior clinical faculty, who provide advice as needed on issues of teaching and other responsibilities, in consultation with the associate dean. Clinical assistant professors are assigned one or more mentors chosen from more senior members of the faculty who teach in related fields, until they are promoted to clinical associate professor, and new clinical associate professors are assigned a formal mentor for one year.

Clinical faculty appointed initially at the rank of clinical assistant professor undergo formal reviews in their third and fifth years. Clinical faculty appointed initially at the rank of clinical associate professor undergo formal reviews in their third year. Formal reviews of clinical faculty will consider teaching effectiveness as the primary criterion, along with college, university and community service and other factors. A full copy of the College's Standards and Procedures for the Hiring, Reappointment, and Promotion of Clinical Faculty is attached hereto.

### 4. Voting rights

Clinical faculty are entitled to participate fully on College and University Committees, in College Council and faculty meetings. Clinical Professors are entitled to vote on all matters except appointment, retention and promotion of tenure/tenure track faculty. Clinical Assistant and Associate Professors are entitled to vote on all matters except appointment, retention and promotion of tenured/tenure track faculty and appointment, reappointment and promotion of auxiliary faculty above their rank.

## **D. Lecturers**

### 1. Description and responsibilities

Lecturers are part-time or full-time members of the faculty who are primarily responsible for teaching; for service at the College of Law, university, and community levels; and for the development and implementation of special programs connected with their teaching and other areas of expertise. College and university service includes a collective responsibility to help oversee and to participate in the administration and governance of those institutions. Lecturers may also engage in scholarship, and will be supported to do so in the same way as other faculty members. Lecturers serve for fixed contract terms of one to five years, which may be renewed through reappointment in accord with University Policies.

### 2. Ranks

Lecturers may be appointed at the rank of assistant, associate, or full professor. Lecturers appointed initially at the rank of assistant professor are appointed for two-year terms and are

eligible for reappointment with promotion to associate professor after two years. Lecturers appointed at the rank of associate professor are appointed for three-year terms and are eligible for reappointment with promotion to professor after three years. Lecturers with distinguished prior careers in teaching or practice may be appointed at the rank of professor. Lecturers at the rank of professor hold five-year terms with a presumption of renewal to ensuing five-year terms.

### 3. Review, reappointment, and promotion procedures, criteria and standards

The associate dean reviews teaching evaluations for all members of the faculty, including lecturer faculty, at least annually. Any issues or problems are discussed and addressed individually, as needed. Lecturers at the rank of assistant professor and associate professor are assigned one or more mentors chosen from more senior members of the faculty who teach in related fields, until they are promoted to the rank of professor. Mentors provide advice as needed on issues of teaching and other responsibilities, in consultation with the associate dean. Lecturers work closely with other faculty members in their fields to develop and implement related courses and programs.

Lecturers appointed initially at the rank of assistant professor undergo formal reviews in their third and fifth years. Lecturers appointed initially at the rank of associate professor undergo formal reviews in their third year. Formal reviews of lecturers will consider teaching effectiveness as the primary criterion, along with college, university and community service and other factors, as well as review of the effectiveness of any special programs the individual was assigned to develop and administer. A full copy of the College's Standards and Procedures for the Appointment, Reappointment, and Promotion of Lecturers is attached hereto.

### 4. Voting rights

Full-time Lecturers are entitled to participate fully on College and University Committees, in College Council and faculty meetings. Lecturers are entitled to vote on all matters except appointment, retention and promotion of tenure/tenure track faculty. Lecturers at the rank of Assistant Professor and Associate Professor are entitled to vote on all matters except appointment, retention and promotion of tenure/tenure track faculty and appointment, reappointment and promotion of auxiliary Faculty above their rank. Part-time Lecturers have no voting rights at the College of Law.

## **E. Adjunct Faculty**

### 1. Description and responsibilities

Adjunct faculty are part-time members of the faculty appointed primarily to teach or to co-teach one or more courses in areas of special expertise or legal skills, or to address temporary or permanent gaps in courses taught by full-time faculty. Adjunct faculty usually practice law as their primary occupation, or engage in some other professional practice that gives them special expertise that adds significant value to the overall curriculum. Adjunct faculty are not expected to serve on College of Law or university committees, but may do so at the discretion of the regular faculty and the dean. Adjunct faculty are expected to engage in community service as part of their ordinary professional lives. Adjunct faculty serve for fixed contract terms of one to



five years, which may be renewed at the discretion of the Appointments Committee and the dean through reappointment in accord with University Policies.

## 2. Ranks

Adjunct faculty may be appointed initially at the rank of assistant professor, associate professor, or professor, depending on experience. Adjuncts appointed initially at the rank of assistant professor are appointed for two-year terms and are eligible for reappointment with promotion to associate professor after two years. Adjuncts appointed at the rank of associate professor are appointed for three-year terms and are eligible for reappointment with promotion to professor after three years. Adjuncts with distinguished prior careers in teaching or practice may be appointed at the rank of professor. Adjuncts at the rank of professor hold renewable five-year terms but will only be reappointed and assigned teaching responsibilities as needed, in accordance with the College's Standards and Procedures for the Appointment, Reappointment, and Promotion of Adjunct Faculty.

## 3. Review, reappointment, and promotion procedures

The associate dean reviews teaching evaluations for all members of the faculty, including adjunct faculty, at least annually. Any issues or problems are discussed and addressed individually, as needed. Adjuncts appointed initially at the rank of assistant professor and associate professor will be assigned to one member of the full-time faculty who provides advice as needed on issues of teaching, in consultation with the associate dean for academic affairs. Adjuncts of all ranks are encouraged to continue to work closely with members of the full-time faculty who teach in related fields to ensure that courses taught by adjunct faculty are coordinated with other classes in the relevant part of the curriculum, and are designed to augment knowledge and skills taught by full-time faculty.

Adjunct faculty members attend an annual orientation session at which faculty members and administrators discuss teaching and evaluation methods, and provide information on law school procedures and administrative matters. Periodic seminars on teaching, grading, and other matters are also offered to both adjunct and full-time faculty.

Adjuncts appointed initially at the rank of assistant professor undergo formal reviews in their second and fifth years. Adjuncts appointed initially at the rank of associate professor undergo formal reviews in their third year. Formal reviews of adjunct faculty will consider teaching effectiveness as the primary criterion, along with any college, university and community service and other factors, including participation in other law school programs and activities. A full copy of the College's Standards and Procedures for the Appointment, Reappointment, and Promotion of Adjunct Faculty is attached hereto.

## 4. Voting rights

Adjunct faculty members have no voting rights at the College of Law.

## **F. Research Faculty**

## 1. Description and responsibilities

Research faculty are part-time or full-time members of the faculty who are primarily responsible for research and publication, usually in conjunction with specially funded projects, under supervision by or in collaboration with one or more members of the regular faculty; for service at the College of Law, university, and community levels depending on their residence status; and for the development and implementation of special lectures, seminars, or other programs connected with their research and other areas of expertise. Research faculty are expected to engage in scholarship, and will be supported to do so based on funding available for individual projects. Research faculty serve for fixed contract terms of one to five years, which may be renewed through reappointment in accord with University Policies. Research faculty may be onsite at the University, or at other locations depending on the nature and funding of the research projects. Research faculty ordinarily do not teach regular courses, but may be expected to give individual lectures, participate in other programs, or otherwise enhance the College of Law's teaching mission as related to their research programs.

## 2. Ranks

Research faculty may be appointed at the rank of assistant, associate, or full professor, for fixed terms of one to five years depending on funding for individual research projects or programs.

## 3. Review, reappointment, and promotion procedures, criteria and standards

Members of the regular faculty who supervise or collaborate with research faculty are responsible for ongoing review and evaluation of research faculty with whom they work. If research faculty co-teach or participate in any teaching activities, the associate dean will review teaching evaluations as appropriate. Any issues or problems will be discussed and addressed individually, as needed. Reappointment terms will vary based on the length of individual research projects and funding. However, any research faculty whose combined appointment terms exceed three years will undergo a formal review prior to reappointment to any subsequent term. Formal reviews of research faculty will consider effectiveness of scholarship and scholarly outcomes (publications, reports, etc.) as the primary criterion, along with college, university and community service, and the effectiveness of any lectures or special programs the individual was assigned to develop and administer. A full copy of the College's Standards and Procedures for the Appointment, Reappointment, and Promotion of research Faculty is attached hereto.

## 4. Voting rights

Research faculty may participate fully and vote in College of Law committees to which they are assigned, as related to their research activities. Research faculty may attend College Council and appropriate faculty meetings, but have no voting rights at those meetings.

## **G. Visiting Faculty**

## 1. Description and responsibilities

Visiting faculty are part-time or full-time members of the faculty who have one-semester to two-year temporary appointments at the College of Law, and whose responsibilities include teaching and scholarship as appropriate to the ranks to which they are appointed. Visiting faculty typically are appointed for one or more of the following purposes: (1) to teach courses in the College of Law curriculum because of sabbaticals, leaves, or vacancies in the faculty; (2) to explore mutual interest in a permanent appointment at the College of Law; and (3) in the case of Visiting Assistant Professors, to provide aspiring academics an opportunity to obtain experience in teaching, and to engage in productive scholarship under the mentorship of experienced members of the faculty.

## 2. Ranks

Visiting faculty may be appointed at the rank of assistant, associate, or full professor, for fixed terms of one semester to two years depending on curricular needs, funding and other factors. Visiting faculty may be reappointed to additional terms, but the combined length of the appointments in the category of Visiting Faculty may not exceed three years (in accordance with University policy). Visiting Assistant Professors typically have little or no teaching or other academic experience, and are appointed for purposes of future development of an academic career. Other visiting faculty typically maintain regular faculty appointments at another academic institution, and are appointed at the rank they hold at their home institution.

## 3. Review, reappointment, and promotion procedures, criteria and standards

The associate dean reviews teaching evaluations for all members of the faculty, including visiting faculty, at least annually. Any issues or problems are discussed and addressed individually, as needed. Visiting faculty typically do not undergo formal reviews. Visiting faculty who are subsequently considered for a permanent position will be reviewed in conjunction with the regular faculty appointment process. However, Visiting Assistant Professors will be assigned informal mentors for purposes of assisting them in their professional development, and Visiting Assistant professors serving multi-year terms will undergo informal reviews for the same purpose. A full copy of the College's Standards and Procedures for the Appointment, Reappointment, and Promotion of Visiting Faculty is attached hereto.

## 4. Voting rights

Visiting faculty have no voting rights at the College of Law.

## (2). Clinical Faculty

### **Standards and Procedures for Appointment, Reappointment and Promotion of Clinical Faculty**

Adopted by College of Law Faculty March 2008

- A. Scope. These Standards and Procedures govern initial appointments, reappointments, and promotions of full-time, non-tenure track faculty whose primary responsibility is teaching professional skills in a clinical, professional, practicum or classroom setting. These Standards and Procedures are in accord with University Policy 6-310 (Appointment, Reappointment and Evaluation of Auxiliary Faculty and Other Instructional Personnel) and other applicable University policies, and do not govern the appointment of faculty who are tenure track, visiting, adjunct, or other auxiliary faculty.
- B. Purpose. These Standards and Procedures comply with ABA Standard 405 (c) which is intended to provide law students and the institution with the advantages of competitive, full-time clinical faculty members and states in part:
- A law school shall afford to full-time clinical faculty members a form of security of position reasonably similar to tenure, and other non-compensatory perquisites reasonably similar to those provided other full-time faculty members. A law school may require these faculty members to meet standards and obligations reasonably similar to those required of other full-time faculty members.
- C. Effective Date. March 2008
- D. Auxiliary Faculty Review Committee. The AFR Committee has a base membership (described more fully in the College's Statement of RPT Standards) comprised of three (or more) members of the tenured faculty, and one member of the auxiliary faculty who holds the rank of Professor. One is the elected chairperson of the RPT Committee, who also chairs the AFR Committee, and the others are selected by the dean (who has the discretion to select two, or more if needed for heavy workloads). In cases in which the AFR is reviewing clinical faculty, the base membership is augmented by at least one clinical faculty member, selected by the dean.
- E. Appointment Terms and Academic Rank. The College of Law offers faculty members subject to these Standards and Procedures the following terms and commensurate Academic Ranks:
- (1). Term of two academic years and the rank of Clinical Assistant Professor;
  - (2). Term of three academic years and the rank of Clinical Associate Professor; or
  - (3). Term of five academic years and the rank of Clinical Professor with the presumption of subsequent five year terms following a reappointment review.

- F. Criteria for Appointment, Reappointment and Promotion. Teaching professional skills shall be the primary purpose for appointment and main consideration for evaluating the performance of clinical faculty for reappointment and promotion under these standards. Typically, clinical faculty are appointed to teach specific skills or a range of skills which may also include administrative or supervisory responsibilities.<sup>2</sup> Initial appointment and reappointment is based on demonstrated achievement and the expectation of future contributions. Number of years in law practice, length of prior teaching experience, and other significant achievements, service, awards and contribution to legal education or the profession shall be considered when determining the initial term and academic rank. Until promoted to Clinical Professor, Clinical Assistant Professors and Clinical Associate Professors are assigned a mentor who is a senior clinical or tenure/tenure track faculty.<sup>3</sup>
- (1). For initial appointment for a two year term at the rank of Clinical Assistant Professor, a candidate will be hired based on demonstrated potential for excellence as a teacher of professional skills shown by outstanding academic achievement and law practice, which may include judicial clerkship experience. Other factors that may be considered include prior teaching, and/or other relevant achievements and skills. Clinical Assistant Professors are evaluated informally after the first year by the Associate Dean for Academic Affairs in consultation with the appointed mentor.
  - (2). Following a formal review as described below in the second academic year, a Clinical Assistant Professor may be reappointed for a three year term and promoted to Clinical Associate Professor. For reappointment and promotion, a candidate must demonstrate significant progress toward satisfying the standards for appointment as a Clinical Professor. Non-teaching expectations may vary according to teaching loads.
  - (3). Following formal review as described below, a Clinical Associate Professor may be reappointed for a five-year term and promoted to Clinical Professor. For reappointment and promotion, a candidate must demonstrate excellence in teaching the professional skills for which the candidate was hired. Also, the candidate must demonstrate the ability to (a) assume an increased teaching load by adding one additional course or seminar; or (b) assume additional administrative responsibility for a course or program to be determined by consulting with the Associate Dean for Academic Affairs. In addition, the candidate will be expected to have served on at least one College of Law or University committee during four of the previous five years under consideration,

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<sup>2</sup>A full time teaching load is five credits or 40 students per semester for clinical faculty who are hired primarily to teach courses in which the student assessment and grade is determined substantially by numerous critiqued writing, editing, or simulation assignments and multiple one-to-one conferences with each student.

<sup>3</sup> Clinical faculty hired to teach first-year Legal Methods and Writing will have a mentor who is a senior Clinical Professor who teaches that course. The mentor will also advise and assist on matters of curriculum, teaching and other responsibilities.

and to have demonstrated effective contributions to legal education and the profession. Non-teaching expectations may vary according to teaching loads.

- (4). Following a review process that is similar to the five year reviews of tenured faculty, there is a presumption of continuing reappointment of Clinical Professors for subsequent five year terms. This presumption of reappointment is consistent with the ABA requirement that a law school “shall afford to full-time clinical faculty members a form of security of position reasonably similar to tenure.” See ¶ B. Purpose.

G. Standards for Teaching, Service, and Contribution to Legal Education and to the Profession.

(1). Standards for Excellence in Teaching

A candidate exhibits command of the courses and skills for which the candidate was hired, assessed by considering student and peer teaching evaluations, as well other methods of assessment considered reliable for the relevant course or skill; maintains a depth of understanding of current developments in practice related to the skills being taught; is focused, well prepared, and organized; defines the goals and objectives to be accomplished; incorporates effective course materials and simulations where relevant, uses effective methods of conveying skills to the adult learner, provides timely and meaningful feedback and assessment of student learning, relying on techniques appropriate for a particular course or skill; provides students with fair notice of office hours, conferences, and scheduling that affects them.

(2) Standards for Effective Teaching

A candidate exhibits substantial progress toward command of the courses and skills for which the candidate was hired, assessed by considering student and peer teaching evaluations, as well other methods of assessment considered reliable for the relevant course or skill; pursues a depth of understanding of current developments in practice related to the skills being taught; is focused, well prepared, and organized; defines the goals and objectives to be accomplished; incorporates effective course materials and simulations where relevant, uses effective methods of conveying skills to the adult learner, provides timely and meaningful feedback and assessment of student learning, relying on techniques appropriate for a particular course or skill; provides students with fair notice of office hours, conferences, and scheduling that affects them. The assessment of progress will take into account the faculty member’s years of teaching experience.

(3) Standards for Effective Service and Contributions to Legal Education and the Profession.

A candidate demonstrates commitment to service by serving on College of Law and/or University committees or assumes an advisory role for a student organization or co-curricular activity.

A candidate demonstrates contribution by effective administrative or supervisory responsibility for any college program or courses; service on or for local, state, regional organizations or committees related to law, government or legal education; or by pro bono legal work; or by conference presentations; or organizing conferences; or providing training or consulting; or participating in national organizations.

#### (4) Research and Scholarship

A clinical faculty member is not expected to engage in research and published scholarship. However, the Dean and faculty encourage and support clinical faculty who wish to engage in any type of scholarship, including producing innovative course materials, simulations or methods to advance teaching. In consultation with the Dean or the Dean's designee, the clinical faculty member's upper division teaching load may be adjusted to accommodate scholarship interests. The Dean and law school will support scholarly activity of clinical faculty with the same or similar funds, grants, leaves and incentives afforded tenured-tenure track faculty.

H. Time and Method of Formal Review. The AFR Committee is responsible for conducting formal reviews of clinical faculty and recommending reappointment to the Faculty Appointments Committee and the Dean of the College of Law. Formal review will occur before appointment to a three-year term and promotion to Clinical Associate Professor, and before appointment to a five-year term and promotion to Clinical Professor.

1. By the end of the fall semester of the academic year for review, the candidate should submit to the Chair of the AFRC a portfolio that includes:
  - (a). A resume;
  - (b). a personal statement including a list of courses taught at the law school; a description of course load and administrative responsibilities, which includes type of course, student enrollment, student contact hours and the types of student assessment for the courses.
  - (c). A summary of teaching evaluations from recent courses;
  - (d). Recent syllabi and/or other evidence of teaching accomplishments;
  - (e). Any prior written evaluations;
  - (f). Any other materials the candidate deems relevant such as, course materials, simulations, presentations, publications, evidence of pro bono or other work or activities that serve to enhance the law school's local or national reputation and to advance legal education and the profession.

2. Prior to the end of the fall semester of the academic year for review, the Chair of the AFRC shall solicit comments from other members of the College of Law faculty and staff and a report from the Student Advisory Committee. The Chair of the AFRC shall insure peer evaluation of the candidate's teaching and include reports and evaluations in the candidate's portfolio.

3. The Chair of the AFRC shall circulate the candidate's portfolio to other committee members who shall read the complete file.

4. The Chair of the AFRC shall assign a committee member to prepare a written report to the faculty summarizing and evaluating the candidate's teaching, service and contribution to legal education and the profession. The emphasis of the evaluation shall be on teaching professional skills and indicate whether the Committee deems the candidate's teaching to be effective or excellent, and shall recommend either (a) that the candidate be reappointed and promoted, (2) that the candidate be denied reappointment, or (3) that the candidate be reappointed for a one-year contract with the opportunity to apply for reappointment and promotion commensurate with number of years served. The report shall be completed during early spring semester of the year for reappointment and shall explain the factual basis for the evaluation. All members of the AFRC shall approve the report.

5. The candidate shall receive the AFRC report when completed and has the right to review his or her file, except for any confidential letters of evaluation solicited from outside the college. The candidate may make a written comment on any item and include it in the file before any faculty meeting.

6. By February 5 of the academic year for reappointment, the committee chair shall circulate a copy of the report to the faculty and make the candidate's file available for review. The full-time faculty entitled to vote on appointment or reappointment of the candidate shall meet and discuss the recommendations and by a majority vote make a final recommendation, with the AFRC Chair keeping minutes to be made a part of the file.

7. The candidate shall receive a copy of the vote and minutes at the time they are forwarded to the Dean.

8. The Dean shall receive the entire file and make his or her independent recommendation and forward the file to the appropriate Vice-President for approval. Before forwarding the file, the Dean shall give the candidate a copy of his or her recommendation. The candidate has the right to make a written response to the Dean's letter and/or the faculty vote and minutes within ten days of receiving the Dean's letter.

9. The Dean shall notify the candidate of the decision no later than March 15 of the academic year for review.

I. Time and Method for Five-Year Reappointment Reviews of Clinical Professors:

The Associate Dean for Academic Affairs reviews teaching evaluations for all members of the faculty at least annually. Any issues or problems are discussed and addressed individually, as needed.



Clinical Professors in the last year of each five-year term undergo more comprehensive reviews of teaching, service and contributions to legal education and the profession by the AFRC in consultation with the Associate Dean for Academic Affairs and the Dean. This process is similar to the five-year reviews of tenured faculty and is designed to ensure that Clinical Professors continue to perform the duties and responsibilities of those who have reached the rank of Clinical Professor. Clinical Professors are expected to continue to perform in all three areas, with the primary emphasis on maintaining excellence in teaching professional skills and effective performance in service and contributions to legal education and to the profession.

In the fall semester of the fifth year of a term, Clinical Professors must submit to the chair of the AFRC:

1. A resume;
2. A list of courses taught in the previous five years including course load;
3. A summary of teaching evaluations from recent courses; and
4. A personal statement which includes a summary of service, administration, accomplishments, materials and information the faculty member deems relevant during the previous five years to demonstrate service and contribution to legal education and to the profession.

The AFRC prepares and approves a draft report, which is submitted to the faculty member for comment. The candidate is also allowed to request a meeting with the committee before the final report is prepared. Any issues or problems identified in the informal review are addressed individually, as needed. The committee chair submits a report to the faculty for its vote and to the dean and the dean submits the report to the senior vice president for academic affairs along with the faculty vote and the Dean's recommendation for re-appointment to an additional five-year term.

- J. Voting Rights. Clinical faculty are entitled to participate fully on College and University Committees, in College Council and faculty meetings. Clinical Professors are entitled to vote on all matters except hiring, retention and promotion of tenure/tenure track faculty. Clinical Assistant and Associate Professors are entitled to vote on all matters except appointment, retention and promotion of tenure/tenure track faculty and appointment, reappointment and promotion of auxiliary Faculty above their rank.
- K. Termination of Appointments. Clinical Assistant Professors and Clinical Associate Professor's appointments may be ended under the terms described above for formal review or under University Policy if there is financial exigency or discontinuation of a program or department of instruction. The affected faculty member will be given notice as soon as possible, but not less than three months. A Clinical Professor's appointment may be ended under University Policy if there is financial exigency or discontinuation of a program or department of instruction. The affected faculty member will be given notice as soon as possible but not less than twelve months. Any clinical faculty member's appointment may be terminated for cause under University Policy related

directly and substantially to the fitness of the faculty member in his or her professional capacity as teacher. Termination for cause shall not infringe on his or her right to exercise academic freedom or his or her rights as a citizen of the United States.

### **(3). Lecturer Faculty**

#### **Standards and Procedures for Appointment, Reappointment and Promotion of Lecturers**

##### **Adopted by College of Law Faculty on March 2008**

- A. Scope. These Standards and Procedures govern initial appointments, reappointments, and promotions of Lecturers. Lecturers are part-time or full-time members of the faculty whose primary responsibilities are teaching; service at the college of law, university, and community levels; and the development and implementation of special programs connected with their teaching and other areas of expertise. College and university service includes a collective responsibility to help oversee and to participate in the administration and governance of those institutions. Lecturers may also engage in scholarship, and will be supported to do so along with other faculty members. Lecturers serve for fixed contract terms of one to five years, which may be renewed at the discretion of the Appointments Committee and the dean through reappointment in accord with University Policies, including University Policy 6-310 (Appointment, Reappointment and Evaluation of Auxiliary Faculty and Other Institutional Personnel). Lecturers holding the rank of Professor for an existing five-year term carry a presumption of renewal for a subsequent five-year term.
- B. Effective Date. March 2008
- C. Auxiliary Faculty Review Committee. Reviews of Lecturers provided for in this policy will be conducted by the Auxiliary Faculty Review Committee (“AFRC”). The AFRC has a base membership comprised of three (or more) members of the tenured faculty, and one full-time member of the auxiliary faculty who holds the rank of Professor. One is the elected chairperson of the RPT Committee, who also chairs the AFRC, and the others are selected by the dean (who has the discretion to select more members if needed for heavy workloads).
- D. Appointment Terms and Academic Rank. The College of Law offers faculty members subject to these Standards and Procedures the following terms and commensurate Academic Ranks:
- (1). a term of two academic years and the rank of Assistant Professor;
  - (2). a term of three academic years and the rank of Associate Professor; or

- (3) a term of five academic years and the rank of Professor with the presumption of subsequent five year terms following informal review.

E. Criteria for Appointment, Reappointment and Promotion. Lecturers are appointed primarily to teach courses and to develop implement programs not currently within the responsibility of regular faculty. However, Lecturers at a given rank are expected to have academic and professional qualifications equivalent to those of regular faculty teaching similar courses or implementing similar programs. Initial appointment and reappointment is based on demonstrated achievement and the expectation of future contributions. Number of years in law practice, length of prior teaching experience, and other significant achievements, service, awards and contribution to legal education or the profession shall be considered when determining the initial term and academic rank. Until promoted to the rank of Professor, Lecturers at the rank of Assistant Professor and Associate Professor are assigned a mentor who is a senior Lecturer or tenure/tenure track faculty. Mentors provide advice as needed on issues of teaching and other responsibilities, in consultation with the associate dean for academic affairs. Lecturers at the rank of associate professor-lecturer and professor-lecturer work closely with other faculty members in their fields to develop and implement related courses and programs.

- (1). For initial appointment for a two year term at the rank of Assistant Professor, a candidate will be appointed based on demonstrated potential for excellence as a teacher, as shown by outstanding academic achievement and law practice, which may include judicial clerkship experience. Other factors that may be considered include prior teaching, and/or other relevant achievements and skills. Lecturers at the rank of Assistant Professor are evaluated informally after the first year by the Associate Dean for Academic Affairs in consultation with the appointed mentor and the AFRC.
- (2). Following a formal review as described below in the second academic year, a Lecturer at the rank of Assistant Professor may be appointed for a three year term and promoted to Lecturer at the rank of Associate Professor. For reappointment and promotion, a candidate must demonstrate significant progress toward satisfying the standards for appointment as a Lecturer at the rank of Professor. Primary consideration will be given to teaching and development and implementation of assigned programs. To qualify for reappointment with promotion to Associate Professor, a Lecturer shall have demonstrated competence in all assigned courses; contributed to the administration of the law school through service on one or more committees, and otherwise demonstrated a commitment to college, university or community service; and demonstrated competence in the development of any assigned programs. Competence in teaching shall be based on student and peer teaching evaluations or other indications of effective teaching. Where the Lecturer was

hired to develop and administer special programs, competence is defined as reasonable progress toward program development and implementation of the programs, at least at the demonstration level. Any scholarship will also be taken into account in the promotion process.

- (3). Following formal review as described below, a Lecturer at the rank of Associate Professor may be appointed for a five-year term and promoted to Lecturer at the rank of Professor. For appointment and promotion, a candidate must demonstrate excellent performance in teaching and in developing and implementing any programs for which the candidate was hired or to which the candidate was assigned. In addition, the candidate will be expected to have served on at least one College of Law or University committee during four of the previous five years under consideration, and to have demonstrated effective contributions to legal education and the profession. Primary consideration will be given to teaching and development and implementation of assigned programs. To qualify for reappointment with promotion to Professor, a Lecturer shall have demonstrated excellent teaching in assigned courses; contributed significantly to the administration of the law school through service on one or more committees, and otherwise have demonstrated a commitment to college, university or community service; and demonstrated excellence in the development of any assigned programs. Excellent performance in teaching shall be based on student and peer teaching evaluations or other indicia of teaching effectiveness and innovation. Where the Lecturer was hired to develop and administer special programs, excellence is defined as full and effective development and implementation of those programs, judged on the basis of educational merit, innovation, and participation by students and others. Any scholarship will also be taken into account in the promotion process.
- (4). Lecturers at the rank of Professor will be reviewed at least every five years. Following a review process that is similar to that used for tenured faculty, there is a presumption of continuing reappointment of Lecturers at the rank of Professor for subsequent five year terms.

F. Standards for Teaching, Service, and Contribution to Legal Education and to the Profession.

(1). **Standards for Excellence in Teaching**

A candidate exhibits command of the courses and skills for which the candidate was hired, assessed by considering student and peer teaching evaluations, as well other

methods of assessment considered reliable for the relevant course or skill; maintains a depth of understanding of current developments in law and practice related to the courses being taught; is focused, well prepared, and organized; defines the goals and objectives to be accomplished; incorporates effective course materials and teaching methods where relevant, uses effective methods of conveying information and skills to the adult learner, provides timely and meaningful feedback and assessment of student learning, relying on techniques appropriate for a particular course or skill; and provides students with fair notice of office hours, conferences, and scheduling that affects them.

**(2). Standards for Effective Teaching**

A candidate exhibits substantial progress toward command of the courses and skills for which the candidate was hired, assessed by considering scores on teaching evaluations, reports of class visits by members of the AFRC, as well other methods of assessment considered reliable for the relevant course or skill; pursues a depth of understanding of current developments in practice related to the courses being taught; is focused, well prepared, and organized; defines the goals and objectives to be accomplished; incorporates effective course materials and teaching methods where relevant, uses effective methods of conveying information and skills to the adult learner, provides timely and meaningful feedback and assessment of student learning, relying on techniques appropriate for a particular course or skill; and provides students with fair notice of office hours, conferences, and scheduling that affects them. The assessment of progress will take into account the faculty member's years of teaching experience.

**(3). Standards for Effective Service, Contributions to Programs, Legal Education and the Profession.**

A candidate demonstrates commitment to service by serving on College of Law and/or University committees or assumes an advisory role for a student organization or co-curricular activity.

A candidate demonstrates contribution by effective and innovative administrative or supervisory responsibility for any assigned college program or courses; service on or for local, state, regional organizations or committees related to law, government or legal education; or by pro bono legal work; or by conference presentations; or organizing conferences; or providing training or consulting; or participating in national organizations.

**(4). Research and Scholarship**

A Lecturer is not expected to engage in research and published scholarship. However, the Dean and faculty encourage and support Lecturers who wish to engage in any type of scholarship, including producing innovative course materials, simulations or methods to advance teaching. In consultation with the Dean or the Dean's designee, the Lecturer's upper division teaching load may be adjusted to accommodate scholarship interests. The Dean and law school will support scholarly activity of Lecturers with the same or similar funds, grants, leaves and incentives afforded tenured-tenure track faculty.

G. Time and Method for Informal Reviews of Lecturers.

The Associate Dean for Academic Affairs reviews teaching evaluations for all members of the faculty at least annually. Any issues or problems are discussed and addressed individually, as needed. The AFRC will conduct informal reviews of all Lecturers at the rank of Assistant Professor and Associate Professor in each year for which a formal review (described below) is not scheduled. The AFRC shall assess the candidate's performance in the areas of teaching, service, program implementation and other relevant areas of performance, and report in writing informally to the regular faculty and to the candidate. Any problems with performance or other suggestions shall be communicated to the candidate promptly following such review.

H. Time and Method of Formal Review of Lecturers at the Rank of Assistant Professor and Associate Professor.

The AFRC is responsible for conducting formal reviews of Lecturers and recommending reappointment to the Faculty Appointments Committee and the Dean of the College of Law. Formal review will occur before appointment to a three-year term and promotion to Associate Professor, and before appointment to a five-year term and promotion to Professor.

1. By the end of the fall semester of the academic year for review, the candidate should submit to the Chair of the AFRC a portfolio that includes:

- (a). a resume;
- (b). a personal statement including a list of courses taught at the law school; a description of course load and administrative responsibilities, which includes type of course, student enrollment, student contact hours and the types of student assessment for the courses.
- (c). a summary of teaching evaluations from recent courses;
- (d). recent syllabi and/or other evidence of teaching accomplishments;
- (e). any prior written evaluations;

(f). any other materials the candidate deems relevant such as, course materials, simulations, presentations, publications, evidence of pro bono or other work or activities that serve to enhance the law school's local or national reputation and to advance legal education and the profession.

(g). descriptions of any special programs developed or administered by the candidate, including any relevant measures of program success.

2. Prior to the end of the fall semester of the academic year for review, the Chair of the AFRC shall solicit comments from other members of the College of Law faculty and staff and a report from the Student Advisory Committee. The Chair of the AFRC shall insure peer evaluation of the candidate's teaching and include reports and evaluations in the candidate's portfolio.

3. The Chair of the AFRC shall circulate the candidate's portfolio to other committee members who shall read the complete file.

4. The Chair of the AFRC shall assign a committee member to prepare a written report to the faculty summarizing and evaluating the candidate's teaching, service and contribution to legal education and the profession. The emphasis of the evaluation shall be on teaching and any applicable program development and implementation. The report shall indicate whether the Committee deems the candidate's teaching to be effective or excellent, and whether other aspects of the candidate's performance are satisfactory, and shall recommend either (a) that the candidate be reappointed and promoted, (2) that the candidate be denied reappointment, or (3) that the candidate be reappointed for a one-year contract with the opportunity to apply for reappointment and promotion commensurate with number of years served. The report shall be completed during early spring semester of the year for reappointment and shall explain the factual basis for the evaluation. All members of the AFRC shall approve the report.

5. The candidate shall receive the AFRC report when completed, and has the right to review his or her file, except for any confidential letters of evaluation solicited from outside the college. The candidate may make a written comment on any item and include it in the file before any faculty meeting.

6. By February 5 of the academic year for reappointment, the AFRC chair shall circulate a copy of the report to the faculty and make the candidate's file available for review. The full-time faculty entitled to vote on appointment or re-appointment of the candidate shall meet and discuss the recommendations and by a majority vote make a final recommendation, with the AFRC Chair or designee keeping minutes to be made a part of the file.

7. The candidate shall receive a copy of the vote and minutes.



8. The Dean shall receive the entire file and make his or her independent recommendation and forward the file to the appropriate Vice-President for approval. Before forwarding the file, the Dean shall give the candidate a copy of his or her recommendation. The candidate has the right to make a written response to the dean's letter and/or the faculty's recommendation within ten days of receiving the dean's letter.

9. The Dean shall notify the candidate of the decision no later than March 15 of the academic year for review.

I. Time and Method of Review of Lecturers at the Rank of Professor.

The Associate Dean for Academic Affairs reviews teaching evaluations for all members of the faculty at least annually. Any issues or problems are discussed and addressed individually, as needed. Lecturers at the rank of Professor in the last year of each five-year term undergo more comprehensive reviews by the AFRC in consultation with the Associate Dean for Academic Affairs and the Dean, and shall consider continued performance in the areas of teaching, service, program development and implementation, and contributions to legal education and the profession. This process is similar to the five-year reviews of tenured faculty and is designed to ensure that Lecturers continue to perform the duties and responsibilities of those who have reached the rank of Professor.

In the fall semester of the fifth year of a term, Lecturers at the rank of Professor must submit to the chair of the AFRC:

1. a resume;
2. a list of courses taught in the previous five years including course load;
3. a summary of teaching evaluations from recent courses; and
4. a personal statement which includes a summary of program development and implementation, service, administration, accomplishments, materials and information the faculty member deems relevant during the previous five years to demonstrate service and contribution to legal education and to the profession.

The AFRC prepares and approves a draft report, which is submitted to the candidate for comment. The candidate is also allowed to request a meeting with the committee before the final report is prepared. Any issues or problems identified in the informal review are addressed individually, as needed. The committee chair submits a report to faculty for its vote and to the dean and the dean submits the faculty vote and the dean's report to the senior vice president for academic affairs along with the Dean's recommendation for appointment to an additional five-year term.

J. Voting Rights. Full-time Lecturers are entitled to participate fully on College and University Committees, in College Council and faculty meetings. Lecturers at the rank of Professor are entitled to vote on all matters except hiring, retention and promotion of tenure/tenure track faculty. Lecturers at the rank of Assistant Professor and Associate Professor are entitled to vote on all matters except hiring, retention and promotion of tenure/tenure track faculty and hiring, reappointment and promotion of Clinical Faculty above their rank. Part-time Lecturers have no voting rights at the College of Law.

K. Termination of Appointments. Appointments of Lecturers at the rank of Assistant Professor and Associate Professor may be ended under the terms described above for formal review or under University Policy if there is financial exigency or discontinuation of a program or department of instruction. The affected faculty member will be given notice as soon as possible, but not less than three months. The appointment of a Lecturer at the rank of Professor who is currently serving a five-year term may be ended under University Policy if there is financial exigency or discontinuation of a program or department of instruction. The affected faculty member will be given notice as soon as possible but not less than twelve months. Any Lecturer's appointment may be terminated for cause under University Policy related directly and substantially to the fitness of the faculty member in his or her professional capacity as teacher. Termination for cause shall not infringe on his or her right to exercise academic freedom or his or her rights as a citizen of the United States.

## **(4). Adjunct Faculty**

### **Standards and Procedures for Appointment, Reappointment and Promotion of Adjunct Faculty**

**Adopted by College of Law Faculty March 2008**

- A. Scope. These Standards and Procedures govern initial appointments, reappointments, and promotions of Adjunct Professors. Adjunct Professors are part-time members of the faculty appointed primarily to teach or to co-teach one or more courses in areas of special expertise or legal skills within their areas of practice and not within the special competence of regular faculty; or secondarily to address temporary or permanent gaps in courses taught by full-time faculty. Adjunct Professors usually practice law as their primary occupation, or engage in some other professional practice that gives them special expertise that adds significant value to the overall curriculum. Adjunct Professors are not expected to serve on college of law or university committees, but may do so at the discretion of the regular faculty and the dean. Adjunct Professors are expected to engage in community service as part of their ordinary professional lives. Adjunct Professors serve for fixed contract terms of one to five years, which may be renewed at the discretion of the Appointments Committee and the dean through reappointment in accord with University Policies, including University Policy 6-310 (Appointment, Reappointment and Evaluation of Auxiliary Faculty and Other Instructional Personnel). However, a multiple year appointment does not guarantee that an adjunct faculty member will be assigned to teach courses in every academic year. Course assignments for adjunct faculty will be based on need.
- B. Effective Date. March 2008
- C. Auxiliary Faculty Review Committee. Reviews of Adjunct Professors provided for in this policy will be conducted by the Auxiliary Faculty Review Committee (“AFRC”). The AFRC has a base membership comprised of three (or more) members of the tenured faculty, and one full-time member of the auxiliary faculty who holds the rank of Professor. One is the elected chairperson of the RPT Committee, who also chairs the AFRC, and the others are selected by the dean (who has the discretion to select more members if needed for heavy workloads).
- E. Appointment Terms and Academic Rank. The College of Law offers adjunct faculty members subject to these Standards and Procedures the following terms and commensurate Academic Ranks:

- (1). a term of two academic years and the rank of Adjunct Assistant Professor;
- (2). a term of three academic years and the rank of Adjunct Associate Professor; or
- (3). a term of five academic years and the rank of Adjunct Professor.

F. Criteria for Appointment, Reappointment and Promotion. Adjunct Professors at a given rank are expected to have academic or professional qualifications and experience appropriate to the courses they will teach, and ordinarily possess specific knowledge, skills, or experience that augments that of regular faculty. Initial appointment and reappointment is based on demonstrated achievement and the expectation of future contributions. Number of years in law practice and the nature of that practice, academic background, length of prior teaching experience, and other significant achievements, service, awards and contribution to legal education or the profession shall be considered when determining the initial term and academic rank. The Faculty Appointments Committee, in consultation with the Associate Dean for Academic Affairs, will forward recommended appointments and ranks to the Dean of the College of Law. Until promoted to the rank of Professor, Adjunct Assistant Professors and Adjunct Associate Professors are assigned a mentor who is a member of the tenure/tenure track faculty or a Senior Lecturer. Mentors provide advice as needed on issues of teaching and other responsibilities, in consultation with the associate dean for academic affairs.

- (1). For initial appointment for a two year term at the rank of Assistant Professor, a candidate will be appointed based on demonstrated potential for excellence as a teacher, as shown by outstanding academic achievement or law practice, which may include judicial clerkship experience. Other factors that may be considered include prior teaching, and/or other relevant achievements and skills. Adjunct Assistant Professors are evaluated informally after the first year by the Associate Dean for Academic Affairs in consultation with the appointed mentor and the AFRC.
- (2). Following a formal review as described below in the second academic year, an Adjunct Assistant Professor may be appointed for a three year term and promoted to Adjunct Associate Professor. To qualify for reappointment with promotion to Associate Professor, an Adjunct Professor shall have demonstrated effective teaching in all assigned courses. Effective teaching shall be determined based on acceptable student and/or peer teaching evaluations or other indications of effective teaching.
- (3). Following formal review as described below, an Adjunct Associate Professor may be appointed for a five-year term and promoted to Adjunct Professor. For appointment and promotion, a candidate must demonstrate excellence in teaching assigned courses. Excellence in teaching shall be determined based on students and/or peer teaching evaluations or other indicia of teaching

effectiveness and innovation. Adjunct Professors will be reviewed before re-appointment to every subsequent five-year term.

G. Standards for Teaching.

**(1). Standards for Excellence in Teaching**

A candidate exhibits command of the courses and skills for which the candidate was hired, assessed by considering student and/or peer teaching evaluations, as well other methods of assessment considered reliable for the relevant course or skill; maintains a depth of understanding of current developments in law and practice related to the courses being taught; is focused, well prepared, and organized; defines the goals and objectives to be accomplished; incorporates effective course materials and teaching methods where relevant, uses effective methods of conveying information and skills to the adult learner, provides timely and meaningful feedback and assessment of student learning, relying on techniques appropriate for a particular course or skill; and provides students with fair notice of office hours, conferences, and scheduling that affects them.

**(2). Standards for Effective Teaching**

A candidate exhibits substantial progress toward command of the courses and skills for which the candidate was hired, assessed by considering student and/or peer teaching evaluations, as well other methods of assessment considered reliable for the relevant course or skill; pursues a depth of understanding of current developments in practice related to the courses being taught; is focused, well prepared, and organized; defines the goals and objectives to be accomplished; incorporates effective course materials and teaching methods where relevant, uses effective methods of conveying information and skills to the adult learner, provides timely and meaningful feedback and assessment of student learning, relying on techniques appropriate for a particular course or skill; and provides students with fair notice of office hours, conferences, and scheduling that affects them. The assessment of progress will take into account the faculty member's years of teaching experience.

H. Time and Method for Informal Reviews of Adjunct Professors.

The Associate Dean for Academic Affairs reviews teaching evaluations for all members of the faculty at least annually. Any issues or problems are discussed and addressed individually, as needed. The AFRC will conduct informal reviews of all Adjunct Assistant Professors and Adjunct Associate Professors in each year for which a formal review (described below) is not scheduled. The AFRC shall assess the candidate's performance in teaching, and report informally to the regular faculty and to the candidate.

Any problems with performance or other suggestions shall be communicated to the candidate promptly following such review.

I. Time and Method of Formal Review of Adjunct Assistant Professors and Adjunct Associate Professors.

The AFRC is responsible for conducting formal reviews of Adjunct Faculty and recommending reappointment to the Faculty Appointments Committee and the Dean of the College of Law. Formal review will occur before appointment to a three-year term and promotion to Associate Professor, and before appointment to a five-year term and promotion to Professor.

1. By the end of the fall semester of the academic year for review, the candidate should submit to the Chair of the AFRC a portfolio that includes:
  - (a). a resume;
  - (b). a list of courses taught at the law school;
  - (c). a summary of teaching evaluations from recent courses;
  - (d). recent syllabi and/or other evidence of teaching accomplishments; and
  - (e). any other materials the candidate deems relevant.

2. Prior to the end of the fall semester of the academic year for review, the Chair of the AFRC shall solicit comments from other members of the College of Law faculty and staff and a report from the Student Advisory Committee. The Chair of the AFRC shall insure peer evaluation of the candidate's teaching and include reports and evaluations in the candidate's portfolio.

3. The Chair of the AFRC shall circulate the candidate's portfolio to other committee members who shall read the complete file.

4. The Chair of the AFRC shall assign a committee member to prepare a written report to the faculty summarizing and evaluating the candidate's teaching. The report shall indicate whether the Committee deems the candidate's teaching to be effective or excellent, and whether other aspects of the candidate's performance are satisfactory, and shall recommend either (a) that the candidate be reappointed and promoted, (2) that the candidate be denied reappointment, or (3) that the candidate be reappointed for a one-year contract with the opportunity to apply for reappointment and promotion commensurate with number of years served. The report shall be completed during early spring semester of the year for reappointment and shall explain the factual basis for the evaluation. All members of the AFRC shall approve the report.

5. The candidate shall receive the AFRC report when completed, and has the right to review his or her file, except for any confidential letters of evaluation solicited from outside the college. The candidate may make a written comment on any item and include it in the file before any faculty meeting.

6. By February 5 of the academic year for reappointment, the AFRC chair shall circulate a copy of the report to the faculty and make the candidate's file available for review. The full-time faculty entitled to vote on appointment or re-appointment of the candidate shall meet and discuss the recommendations and by a majority vote make a final recommendation, with the AFRC Chair or designee keeping minutes to be made a part of the file.

7. The candidate shall receive a copy of the vote and minutes.

8. The Dean shall receive the entire file and make his or her independent recommendation and forward the file to the appropriate Vice-President for approval. Before forwarding the file, the Dean shall give the candidate a copy of his or her recommendation. The candidate has the right to make a written response to the dean's recommendation and/or to the faculty recommendation within ten days of receiving the dean's recommendation.

9. The Dean shall notify the candidate of the decision no later than March 15 of the academic year for review.

#### J. Time and Method of Review of Adjunct Professors.

The Associate Dean for Academic Affairs reviews teaching evaluations for all members of the faculty at least annually. Any issues or problems are discussed and addressed individually, as needed. Adjunct Professors in the last year of each five-year term undergo more comprehensive reviews by the AFRC in consultation with the Associate Dean for Academic Affairs and the Dean, and shall consider continued performance in teaching and other relevant factors. This process is designed to ensure that Adjuncts continue to perform the duties and responsibilities of those who have reached the rank of Professor.

In the fall semester of the fifth year of a term, Adjunct Professors must submit to the chair of the AFRC:

1. a resume;
2. a list of courses taught in the previous five years;
3. and a summary of teaching evaluations from recent courses; and
4. any other materials the candidate deems relevant.

The AFRC prepares and approves a draft report, which is submitted to the faculty member for comment. The faculty member is also allowed to request a meeting with the committee before the final report is prepared. Any issues or problems identified in the informal review are addressed individually, as needed. The committee chair submits a report to the faculty for vote and to the dean and the dean submits the report to the senior vice president for academic affairs along with the record of the faculty vote and the Dean's recommendation for appointment to an additional five-year term

K. Voting Rights. Adjunct Faculty may participate on College and University Committees at the discretion of the Dean of the College of Law. Adjunct Faculty have no voting rights at the College of Law.

L. Termination of Appointments. Appointments of Adjunct Faculty may be ended under the terms described above for formal review or under University Policy if there is financial exigency or discontinuation of a program or department of instruction or there is no long any need for the adjunct's expertise and teaching services in light of the teaching portfolios of members of the fulltime faculty. The affected faculty member will be given notice as soon as possible. Any Adjunct Faculty member's appointment may be terminated for cause under University Policy related directly and substantially to the fitness of the faculty member in his or her professional capacity as teacher. Termination for cause shall not infringe on his or her right to exercise academic freedom or his or her rights as a citizen of the United States.



## **(5). Research Faculty**

### **Standards and Procedures for Appointment, Reappointment and Promotion of Research Faculty**

**Adopted by College of Law Faculty April 2009**

- A. Scope. These Standards and Procedures govern initial appointments, reappointments, and promotions of Research Faculty. Research faculty are part-time or full-time members of the faculty who are primarily responsible for research and publication, usually in conjunction with specially funded projects, under supervision by or in collaboration with one or more members of the regular faculty; for service at the college of law, university, and community levels depending on their residence status; and for the development and implementation of special lectures, seminars, or other programs connected with their research and other areas of expertise. Research faculty are expected to engage in scholarship, and will be supported to do so based on funding available for individual projects. Research faculty serve for fixed contract terms of one to five years, which may be renewed through reappointment in accord with University Policies, including University Policy 6-310 (Appointment, Reappointment and Evaluation of Auxiliary Faculty and Other Instructional Personnel). Research faculty may be onsite at the University, or at other locations depending on the nature and funding of the research projects. Research faculty ordinarily do not teach regular courses, but may be expected to give individual lectures, participate in other programs, or otherwise enhance the College of Law's teaching mission as related to their research programs.
- B. Effective Date. April 2009
- C. Auxiliary Faculty Review Committee. Reviews of Research Faculty provided for in this policy will be conducted by the Auxiliary Faculty Review Committee ("AFRC"). The AFRC has a base membership comprised of three (or more) members of the tenured faculty, and one full-time member of the auxiliary faculty who holds the rank of Professor. One is the elected chairperson of the RPT Committee, who also chairs the AFRC, and the others are selected by the dean (who has the discretion to select more members if needed for heavy workloads).
- D. Appointment Terms and Academic Rank. Research faculty may be appointed at the rank of assistant, associate, or full professor, for fixed terms of one to five years depending on funding for individual research projects or programs. However, a member of the research faculty who has served a combined period of three years will undergo formal review under procedures specified below, will be eligible for promotion pursuant to the criteria

specified below, and may be appointed to a five-year term at the rank of either Associate Research Professor or Research Professor, with a presumption of renewal following a formal review every five years, depending on the likelihood of continued funding and research opportunities in the relevant field of inquiry.

- E. Criteria for Appointment, Reappointment and Promotion. Research Faculty at a given rank are expected to have excellent academic or professional qualifications and experience appropriate to the specific research projects to which they are assigned, and ordinarily possess specific knowledge, skills, or experience that augments that of regular faculty. Research faculty who hold an academic appointment at another institution will be appointed at the rank they hold at that institution. Ranks for other Research Faculty will be determined, in accordance with criteria specified below, after considering the number of years in law practice or another relevant field, the nature of that practice or other experience, academic background, length and nature of prior research and scholarly experience, and other significant achievements, service, awards and contributions. The Faculty Appointments Committee, in consultation with the Associate Dean for Academic Affairs, will forward recommended appointments and ranks to the Dean of the College of Law. Until promoted to the rank of Professor, Assistant Research Professors and Associate Research Professors are assigned a mentor who is a member of the tenure/tenure track faculty or a Lecturer at the rank of Professor, and who ordinarily will be serving a principal role in the research project or projects to which the research faculty is assigned. Research faculty at the rank of Full Professor will work in collaboration with members of the regular faculty on the research projects to which they are assigned.
- (1). A candidate will be appointed at the rank of Assistant Research Professor based on demonstrated potential for effective research and scholarship, as shown by outstanding law practice or academic or professional achievement in law or another relevant field. Other factors that may be considered include prior research or scholarly efforts, and/or other relevant achievements and skills.
  - (2). Candidates will be appointed at the rank of Associate Research Professor if they have a demonstrated record of effective research and scholarship, with publications or other appropriate scholarly output, based on their work on assigned projects at the College of Law, or based on other scholarly achievements at other institutions or in other settings.
  - (3). Candidates will be appointed at the rank of Research Professor if they have demonstrated excellent performance in research and scholarship, based on their work on assigned projects or based on other scholarly achievements at other institutions or in other settings, consistent with the standards for excellent scholarship by which members of the regular faculty are judged for tenure or

promotion to Full Professor. (See College of Law Standards and Procedures for Retention, Promotion and Tenure of regular faculty.)

F. Time and Method of Informal and Formal Reviews of Research Faculty.

Members of the regular faculty who supervise or collaborate with research faculty are responsible for ongoing informal review and evaluation of research faculty with whom they work. If research faculty co-teach or participate in any teaching activities, the associate dean will review teaching evaluations as appropriate. Any issues or problems will be discussed and addressed individually, as needed. Reappointment terms will vary based on the length of individual research projects and funding. However, any research faculty whose combined appointment terms exceed three years will undergo a formal review prior to reappointment to any subsequent term. Formal reviews of research faculty will consider effectiveness of scholarship and scholarly outcomes (publications, reports, etc.) as the primary criterion, along with college, university and community service, and the effectiveness of any lectures or special programs the individual was assigned to develop and administer.

The AFRC is responsible for conducting formal reviews of Research Faculty and recommending reappointment to the Faculty Appointments Committee and the Dean of the College of Law. Formal review will occur before promotion and appointment to a five-year term.

1. By the end of the fall semester of the academic year for review, the candidate should submit to the Chair of the AFRC a portfolio that includes:

- (a). a resume;
- (b). a description of research projects conducted at the College of Law or elsewhere, and a description of relevant publications or other scholarly outcomes and the faculty member's role in that work product;
- (c). a summary of any relevant teaching, seminars, or other scholarly programs related to the faculty member's research activities;
- (d). a summary of any relevant service activities at the College of Law, University, or community levels; and
- (e). any other materials the candidate deems relevant.

2. Prior to the end of the fall semester of the academic year for review, the Chair of the AFRC shall solicit comments from other members of the College of Law faculty and staff and any other College of Law or University personnel who are familiar with substantive aspects of the candidate's work. The Chair of the AFRC shall insure

peer evaluation of the candidate's work and include reports and evaluations in the candidate's portfolio.

3. The Chair of the AFRC shall circulate the candidate's portfolio to other committee members, who shall read the complete file.

4. The Chair of the AFRC shall assign a committee member to prepare a written report to the faculty summarizing and evaluating the candidate's research and scholarly work. The report shall indicate whether the Committee deems the candidate's research and scholarship to be effective or excellent, and whether other aspects of the candidate's performance are satisfactory, and shall recommend either (a) that the candidate be reappointed and promoted, (2) that the candidate be denied reappointment, or (3) that the candidate be reappointed for a one-year contract with the opportunity to apply for reappointment and promotion commensurate with number of years served. The report shall be completed during early spring semester of the year for reappointment and shall explain the factual basis for the evaluation. All members of the AFRC shall approve the report.

5. The candidate shall receive the AFRC report when completed, and has the right to review his or her file, except for any confidential letters of evaluation solicited from outside the college. The candidate may make a written comment on any item and include it in the file before any faculty meeting.

6. By February 5 of the academic year for reappointment, the AFRC chair shall circulate a copy of the report to the faculty and make the candidate's file available for review. The Faculty Appointments Committee (full-time faculty entitled to vote on appointment or re-appointment of the candidate) shall meet and discuss the recommendations and by a majority vote make a final recommendation, with the AFRC Chair or designee keeping minutes to be made a part of the file.

7. The candidate shall receive a copy of the vote and minutes.

8. The Dean shall receive the entire file and make his or her independent recommendation and forward the file to the appropriate Vice-President for approval. Before forwarding the file, the Dean shall give the candidate a copy of his or her recommendation. The candidate has the right to make a written response to the dean's recommendation and/or to the faculty recommendation within ten days of receiving the dean's recommendation.

9. The Dean shall notify the candidate of the decision no later than March 15 of the academic year for review.

G. Voting Rights. Research faculty may participate fully and vote in College of Law committees to which they are assigned, as related to their research activities. Research

faculty may attend College Council and appropriate faculty meetings, but have no voting rights at those meetings.

- H. Termination of Appointments. Appointments of Research Faculty may be ended under the terms described above or under University Policy if there is financial exigency or discontinuation of a research program or department, or there is no long any need for the faculty member's expertise and research services in light of the expertise of members of the full-time faculty. The affected faculty member will be given notice as soon as possible. Any Research Faculty member's appointment may be terminated for cause under University Policy related directly and substantially to the fitness of the faculty member in his or her professional capacity as scholar. Termination for cause shall not infringe on his or her right to exercise academic freedom or his or her rights as a citizen of the United States.

## **(6). Visiting Faculty**

### **Standards and Procedures for Appointment, Reappointment and Promotion of Visiting Faculty**

**Adopted by College of Law Faculty April 2009**

- A. Scope. These Standards and Procedures govern initial appointments, reappointments, and promotions of Visiting Faculty. Visiting faculty are part-time or full-time members of the faculty who have one or two-year temporary appointments at the College of Law, and whose responsibilities include teaching and scholarship as appropriate to the ranks and categories to which they are appointed. Visiting faculty typically are appointed for one or more of the following purposes: (1) to teach courses in the College of Law curriculum because of sabbaticals, leaves, or vacancies in the faculty; (2) to explore mutual interest in a permanent appointment at the College of Law; and (3) in the case of Visiting Assistant Professors, to provide aspiring academics an opportunity to obtain experience in teaching, and to engage in productive scholarship under the mentorship of experienced members of the faculty.
- B. Effective Date. April 2009.
- C. Appointment Terms and Academic Rank. Visiting faculty may be appointed at the rank of assistant, associate, or full professor, for fixed terms of one semester to two years depending on curricular needs, funding and other factors. Visiting faculty may be reappointed to additional terms at the discretion of the Appointments Committee and the dean in accord with University Policies, but the combined length of the appointments in the Visiting category may not exceed three years (in accordance with University policy). Visiting Assistant Professors typically have little or no teaching or other academic experience, and are appointed for purposes of future development of an academic career. Other visiting faculty typically maintain regular faculty appointments at another academic institution, and are appointed at the rank they hold at their home institution.
- D. Criteria for Appointment, Reappointment and Promotion. Visiting Professors at a given rank are expected to have academic or professional qualifications and experience appropriate to the courses they will teach, and ordinarily possess specific knowledge, skills, or experience that augments that of regular faculty in any given year. Academic background, length of prior teaching experience, and other significant achievements, number of years in law practice and the nature of that practice, service, awards and contribution to legal education or the profession shall be considered when determining the initial term and academic rank, except that it is presumed that visiting faculty who

hold an appointment at another academic institution will be appointed at the rank they hold at that institution. The Faculty Appointments Committee, in consultation with the Associate Dean for Academic Affairs, will forward recommended appointments and ranks to the Dean of the College of Law.

Visiting Assistant Professors will be appointed based on demonstrated potential for excellence as a teacher and scholar, as shown by outstanding academic achievement or law practice, which may include judicial clerkship experience. Other factors that may be considered include prior teaching, prior scholarship, and/or other relevant achievements and skills.

E. Time and Method for Reviews of Visiting Faculty:

The Associate Dean for Academic Affairs reviews teaching evaluations for all members of the faculty at least annually. Any issues or problems are discussed and addressed individually, as needed.

Visiting faculty typically do not undergo informal or formal reviews. Visiting faculty who are subsequently considered for a permanent position will be reviewed in conjunction with the regular faculty appointment process.

Visiting Assistant Professors and Visiting Associate Professors are assigned a mentor who is a member of the tenure/tenure track faculty or a Senior Lecturer. Mentors provide advice as needed on issues of teaching and other responsibilities, in consultation with the associate dean for academic affairs. Visiting Assistant Professors are evaluated informally after the first year by the Associate Dean for Academic Affairs in consultation with the appointed mentor.

F. Voting Rights. Visiting faculty may participate on College and University Committees at the discretion of the Dean of the College of Law. Visiting faculty have no voting rights at the College of Law.

G. Termination of Appointments. Appointments of Visiting faculty may be ended under University Policy if there is financial exigency or discontinuation of a program or department of instruction or there is no long any need for the Visiting faculty member's expertise and teaching services in light of the teaching portfolios of members of the fulltime faculty. The affected faculty member will be given notice as soon as possible. Any Visiting faculty member's appointment may be terminated for cause under University Policy related directly and substantially to the fitness of the faculty member in his or her professional capacity as teacher. Termination for cause shall not infringe on his or her right to exercise academic freedom or his or her rights as a citizen of the United States.