

Faculty Policy Handbook

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Governing Policy Documents

Law School Mission

We firmly believe that differences make us stronger. At Brandeis Law, our tent is big and we aim to ensure that all students, faculty, and staff feel valued, heard, and treated equitably and with dignity. We want all of our students, regardless of their backgrounds, to find a welcoming and nurturing environment. As reflected in our academic program's [learning outcomes](#), Brandeis Law is guided by the vision of its benefactor and namesake, United States Supreme Court Justice [Louis D. Brandeis](#), in its mission to:

1. educate students in skills, knowledge and values for lifelong effectiveness in solving problems and seeking justice by giving them outstanding opportunities to:
 - develop knowledge of the basic principles of public and private law;
 - develop effective skills of legal analysis and written communication, legal research, conflict resolution, problem solving and other fundamental skills;
 - understand diverse perspectives that influence and are influenced by the law and its institutions, through a diverse faculty and student body, and through legal research and scholarship; and
 - understand their ethical responsibilities as representatives of clients, as officers of the court and as public citizens responsible for the quality and availability of justice;
2. produce and support research that has a high level of impact on scholarship, law, public policy and/or social institutions;
3. develop and pursue interdisciplinary inquiry;
4. actively engage the community in addressing public problems, resolving conflicts, seeking justice, and building a vibrant and sustainable future through high-quality research and innovative ideas, and application of research to solve public problems and serve the public;
5. actively engage diverse participants in an academic community of students, faculty and staff that is strengthened by its diversity and its commitment to social justice, opportunity, sustainability and mutual respect; and
6. develop and use resources efficiently, effectively and sustainably to achieve mission-critical goals and strategies and to ensure student access to relatively affordable legal education.

Educational Objectives in Support of the Mission

The mission statement served as the framework for the Student Learning Outcomes that are the educational objectives, [as approved by a February 21, 2017, faculty vote](#).

The program of study at the University of Louisville Brandeis School of Law prepares graduates to:

1. Build upon a solid understanding of core legal principles of substantive and procedural law, as required by state bar examinations, including the Kentucky Bar Exam, and for entry-level practice in a variety of settings.
2. Analyze client problems, in the realm of law or policy, by identifying and articulating legal issues, factual issues, and governing law, and performing a sound a focused legal analysis and resolution of issues presented.
3. Use a variety of written and oral communication strategies central to lawyering in the litigation and transactional context.
4. Conduct legal research as needed to advise or advocate on behalf of clients.
5. Recognize and assume proper professional and ethical responsibilities to clients and the legal system.
6. Demonstrate commitment to professional formation involving lifelong, self-directed careers in law.
7. Understand legal issues from diverse perspectives, with an emphasis on cultural competency.

Compassionate Institution Resolution

The City of Louisville has made compassion a priority and has received the International Compassionate City Award by the International Institute for Compassionate Cities, a project of the Compassionate Action Network. As part of that effort, the University of Louisville Brandeis School of Law has resolved to be a Compassionate Institution and has committed to:

1. Work with the Partnership for a Compassionate Louisville and other groups toward the common aim of compassion.
2. Partner with the City of Louisville in its effort to become, "The Most Compassionate City in America."
3. Embrace the principles of the charter and champion the cause of compassion, serve as an exemplar for compassion, and promote a culture and climate of compassion.

Bylaws

The Bylaws of the Louis D. Brandeis School of Law are available on the website of the University Provost at <https://louisville.edu/provost/faculty-personnel/unit>.

Faculty Meeting Procedures

Faculty meetings are governed by the policies and procedures set out in [Chapter 3 of the University Redbook](#) and in Article V of the School of Law [Bylaws](#). Hiring meetings are further governed by the [Faculty Hiring Procedures](#). Personnel Committee meetings are further governed by the [Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion, Tenure, and Periodic Career Review](#).

Faculty meetings are typically held monthly from August to May monthly. Agenda items and prior meeting minutes should be circulated at least one week before the meeting. Voting rights and quorum rules are located in the [bylaws](#). In the absence of a specific rule to the contrary, faculty meetings are conducted according to [Robert's Rules of Order \(Revised\)](#).

Leibson Rule

Before any motion, other than an amendment or other change to a pre-delivered motion, may be made and a vote taken on a substantive matter (i.e., something other than a perfunctory item such as grade change, course number change, etc.), a copy of the motion must be delivered to each faculty member and student representatives, not less than three school days before the motion is made.

The Leibson Rule shall be waived each time only by a 2/3 positive vote of the law school faculty present and voting.

Brandeis Law School Policy on Academic Freedom and the Free Expression of Ideas

The Brandeis Law School is “committed to protecting the academic freedom of all members of the law school community” and to defending the “freedom of inquiry and instruction, and free expression both on and off campus.”¹

I. Academic Freedom Policy

- a. Faculty of the Brandeis Law School are entitled to academic freedom in research and scholarship, publication, academic evaluation, and classroom expression,² including teaching activities related to client representation in clinical programs. Participation in the governance of the Brandeis Law School, in managing library collections and providing information services, and in community engagement and other related public service activities, are all protected by academic freedom.³ This policy is designed to grant faculty the broadest possible latitude to speak, write, listen, challenge, learn, and discuss any issue.
- b. This academic freedom policy applies to all full-time and part-time faculty, including visitors, adjuncts,⁴ and staff teaching in law school courses.⁵
- c. The academic freedom of full-time faculty is protected the Redbook⁶ which provides for the due process rights of notice, hearing and appeal, whether a complaint arises from an annual review, tenure or promotion action, periodic career review, or any other “actions taken by an administrator or others that have caused material disadvantage to the faculty member.”⁷

¹ Redbook § 2.5.

² *Id.* and Kentucky Campus Free Speech Protection Act, KRS 164.348(2)(b) (universities must adopt policies to grant faculty “the broadest possible latitude to speak, write, listen, challenge, learn, and discuss any issue”).

³ *Id.*

⁴ The University of Louisville is “committed to protecting the academic freedom of all members of the University community.” Redbook Sec. 2.5.1. Part-time faculty “shall have an appeal process as provided for in the terms of appointment.” Sec. 4.1.2.

⁵ “Faculty” means any person tasked by a public postsecondary education institution with providing scholarship, academic research, or teaching, regardless of whether the person is compensated by the postsecondary education institution.” KRS 164.348(1)(a).

⁶ Redbook § 4.4.4.

⁷ Redbook § 4.4.4 and Redbook Article 4.4 Resolution of Faculty Disputes and Article 4.5 Termination of Service.

II. Policy on Free Expression of Ideas

- a. The Brandeis Law School encourages and supports the free expression of ideas by faculty, staff, and students, including ideas that may be considered controversial or unpopular⁸ and does so whether such ideas are expressed via written expression, debate, demonstrations, or protests.
- b. The right of free expression does not include the right to substantially disrupt or materially interfere with the free expression of others.⁹ Consistent with this policy, students of the Brandeis Law School are subject to the University of Louisville Student Code of Conduct and other university policies governing the disruption of normal university functions and the regulation of the time, place, and manner of expression on University grounds.¹⁰
- c. No faculty, staff, or student may be sanctioned without due process, including notice, hearing, and appeal. The procedures are outlined in the Redbook,¹¹ University Policies and Procedures,¹² and the Student Code of Conduct,¹³ as the person's status dictates.

⁸ Kentucky law protects campus speech even when it is "offensive, unwise, disagreeable, conservative, liberal, traditional, or radical." KRS 164.348(2)(c).

⁹ ABA Standard 208(b)(2), Section 7 of the University Code of Student Rights and Responsibilities, the Student Code of Conduct, and *Diei v. Boyd*, 116 F.4th 637, 646 (6th Cir. 2024) quoting *Ward v. Polite*, 667 F.3d 727, 734 (6th Cir. 2012).

¹⁰ Student Code of Conduct §10(d), 10(m), 10(t), 10(cc), and 10(ii). University of Louisville Campus Use Policy.

¹¹ Redbook, Article 4.4 Resolution of Faculty Disputes.

¹² Policy on Grievances < <https://louisville.edu/policies/policies-and-procedures/pageholder/pol-grievances> > (applies to staff and administrators).

¹³ Student Code of Conduct §5 (interim procedures), §§11-12 (ordinary procedures).

Rights, Duties & Responsibilities of Academic Staff

Many of the rights, duties and responsibilities of the academic staff at the Law School are provided by the University. Faculty are required to abide by all [University policies](#), including the [Faculty Accountability Policy](#), as well as Law School policies.

The Redbook

The Redbook of the University of Louisville is the basic governance document of the University. The Redbook covers: Organization and Operation of the Board of Trustees and the President's Council (Board of Overseers); Organization and Operation of the University Administration; Organization and Governance of the Academic Programs; Faculty Personnel Policies; Staff Organization and Personnel Policies; Student Governance and Student Affairs Administration; and Revision of The Redbook. The Redbook is available in its entirety online at [this website](#).

Pertinent Redbook Sections:

[Article 2.5: University Policies and Procedures](#)

- 2.5.1: Academic Policy – Statement of Academic Freedom
- 2.5.3: Intellectual Property Policy
- 2.5.4: Equal Opportunity Policy
- 2.5.5: Personnel Policies
- 2.5.6: Archives and Records Policy
- 2.5.8: Ethical Considerations

[Chapter 3: Organization and Governance of the Academic Programs](#)

- 3.2: Deans of Academic Units
 - Appointment of Deans
 - Duties and Responsibilities of Deans
 - Review of Service
 - Leaves of Absence
- 3.3: The Faculties of the Major Academic Units
 - Membership and Appointment
 - Jurisdiction and Purposes
 - Faculty Meetings
 - Bylaws of the Units
 - Divisional or Departmental Officers
 - Postdoctoral Fellows and Researchers
- 3.4: Governing Bodies of the Faculty
 - Assembly of the Faculty

[Chapter 4: Faculty Personnel Policies](#)

- 4.1: Faculty Appointments and Tenure
 - Full-Time Faculty Appointments
 - Part-Time Appointments
 - Emeritus
 - Other Appointments
- 4.2: Tenure

- Annual Reviews
- Tenure
- Promotion in Rank
- Periodic Career Reviews
- 4.3: Conditions of Faculty Employment
 - Annual Work Plan and Presence at the University
 - Compensation
 - Work Outside the University
 - Paid Tutoring
 - Sabbatical Leave
 - Leave of Absence Without Pay
 - Leave of Absence With Pay
 - Retirement
- 4.4: Resolution of Faculty Disputes
 - Guiding Principles of Dispute Resolution
 - Administration of Faculty Disputes
 - Scope of Procedures
 - Types of Disputes Covered
 - Procedures for Dispute Resolution
 - Records of Dispute Resolution Processes
- 4.5: Termination of Service
 - Termination of Appointment by a Faculty Member
 - Probationary Academic Appointments
 - Termination of Academic Employment Before the End of a Specified Term or for Persons with Tenure
 - Action by the Board of Trustees
 - Suspensions
- 4.6: Personnel Documents
 - Minimum Guidelines
 - Unit Documents
 - Approval of Unit Personnel Documents
 - Departmental Personnel Documents
- Appendix: Office of the Ombuds, Faculty Grievance Officer, Faculty Grievance Committee
- Appendix: Termination Procedures
- Appendix: Minimum Guidelines for Faculty Personnel Reviews

Faculty Hiring Procedures

I. General Statement of the Purpose

The process for hiring new faculty is guided by the principle that each candidate should receive a full and fair assessment of the merits of his or her application. No candidate brought to the full faculty by a hiring committee should be deemed unacceptable without an explanation of the reasons for that decision. It is not essential that every single faculty member speak about every single candidate, but it is essential that there be a forum for full discussion of the strengths and weaknesses of each application. Therefore, the purpose of these procedures is to establish a mechanism that provides the greatest possible opportunity for views to be expressed and collegial discussion to take place between faculty members.

II. Faculty Appointments

A. Full Time Faculty Appointments

The following procedures apply to faculty candidates for full-time, tenure track positions, including appointments of Chaired Professors.

1. The faculty¹⁴ will begin consideration of candidates for a full-time faculty position, excluding visiting faculty, by having a discussion (at a meeting at which student input, including both the SBA and student member(s) of the recruitment committee, will be received prior to moving into executive session) assessing the strengths and weaknesses of each candidate. The candidates will be considered separately, in alphabetical order. A faculty member of the recruitment committee shall be charged with facilitating the discussion of each candidate; the identity of the facilitator(s) will be made known to the faculty prior to the meeting. The selection of the facilitator and dissemination of the name of the facilitator shall be the responsibility of the Chair of the Recruitment Committee. At this stage, the discussion may be directed towards assessing any factors relevant to the applicant's merits. Since it is difficult to draw a firm line between factors relevant to the acceptability of the candidate and those relevant to his or her standing vis-a-vis the other candidates, there shall be no pre-set rule about the importance of some factors over others. Members of the faculty who are reluctant for any reason to express views at the full meeting may convey their views (positive or negative) to the facilitator, who will be charged with relating such views at the meeting and keeping the source of the information confidential, if the faculty member desires. Any faculty member reluctant for any reason to express his or her views to the candidate's facilitator may instead convey them to another member of the recruitment committee.
2. Discussion of candidates, at all stages of the decision making process, should consider the relative merits of the candidates, including but not limited to the extent to which one or some of them do or do not:
 - a. More closely fit the curricular needs of the school of law than others;
 - b. Show more potential as classroom teachers than others, based on prior experience on demonstrated ability;
 - c. Show more potential as scholars than others, based on prior productivity or demonstrated commitment and/or ability;
 - d. Are more likely than others to meet or exceed the service expectations;
 - e. Contribute in some way to the diversity of the faculty;
 - f. Possess other characteristics relevant to the tenure and promotion process, including collegiality;
 - g. Possess and appropriate educational background.
3. After the discussion of all candidates has been completed, a vote on the acceptability of the candidates will be conducted, and it shall proceed by secret ballot.

¹⁴ As used in this document, "faculty" refers to the Law School Faculty charged with responsibility for hiring new faculty pursuant to Section IV.A1 of the Law School Bylaws.

4. The vote on acceptability will be a simple "yes" or "no" vote on each candidate. It should not reflect a relative ranking of the candidates; a faculty member may vote none, some, or all of the candidates as acceptable.
5. Each candidate deemed acceptable by two-thirds of the faculty present and voting for each candidate shall remain under consideration by the faculty. Before moving onto the discussion of how the acceptable candidates should be ranked, for any candidate who does not receive the necessary two-thirds vote, but who does receive a simple majority, it shall be in order for a faculty member to move for reconsideration of the decision regarding that candidate¹⁵. If the motion receives a second, the movant shall have no more than 5 minutes to explain his or her reasons for asking the faculty to reconsider its vote on the candidate in question. Ensuing discussion shall last for no more than 10 additional minutes, unless the time period is extended by a majority vote of the faculty for another 10 minutes. Any further extensions of time for discussion requires a two-thirds vote. If the motion to reconsider passes by a majority vote, the faculty shall vote by secret ballot whether the candidate is acceptable. If any reconsidered candidate receives a two-thirds majority vote of faculty present and voting, he or she shall remain under consideration.
6. If only one candidate is deemed acceptable, then the Dean shall promptly begin preliminary employment discussions.
7. Upon completion of discussion of the relative merits of the remaining candidates, a vote will be conducting ranking them, and it shall proceed by secret ballot.
8. The ranking vote will require each faculty member to list his or her preferences, from first to last, among the remaining candidates. The candidate most highly favored shall be ranked "1," the second shall be ranked "2," etc. The votes shall then be tabulated based on the average score from those present and voting on that candidate, and the candidate with the lowest score be deemed the faculty's recommendation of its first choice for the position
9. If the first ranked candidate recommended by the faculty does not wish to be considered for potential future employment, the Dean shall promptly inform the faculty of the need to move to the next candidate and promptly begin preliminary employment discussions with the next candidate. This process may continue down the list until the last candidate has chosen not to consider future employment with the Brandeis School of Law.
10. If any faculty member has new information that may warrant a reordering of the candidate ranking, removal of a candidate from the acceptable category, or opening a new search, it shall be in order for the faculty member to make an intervening motion. Any motion made regarding a reordering of the candidates shall be made by a two thirds Vote. Any motion made regarding the removal of a

¹⁵ The primary purpose of the "reconsideration" stage would be to ensure full consideration of the full merits of all candidates seen as acceptable by a majority of the faculty. Our expectation is that motions for reconsideration will primarily be made in instances in which the movant believes that the basis for the negative votes was not thoroughly explained during the initial discussion, and/or that there may be additional positive information or arguments not already aired during the initial discussion.

candidate from the acceptable category shall be made by a majority.

11. If the entire list of "acceptable" candidates is exhausted, the Dean shall call the faculty into executive session to consider the appropriate next step. At that meeting, the faculty may choose to instruct the recruiting committee to reopen the search to permit consideration of additional candidates or postpone the search until the following academic year (if possible).

B. Visiting Faculty Appointments

1. Term Lengths

Regular visiting faculty member appointments are made by the Dean. These appointments are generally one year, but may be two years.

2. Notification to Faculty

Prior to making visiting faculty appointments, the Dean shall if practicable notify the Law School Faculty of the intent to hire visitors for the upcoming academic year, and the anticipated subject matter needs of the law school for such visitors.

Upon making visiting faculty appointments, the Dean shall inform the Faculty Recruitment Committee of visitor appointment, the classes they will teach and other terms of employment and whether the visitor is interested in a longer term appointment.

"Look-see" visitors - visitors being considered for a tenured or tenure-track appointment as part of the terms and conditions of the visitorship -- will not be appointed by the Dean without such appointments being approved in advance through the Appointments Process for full-time tenure track faculty members.

3. Titles of Visiting Faculty

Visiting faculty members with no prior law school teaching experience and no current academic appointment elsewhere shall be hired with the rank of "Visiting Assistant Professor of Law." Visiting faculty member titles will otherwise be commensurate with the visitor's rank and experience. Continuation of a visiting position after two years will require approval by a majority of the Law School Faculty.

Petrilli Visiting Faculty members are "persons renowned for exceptional contributions to law, legal institutions or legal education." The Dean makes this appointment in consultation with the faculty. The appointments are for one semester only with the expectation of teaching, substantial research or service, providing collegial support, interaction with students and participation in university activities and programs. The position cannot be filled more than once by the same individual and the position is a "pure" visitorship, not a "look-see" arrangement. An appointment of an individual who does not meet the criteria of a "renowned" faculty member should only occur after consultation with the faculty and a requested waiver from the donor's agent. An appointment made on this basis should be made only to meet urgent institutional needs.

4. Potential Future Hiring on Tenure Track

Visiting Faculty appointments made pursuant to this document shall neither be presumed to be, nor precluded from, submitting his or her name as a candidate for a permanent tenure-track appointment pursuant to the tenure-track appointments process during the term of the visitorship. No preference shall be given to Visiting Faculty in any search for tenure track faculty members.

C. Renewable Term Appointments

To meet important institutional needs, renewable Term Faculty appointments not to exceed three years may be made. Such appointments shall be made through the same process as the Full Time Faculty Appointments process.

These appointments may not be made by the Dean outside the full time faculty appointment process. Individuals appointed through this process shall not have an expectation of tenure or promotion and shall not have an expectation of renewability after three years.

D. Emeritus Faculty Appointments

Retired Law School Faculty may be granted Emeritus Faculty status upon motion of any member of the Law School Faculty, by the vote of a majority of Law School Faculty members present and voting at the faculty meeting. The status of Emeritus Faculty shall be an honorary status without voting rights or official governance status.

E. Adjunct/Part Time Appointments

1. Appointment Process

The Associate Dean for Academic Affairs has discretion to make adjunct/part time appointments, within the budget constraints set by the Dean.

Reappointments may occur where the adjunct/part time faculty member performance meets appropriate standards and where the appointment meets institutional needs.

Adjunct faculty members do not have a role in governance, although they may be appointed to be nonvoting members of ad hoc committees as appropriate.

Reappointment does not carry any presumption of continued contract or tenure track status. Adjunct faculty members have no grievance rights or expectations relating to termination and continuation in service.

2. Promotion and Tenure

Adjunct/part time faculty members are not eligible for tenure or promotion unless the individual applies for a full time faculty position through the regular full time faculty appointments process.

3. Adjunct Faculty Titles

The title for an adjunct/part time faculty member is simply "Adjunct Professor of Law" Letters of appointment will so indicate.

III. Courtesy (Affiliated) and Visiting Scholar Appointments

A. Definitions

1. Courtesy Professors

Courtesy professors (who may also be called affiliated professors) are faculty members in other units at the University of Louisville¹⁶ who engage in research and/or teaching in an area relevant to legal education to such an extent that a courtesy or affiliated appointment would be mutually beneficial. Courtesy professors do not hold any portion of a Law School faculty line, but instead hold a line in another unit. Courtesy professors do not participate in Law School faculty governance. Appointment as a courtesy professor creates no entitlement to compensation from the Law School or the use of office space at the Law School. However, the Dean may provide compensation or other funds in connection with the courtesy professor's Law School related activities as appropriate, and may allocate office space on a temporary basis if space is available.

2. Visiting Scholars

Visiting scholars are scholars who are "in residence" at the Law School for a specified period of time greater than two weeks, typically to conduct research and interact with the University of Louisville academic community. An example would be a Fulbright Scholar from a university in another country, spending all or a substantial portion of his or her Fulbright study at the Law School. The term "visiting scholar" excludes (a) visiting full-time professors and visiting assistant professors hired to teach one or more courses, (b) any person who visits for less than two weeks, and (c) international exchange scholars from universities abroad under an approved exchange program (who ordinarily spend two weeks or less at the Law School.)

B. Rules Governing Courtesy (Affiliated) Professors

The following rules shall apply to all courtesy (affiliated) professor appointments at the Law School:

1. No appointment can be made unless approved by both the Dean and the majority vote of the Law School faculty entitled to vote on faculty appointments and present and voting at a meeting at which the appointment is on the agenda.
2. The Dean shall circulate to the Faculty the proposed appointee's CV and proposal describing how the appointment will benefit the Law School and the appointee at least five (5) days prior to a faculty vote on the appointment. The proposal must be a plan detailing how the appointee will engage with the Law School community.
3. The appointment shall have a discernible and substantial benefit to the Law School.
4. The appointee will have no right to participate in faculty governance.
5. The appointment shall not be made unless the Law School has adequate available resources to support the appointment, as determined by the Dean. The

¹⁶ Note that this policy is not intended to apply to courtesy professors whose primary position is at another institution. The Law School currently has no policy authorizing such appointments. Should such an appointment be envisioned in the future, a new policy will need to be adopted.

following resources must be considered in determining whether to make the appointment:

- a. available office space (if office space is to be made available);
 - b. costs of computer hardware and software, printing, and phone services (if the courtesy professor will use these services);
 - c. whether the proposed activities can be conducted without the appointee's use of the Law School's Westlaw and Lexis subscriptions (see below);
 - d. costs of building access, and keys where applicable; and
 - e. demands on the Faculty Resource Center and other staff.
6. Courtesy professors shall be entitled to use the Law School's subscribed database and other electronic services to the extent such use is consistent with the terms of the contracts issued by those providers to the Law School.
 7. Law Library privileges will be consistent with those extended to University Faculty of units outside the Law School. Courtesy professors will not have the same borrowing privileges as Law Faculty (*e.g.* long term checkout), nor will they have long term research assistance from library faculty or staff.
 8. Upon approval by both the Dean and the Faculty, the Dean shall issue a letter of appointment to the appointee, the terms of which shall comply with this policy and specify any compensation and other resources to be provided to the courtesy professor.
 9. Courtesy appointments shall be for no more than two years and may be renewed.

C. Rules Governing Visiting Scholars

The following rules shall apply to all visiting scholar appointments at the Law School:

1. The Dean shall circulate to the Faculty the appointee's c.v. and proposal describing how the appointment will benefit the Law School and the appointee at least two weeks prior to the date the visiting scholar will arrive at the Law School. The proposal must be a plan detailing how the appointee will engage with the Law School community.
2. The appointment shall have a discernible and substantial benefit to the Law School.
3. A full-time faculty member shall have agreed to serve as an advisor to the visiting scholar.
4. The appointee will have no right to participate in faculty governance.
5. The appointment shall not be made unless the Law School has adequate available resources to support the appointment, as determined by the Dean in consultation with the Faculty. The following resources must be considered in determining whether to make the appointment:
 - a. available office space;
 - b. costs of computer hardware and software, printing, and phone services;

- c. whether the proposed activities can be conducted without the appointee's use of the Law School's Westlaw and Lexis subscriptions (see below);
 - d. costs of a University ID, building access, and keys where applicable;
 - e. demands on the Faculty Resource Center and other staff; and
 - f. the capacity of the Law School to provide appropriate oversight and nurturing of the relationship between the appointee and the Law School community (including orientation to Law School policies, facilitated introductions to faculty, inclusion in appropriate events and activities, general welcome and point-of-contact).
6. Visiting scholars shall be entitled to use the Law School's subscribed database and other electronic services to the extent such use is consistent with the terms of the contracts issued by those providers to the Law School.
 7. Depending on the circumstances of the visit, the Dean or sponsoring member of the Brandeis Law Faculty may arrange with the Library Director for any special library privileges for visiting scholars.
 8. In the case of a visiting scholar who is a student at another academic institution, such appointment must also comply with the provisions set forth in the University's January 2015 policy entitled, "Sponsoring Visiting Research Students for Research Purposes," as the same may be amended from time to time. The University policy may be found at <https://louisville.edu/rescurch/policies/sponsoring-visitingstudents-researchpurposes>. The visiting scholar may also be required to execute an agreement relating to use of University facilities, as set out in the University policy.
 9. Upon approval by the Dean after consultation with the Faculty, the Dean shall issue a letter of appointment to the appointee, the terms of which shall comply with this policy.

Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion, Tenure and Periodic Career Review

Preamble

The creation, adoption, or implementation of the Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion, Tenure and Periodic Career Review is understood by the Law School and its Law Faculty not to waive any legal rights of faculty members.

I. Law Faculty Membership; Bodies Responsible for Personnel Decisions

A. Law Faculty Membership

1. The Law School Faculty consists of all personnel in the Law School who are tenured professors or in tenure track positions.
2. The Law Library Faculty consists of all personnel in the Law School Library who are tenured professors, in tenure track positions, or in term positions requiring a professional degree.
3. Visiting Faculty consist of all personnel in the Law School who are hired for non-renewable full-time term contracts.
4. Term Faculty consists of all personnel in the Law School who are hired on multi-year renewable non-tenure track term contracts.
5. Adjunct Faculty consists of all personnel in the Law School who are hired to teach a specific course or courses on a non-full time, non-tenure track basis.
6. Emeritus Faculty consists of those retired Law School Faculty voted such status by a majority of Law School faculty members, upon motion of any member of the Law School Faculty. Emeritus faculty members do not have voting rights or official governance status, but may be appointed by the Dean as nonvoting members of ad hoc committees.
7. Unless otherwise noted, the term "Law Faculty," when it appears in isolation, refers exclusively to all personnel described in Sections I.A.1 and I.A.2.

B. Bodies Responsible for Personnel Decisions

1. Appointment
The Bylaws for the Law School describe the bodies that bear responsibility for appointment of Law School Faculty. The Law School shall appoint Law Faculty, Visiting Faculty, and Adjunct Faculty pursuant to the [Faculty Hiring Procedures](#).
2. Post-Appointment Personnel Actions
The personnel Committee shall act for the Law School Faculty in making recommendations to the Dean concerning the reappointment, retention, promotion, granting of tenure and periodic career review of Law School Faculty and Term Faculty members.
 - a. The Personnel Committee shall be composed of each full-time Law School Faculty member whose primary appointment is in the School of Law and who is a tenured full professor. A quorum shall consist of two-thirds of those Committee members, including the Dean but excluding those on leave or sabbatical and excluding members under consideration. Members on leave or sabbatical may attend and vote.

- b. The Dean shall be a member of the Personnel Committee without voting rights. The Dean may chair the Committee or designate another member of the Committee to chair the Committee or to serve as the presiding officer at Committee meetings. The Dean also may designate other members of the Committee to serve as mentors for individual non-tenured Law School Faculty. References to the Dean's designee in this document shall be construed to refer to the designated Chair of the Personnel Committee, unless otherwise specified.
- c. Law Library Faculty Post-Appointment Personnel Actions
A special Law Library Personnel Committee shall be convened whenever post-appointment personnel recommendations and decisions involve the Law Librarian. The Committee shall be composed of the following, unless disqualified for interest: (a) all members of the Law School Faculty Personnel Committee; (b) each full-time, tenured member of the Law Library Faculty; and (c) the Law Librarian. The special committee shall act as a unit and each person present shall have one vote.

II. Procedure For Consideration of Reappointment, Retention, Promotion, Tenure, And Periodic Career Review

- A. Initiating Review; Notice
Regardless of whether the Dean has delegated the task of Chairing the Committee to another faculty member, the Dean consistent with the notice requirements contained in *The Redbook*, shall inform the Personnel Committee in the fall semester of each year of the Law School Faculty and Term Faculty members who will be considered for reappointment, retention, promotion, tenure, or periodic career review, and shall call a Personnel Committee meeting at the appropriate time to consider these faculty members. A Law School Faculty member may request one evaluation for early tenure. A Law School Faculty member or Term Faculty member may request one evaluation for promotion each year. In addition, the Personnel Committee may invite a potential candidate to consider initiating review for early tenure or promotion.
 - 1. Timing of Notice of Personnel Meeting
The Dean or Dean's designee shall, as early as practicable but ordinarily not less than eight weeks before the Committee meets to consider any personnel action, notify the members of the Personnel Committee, the faculty member or members under consideration, other members of the Law School Faculty, and the President of the Student Bar Association of the meeting. Such notice shall invite comment concerning the faculty member under consideration. The Chair shall give not less than one week's notice of the time of any rescheduled meeting or reconvening of a meeting recessed more than five hours. The notice requirements of this paragraph may only be waived by consent of the faculty member under consideration and two-thirds of the members of the Personnel Committee, including the Dean but excluding those on leave or sabbatical. Members on leave or sabbatical may attend and vote.
 - 2. Contents of Notice

Notice of a Personnel Committee meeting shall contain a statement of the purpose of the meeting, the date and time of the meeting, and the ways in which interested persons may present information to the Committee. The notice to the Law School Faculty member under consideration also shall instruct the faculty member to provide the Committee with current curriculum vitae, and any other information which the faculty member may wish the Personnel Committee to consider. The faculty member shall have four weeks from delivery of the notice to provide the Committee with this information, and he or she may supplement this information up to one week before the meeting. The notice shall also inform the faculty member to be available to the Committee during the time of the meeting.

B. Documentation

1. Creation of File for Personnel Committee
The faculty member under review by the Personnel Committee shall prepare a file which contains annual workplans and annual reviews, copies of all scholarship relevant to the decision, evidence of service, all other information specified in this document, other information requested or obtained by the Committee, and any further information submitted by the faculty member under consideration. Notwithstanding the prior sentence or Section A.2, no tenured faculty member involved in a periodic career review shall be required to submit any information to the Dean or the Personnel Committee. This file shall be available in the Dean's Office to members of the Personnel Committee and to the candidate. The faculty member may respond in writing to any material in the file and that response shall become part of the file.
2. Submission of File for Personnel Committee
Within one week following the notice of a meeting under Paragraph II.A. to consider a periodic career review, the Dean shall provide the Personnel Committee with annual review information for the previous five years for each tenured Law School Faculty member to be reviewed. After reviewing that information, the Committee may request additional, specific information from the faculty member to assist in its review, but such request will not obligate the tenured faculty member to provide any such information. The faculty member also may, on his or her own initiative, supply additional information for the Committee to consider.
3. Submission of Additional Materials to Personnel Committee
Any person other than the faculty under consideration, who wishes to submit material about the person under review, must submit material to the Chair of the Committee or the Dean no later than one week prior to the Personnel Committee meeting. As soon as practicable after receipt of such material, the Chair and/or Dean shall make available such materials to the Committee in the Dean's office.
4. Evaluations of Classroom Teaching
Except in periodic career review cases for tenured Law School Faculty and Law Library Faculty, the Dean shall provide for the preparation of an Evaluation of Classroom Teaching report which shall be made available to the faculty member

under consideration and the members of the Personnel Committee not less than one week before the meeting is held. The faculty member may respond in writing to this document. Such written response shall be sent by the faculty member to the Dean or Dean's designee or, if within one week of the Committee meeting, to each member of the Personnel Committee. The Evaluation of Classroom Teaching report shall be a part of the materials considered by the Personnel Committee in reviewing the faculty member's teaching. The report shall contain the following materials: (1) a copy of all recent student evaluation forms, (2) a summary of comments received by the Dean's Office from students concerning the faculty member under consideration, (3) a summary of faculty peer evaluations of the classroom teaching performance of the faculty member, and (4) such additional material as may be relevant.

5. Extramural Evaluations of Scholarship

In all promotion and tenure decisions involving Law School Faculty, the Personnel Committee shall solicit extramural evaluation of the scholarly work of the faculty member. Even when extramural review is not required, any faculty member under consideration may request extramural review of his or her performance. Regardless of whether it is required or requested, external reviewers shall be solicited, and the review conducted, under the standards set forth in the Extramural Evaluation section below.

6. Submission of Additional Material by Faculty Member Under Consideration

The faculty member under consideration may submit additional material during the final week before the meeting by providing a copy directly to each member of the Committee. Pursuant to *The Redbook*, the faculty member may add material to the file after the meeting, until the file is forwarded to the Provost.

C. The Personnel Committee Meeting

1. Appearance by Faculty Member Under Consideration

The faculty member under consideration may appear before the Personnel Committee at the time of its meeting. During this appearance, the faculty member may make a statement, present such evidence as could not be reduced to writing or recordable form, present witnesses, and respond to expressed reservations of any member(s) of the Personnel Committee. The Personnel Committee may request the faculty member under consideration appear before the Committee. If the faculty member under consideration requests that a recording of his or her appearance before the Committee be made, and such request is made in writing not less than one week before the meeting, the Chair of the Committee shall provide for such a recording to be made.

2. Appearance by Other Persons

The Committee may invite such other persons as it deems necessary to appear before the Committee. The faculty member under consideration shall be informed if any person is invited to appear before the Committee. Information introduced into consideration by the provisions of this paragraph shall be documented.

D. Recommendations of the Personnel Committee in Retention, Promotion, and Tenure Cases

In cases of retention, reappointment, promotion, or tenure, the Committee shall make a recommendation to the Dean based upon the information gathered relevant to the criteria (set forth below) for retention, reappointment, promotion, or tenure. A faculty member being considered for promotion or early tenure may request at any point that consideration of the promotion or early tenure be terminated.

1. Quorum and Voting Requirements

Personnel recommendations shall be by majority vote of those present at the meeting. Voting on personnel matters shall be by paper ballot. A quorum shall consist of two-thirds of those Committee members, including the dean but excluding those on leave or sabbatical and excluding the member under consideration. Members on leave or sabbatical may attend and vote.

2. Submission of Recommendations to Provost

The recommendation of the Dean and the recommendation of the Personnel Committee shall be forwarded to the Provost pursuant to *The Redbook* for final action. The personnel Committee may elect to forward its recommendation separately.

3. Cases of Unfavorable Determination

In any case of reappointment, retention, promotion or tenure, where the faculty member under consideration is not given a favorable recommendation by the Personnel Committee of the Dean, the faculty member shall be informed in writing, within 48 hours, of the specific reason(s) for the unfavorable determination. In cases where the Dean's recommendation is not favorable, notice will be provided both in person and by certified mail. Timely notice must be given so that the faculty member can make a timely and informed decision on whether to file a grievance pursuant to *The Redbook*.

E. Recommendations of the Personnel Committee in Periodic Career Review Cases

With respect to periodic career review for Law School Faculty, after reviewing relevant annual review documents and other relevant and available evidence, the Personnel Committee shall determine whether, without more information, it has concerns regarding the faculty member's level of performance.

If the Committee has concerns, it shall, in writing, notify the reviewed Law School Faculty member of its specific concerns. In that case, the Personnel Committee's process shall rest for 25 working days after the date when the Personnel Committee tendered notice to the reviewed faculty member; and the reviewed faculty member must submit any response by the close of that 25-day period. The Committee shall hold a meeting at which the faculty member will be entitled to be heard, as soon as practicable after the 25-day period.

III. General Criteria Relating to Retention, Reappointment, Promotion, Tenure, and Periodic

Career Review

The following criteria shall be used in determining whether a Law School Faculty member or Term Faculty member should be retained, reappointed, promoted, or advanced to tenure and in a periodic career review. Provided, that a Term Faculty member shall not be eligible for tenure, and further shall not be required to engage in scholarship or creative activity unless such is required in his or her letter of appointment or relevant workplan(s).

Persons having their primary appointment to the Law Library Faculty are not required to have a law degree for promotion to be granted.

A. Teaching

Effective teaching is indispensable for reappointment, promotion, or tenure. Thorough preparation, mastery of the subject matter, and effective communication thereof are essential. The individual teaching style of any faculty member, however, is of necessity a matter of his or her personal determination.

Evidence of classroom teaching effectiveness will ordinarily be gathered from classroom visitation and from student course evaluations and will be considered by the Personnel Committee using the following guidance:

1. The Personnel Committee shall consider the organization of courses and material, planning and preparation for the courses, the vitality of classroom presentation, the capacity to inspire students and to arouse lasting intellectual interest, knowledge of the subject matter, use of teaching materials, efforts made to encourage student participation, and the like in evaluating classroom teaching effectiveness.
2. The faculty member's advising and counseling of students will also be considered as activities relating to teaching. Information from students through course evaluations and individual comments will be considered and accorded proper weight.
3. The development of new courses or innovative, effective teaching approaches shall be considered. A faculty member under consideration may provide evidence of such innovations or new programs. (In a case of major innovations, the activity may more appropriately be considered as creative achievement; see Research and Creative Achievement.)
4. Presentations to Bar groups, continuing legal education seminars, and community groups which are primarily in the nature of teaching rather than of creative significance or of service shall also be considered in determining teaching excellence and the faculty member under consideration may provide the Personnel Committee evidence of the quality of teaching represented by these presentations.

B. Research or Creative Achievement

The Law School recognizes and encourages diversity of research contributions and creative activity. Many forms of creative activity recognized by the Law School are unique to the legal community. Research and creative activity by law faculty members

enhance the understanding of the subjects which faculty members teach or contribute to the clarification, development and reform of the law. Research or creative activity will be evaluated by the Personnel Committee using the following guidance:

1. Research and creative achievement may take such forms as books, law review articles, law related articles in other learned journals, course materials, written briefs, and papers presented at professional conferences and learned meetings. To the extent they represent serious research and creative achievement, presentations to continuing legal education seminars, legislative drafting, research grant proposals and the like are also recognized. Research which leads to the development of major innovations in effective teaching and research methods is recognized when it involves significant research and creative efforts. Law reform projects, consultation with legislative, judicial or administrative bodies, and participation in empirical research projects may be recognized forms of research and creative activity.
2. Research or creative activity in progress shall also be considered an achievement to the extent that the faculty member under consideration has developed it to the point that the quality of the work can be considered by the Personnel Committee.
3. The evaluation of research and creative achievement should be based on documentary or documented evidence. Publication or other printed or written work provides this type of evidence, and material to be considered as research or creative activity will ordinarily be reduced to writing.
4. In reviewing research and creative achievement, the Personnel Committee will give attention to both the quality and quantity of the work, but the quality of work will be considered of primary importance.

C. Service to the Law School and to the University

The faculty member's participation in the governance and operation of the Law School is important in maintaining the strength of the school. Service to the Law School will be evaluated by the Personnel Committee using the following guidance:

1. Service to the Law School includes participation in faculty meetings and faculty committees, administrative assignments, the sponsorship of student groups or other services to students, and the performance of special tasks assigned by the law faculty or Dean.
2. The Law School has an important obligation to participate actively in the affairs of the University community. Therefore, faculty members are expected to provide service to the University as well as to the Law School. Participation in University committees, performance of University governance or administrative tasks, acceptance of significant advisory positions within the University and the like shall be considered evidence of service to the University.
3. A faculty member under consideration may present evidence of participation on M.A. and Ph.D. thesis and dissertation committees.

4. The quality as well as the quantity of service to the Law School and service to the University shall be considered. A faculty member under consideration may provide, or the Personnel Committee may seek, written evaluations of the faculty member's service.
- D. Service to the Community and to the Profession. Service to the community and the profession will be evaluated by the Personnel Committee using the following guidance:
1. Service to the community (local community, state and nation) may take many forms including law reform projects (to the extent not counted as Research or Creative Activity); speeches and interviews; service on community committees, task forces and commissions; and presentations concerning the law to community groups, schools and the like. To be considered as service to the community, the activity must be related to one's status as an attorney or as a faculty member.
 2. Service to the profession as well as to the community is expected of law faculty members. Active participation in professional organizations, service on bar committees and commissions, presentations to continuing legal education seminars (to the extent not counted as Teaching or Research or Creative Activity), and participation in professional meetings are acceptable forms of professional service. The receipt of professional honors and awards may be recognition of professional service.
 3. The quality as well as the quantity of service to the community and service to the profession shall be considered. To the extent possible, evaluations based on first-hand observation by members of the Personnel Committee should be obtained, but a faculty member under consideration may provide, or the Personnel Committee may seek, evaluations of the faculty member's services.
- E. Service at the Law School is a factor to be considered in determining whether a promotion or "early tenure" is appropriate. Presence at the Law School over a period of years is necessary to develop a base upon which a complete evaluation of a faculty member's performance may be made and to provide sufficient data upon which to make judgments concerning a faculty member's future promise. However, seniority alone shall not be the basis for promotion.
- F. Persons having their primary appointment to the Law Library Faculty are not required to have a law degree for promotion to be granted.

IV. Standard for Reappointment, Promotion, And Tenure

A. Reappointment of Assistant Professors

Assistant Professors who are candidates for reappointment shall demonstrate that they hold promise for achieving - and are making reasonable progress toward achieving -

proficiency in teaching; in research and creative activity; in service to the Law School and the University; and in service to the community and profession.

- B. **Promotion to Associate Professor**
Candidates for promotion to Associate Professor shall demonstrate proficiency in teaching; in research and creative activity; service to the Law School and University; and service to the community and profession. They shall, in addition, give promise of continuing proficiency in all of these areas.
- C. **Reappointment of Associate Professors**
Associate Professors who are candidates for reappointment shall demonstrate that they continue to meet the standards for promotion to Associate Professor. In addition, they must show that they are making progress toward a level of performance better than proficiency in teaching or in research and creative activity. They shall also give promise of continuing proficiency in all areas.
- D. **Tenure**
Candidates for advancement to tenure shall demonstrate proficiency in teaching; in research and creative activity; service to the Law School and the University; and service to the community and profession. They also shall demonstrate a level of performance better than proficiency in either teaching or research and creative activity. They shall, in addition, give promise of continuing at these levels of performance in all areas.
Ordinarily, a candidate may demonstrate proficiency in research and creative activity by completion and submission for publication of three law review articles, as described in the Research and Creative Activity section, and substantial progress on a fourth article. This level of productivity may also demonstrate a level of better than proficiency, depending on the quality of the articles.
- E. **Promotion to Professor**
Candidates for promotion to the rank of Professor shall meet the standards required for tenure. In addition, they shall demonstrate a strong commitment to excellence in legal education and achieve significant professional respect among their colleagues on a national or international basis as evidenced, for example, by citation to the candidate's published work or by invitation to speak at conventions or conferences or as a distinguished lecturer. Any evaluation of whether the standards for promotion to the rank of Professor are satisfied shall take into account the candidate's annual workplans.

V. Periodic Career Review

- A. **Requirements for Periodic Career Review**
The annual Personnel Committee review for tenure track Law School Faculty members will be the review conducted in connection with reappointment, retention, and promotion. In addition, during each year in which no annual Personnel Committee review occurs for that non-tenured faculty member, the Dean and the Personnel Committee shall review the tenure track faculty member concerning progress being made toward promotion and/or tenure. The review that occurs at the midpoint of that faculty member's tenure track period shall be conducted in accordance with any additional Redbook requirements for a mid- point review. This midpoint review shall be included as part of a candidate's tenure file. In all annual and periodic reviews, the Dean and Personnel Committee shall provide separate, written statements specifying progress being made towards promotion and/or

tenure. The Dean's separate statement may be incorporated into the notice given to the faculty member concerning annual review. The Personnel Committee may also take other steps to inform faculty members of their progress toward tenure and promotion as may be necessary.

All rights of due process and appeal, as provided for faculty in The Redbook shall be applicable to these reviews.

B. Timing of Review

The Personnel Committee shall conduct a periodic career review of each faculty member with tenure, for the purpose of enhancing the quality of the Law Faculty, after every fifth year of his or her service (as determined by the year in which he or she joined the faculty). The standard the Personnel Committee shall apply in periodic career review cases is whether the faculty member is satisfactory in all relevant areas of faculty responsibility enumerated in the relevant section of this document. The Personnel Committee shall also take into account the faculty member's assigned responsibilities and his or her performance under approved workplans. The institution of quinquennial periodic career reviews for the tenured faculty members is understood by the Law School and its tenured faculty members not to waive any legal rights vested in such faculty as a consequence of their being awarded tenure.

When the review would occur in a year of a sabbatical or other authorized leave, the career review shall be deferred until the next academic year. A promotion shall replace a career review during the year in which the promotion occurs.

C. Personnel Committee Meeting Requirements

Each year, the Personnel Committee which conducts a career review shall be composed of all tenured, full professors of law whose primary appointment is in the Law School. A quorum shall consist of two-thirds of those Committee members, including the Dean but excluding those on leave or sabbatical and excluding the member under consideration. Members on leave or sabbatical may attend and vote. In a year when a member of the Personnel Committee is subject to a career review, that member shall not vote upon, nor participate in that portion of Personnel Committee meetings devoted to, his or her own career review.

D. Review Materials

The Dean shall evaluate on an annual basis the performance of each Law School Faculty, Term Faculty and Law Library Faculty member during the current academic year and the two preceding years. This evaluation may be in connection with the annual review process. Based upon this evaluation, the Dean shall rate each faculty member's performance as commendable, satisfactory, generally satisfactory but needing improvement in certain areas, or unsatisfactory. For faculty members who have requested a salary increase during that year, the Dean's rating shall correlate directly to the amount of the salary increase, if any. At a periodic career review meeting involving a tenured faculty member, the Personnel Committee shall first review the three most recent of these ratings pertaining to that faculty member. If at least two of the three ratings are satisfactory and/or commendable, the Personnel Committee shall report to the Dean and the faculty member that the faculty member's performance is satisfactory, unless two-thirds of those present and voting agree that a more comprehensive review is warranted in the case of that faculty member.

- E. In Depth Review
If the Personnel Committee's initial review of the Dean's ratings does not result in a positive recommendation to the Dean; the Personnel Committee shall conduct an in-depth review of the tenured faculty member. This review can occur at the same or a later meeting. The Committee shall make a finding, after reviewing relevant annual review information and other information it has received pursuant to the provisions of this document, of whether or not the faculty member's performance meets the standard set forth in Part V.B. The Personnel Committee shall report its finding to the Dean and the faculty members in writing. In its finding it shall specify the reason(s) for the finding. If the faculty member disagrees with the Personnel Committee's finding, he or she may file a grievance against the Personnel Committee pursuant to *The Redbook*. The Personnel Committee shall, throughout the grievance proceeding, bear the burdens of going forward and of persuasion on every issue, whatever the issue may be, even if the issue embraces or arises from the grievant's defenses, if any, during the proceeding; and the Personnel Committee shall prove its case by clear and convincing evidence.
- F. Results of Review
Tenured faculty determined to have met the periodic review standard shall begin the next review cycle the following academic year. Tenured faculty evaluated as not meeting the standard shall prepare with the Dean, and in consultation with the Personnel Committee, a constructive profession development plan which specifies the area(a) that need to be improved in order to meet the criteria and which indicates the period of time within which the improvement should be accomplished. The plan shall be prepared within thirty calendar days of the unfavorable review. In no case shall the period be less than one year, and the Dean may approve a longer period. The faculty member and the Dean shall enter into a written memorandum setting forth the details of the plan.
- G. Special Career Review
At the end of the development plan period, the faculty member shall undergo a special career review by the Personnel Committee. All procedures and faculty members' rights applicable in periodic career reviews are equally applicable in special career reviews. If the Personnel Committee finds that the faculty member's performance meets the standard (set forth in Part V.B.), the next period career review cycle shall be the academic year following one year after the completion of the plan. If the Personnel Committee finds that the faculty member's performance does not meet the standard (set forth in V.B.), the Committee shall submit its finding, in writing, to the Dean for appropriate personnel action. The Personnel Committee, in the finding, shall specify the reason(s) for its finding. A copy of the finding shall be sent to the faculty member. The Dean's "appropriate personnel action" options shall not include discipline except in situations where discipline is authorized by the Kentucky Revised Statutes and *The Redbook*, and in accordance with due process. A finding that a faculty member does not meet the standards of V.B. shall not be dispositive in any disciplinary proceeding, and an independent inquiry shall be conducted before any discipline is imposed.
- If the faculty member disagrees with the Personnel Committee's finding in the special career review, or the "appropriate personnel action" taken by the Dean, or both, he or she may file a grievance pursuant to *The Redbook*. All procedures and faculty member's rights applicable in career reviews are equally applicable in this grievance.
- H. Review of Salary

Periodic career reviews of tenured faculty shall also assess the appropriateness of salary increases over a longer period than annual reviews permit. In extraordinary circumstances, where evidence of outstanding performance over a long period warrants, the Personnel Committee may recommend that the Dean seek funding for a supplementary salary increase to reward career demonstrations of professional excellence.

VI. Evaluation of Adjunct Instructors

- A. Adjunct instructors are appointed to teach only one or more specified courses and only for one semester. An adjunct instructor may be appointed for two semesters if the course being taught is a year-long course or a year-long sequence of two related courses.

At least once a year, the Associate Dean will provide a written evaluation to each adjunct instructor, retaining a copy of this evaluation for the law school's records.

VII. Extramural Evaluation

- A. **Timing of Evaluation**
Extramural evaluation is required for research and creative activity for tenure, or for promotion of a tenured or tenure track member of the Law School Faculty. Every time a faculty member is considered for promotion or tenure, that faculty member must submit for extramural evaluation at least one scholarly work that was not extramurally evaluated prior to promotion or tenure decision involving that faculty member. Candidates for tenure shall have submitted at least two scholarly works for extramural evaluation, including any works submitted in previous promotion decisions. Candidates for promotion to full professor shall submit at least one work for extramural evaluation, which shall not have been previously submitted. If a member of the Law Library Faculty under consideration for promotion desires to have extramural evaluation of research and creative activity, she or he may request such extramural evaluation in writing to the Dean or Dean's designee as Chair of the Personnel Committee.
- B. **Submission of Scholarly Work**
The faculty member must provide the Dean or Dean's designee as Chair of the Personnel Committee with the scholarly works for review by May 30 preceding the academic year in which promotion or tenure for that faculty member will be considered. Unless the faculty member selects works in more than one area, as determined by the faculty member, and wishes to have separate evaluations for the separate areas, all scholarly works selected by the faculty member will be sent as a group to reviewers. The faculty member may select a scholarly work even though it has not yet been published.
- C. **Selection of Extramural Evaluators**
The faculty member to be considered for promotion or tenure must submit a list of four external reviewers to the Dean or Dean's designee as Chair of the Personnel Committee by May 30 preceding the academic review in which tenure for that faculty member will be considered. The faculty member must select reviewers who are recognized scholars in the area in which the faculty member publishes. The faculty member must disclose the degree of relationship, if any, the faculty member has with the reviewer and the context of that relationship. If the faculty member requests separate evaluation for separate areas,

the faculty member must provide, by May 30, separate lists of four reviewers each and must indicate which scholarly works correspond to the separate lists of reviewers. The faculty member must provide the Personnel Committee with a list of publications of each reviewer.

The Dean or Dean's designee as Chair of the Personnel Committee, or any member or subgroup of the Committee to which the Chair has delegated the task, shall select seven reviewers. The Chair or designee shall select at least three reviewers from the list supplied by the faculty member and independently will select other reviewers. Selected reviewers should be scholars in the area in which the faculty member has published. If the faculty member indicates that his or her scholarly works are in separate areas and that the faculty member desires separate reviews, the Chair or designee shall select seven reviewers for each area. If the faculty member has failed to provide the Chair with a list of reviewers by June 15, the Chair or designee shall select reviewers without the faculty member's input. The Chair or designee must provide to the faculty member for comment the list of reviewers selected. The faculty member shall select six reviewers from the list of seven. The faculty member must disclose the degree of relationship, if any, the faculty member has with any of the reviewers and the context of that relationship.

At least three extramural evaluations must be received for each faculty member under consideration. In cases in which scholarly works have been sent to reviewers in different areas, three extramural evaluations must be received for each area. If it appears that the minimum number of reviews will not be returned from the initial set of reviewers, the Chair or designee shall proceed expeditiously to obtain reviews from other qualified scholars. The reviewers should be sent the information identified in Part VI.E. of this document. This minimum required number of evaluations may be waived by majority vote of the Personnel Committee with the consent of the candidate.

- D. Extramural Evaluation Requirements: Timing, Contents of Evaluations
- The Chair or designee must send the scholarly works to at least three reviewers no less than twelve weeks before the Personnel Committee meeting at which the candidate will be considered. If the faculty member under review submitted a list of qualified reviewers, at least one-half of the reviewers to whom the article is sent must be on the list submitted by the faculty member. The Chair or designee shall send to each reviewer the works to be reviewed, a Curriculum Vitae of the faculty member, and a copy of the relevant sections of this Law School Personnel Document setting forth the appropriate standards for evaluation of the faculty member under consideration. Each reviewer must be asked to disclose the relationship, if any, the reviewer has with the faculty member under consideration and the context of that relationship.

Recommendations regarding the advisability of awarding promotion or tenure shall not be solicited since extramural evaluators are usually not familiar with the total performance of the candidate. If such recommendations are submitted they shall be disregarded.

- E. Submission of Additional Scholarly Works to Personnel Committee
- Any faculty member to be considered for promotion to the rank of Professor must submit all scholarly works published since the grant of tenure, but not subjected to extramural review in the tenure process, to the Personnel Committee. The scholarly works must be submitted by May 30 preceding the academic year the faculty member is to be considered for promotion. The extramural review must occur according to the timetable and

procedure for extramural review contained in sections the Extramural Evaluation section below.

VIII. Law Faculty Work Plan

All full-time faculty of the Law School shall have an approved workplan that will contribute to the Law School's mission and encourage faculty members' individual development. All faculty workplans must be approved by the Dean and shall respect both the individual faculty member's need to shape his or her own career and the Law School's various needs.

A. Standard Workplan requirements

The standard annual workplan requirements for full-time faculty members of the Law School are as follows:

1. The standard annual teaching requirement for each full-time faculty member of the Law School shall ordinarily be two courses (6 hours) a semester during the regular academic year, for a total of 12 hours.
2. The standard annual service requirement for all full-time faculty members of the Law School shall ordinarily be regular committee assignments within the law school and additional University, professional or community service.
3. The standard annual requirement for research and creative activity shall be:
 - a. For tenured faculty, ordinarily the equivalent of a law review article;
 - b. For tenure track faculty, as follows: Tenure track faculty shall not be expected to produce research and creative activity by the end of their second semester of teaching. The annual research and creative activity expectation for tenure-track faculty must also incorporate the over-all tenure expectation, as expressed in Section IV.D. of this Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion, Tenure, and Periodic Career Review.
4. Tenure track faculty will ordinarily be granted release time equivalent to one course at some point early in their careers. Further, to the extent possible, service obligations will be kept to a minimum for the first two years for tenure track faculty.

When circumstances require changes in the workplan, the faculty member shall file an amended plan (including an explanation of the necessary changes) for the Dean's approval.

B. Alternative Workplans

If it is consistent with the unit's mission and facilitates the accomplishment of its goals and objectives, tenured faculty may negotiate an alternative workplan with the Dean which allows the faculty member to concentrate in teaching, research and creative achievement, or service. This concentration may be for an extended period if it is consistent with the unit's mission and facilitates the accomplishment of its goals and objectives. This alternative workplan shall be the equivalent of the standard workplan.

Alternative workplans may also be negotiated by faculty with enhanced administrative responsibilities, such as the Associate Dean and the Law Library Director.

The Law School specifically recognizes one alternate workplan that may be the equivalent of the standard annual workplan: increasing the teaching load to include one additional course during the academic year, relieving the faculty member of the obligation to engage in research and creative achievement.

IX. Annual Review

The Dean of the Law School shall review annually the performance of each full- time Law Faculty member.

It is the responsibility of each faculty member to report all indicia of his or her performance on the annual evaluation form. Information that is not included on the form, other than student evaluations (which the Dean's office has) might not be considered.

Ordinarily, individual faculty members must be considered for a salary increase each year. However, even if a faculty member elects not to be considered for a salary increase, an annual review is mandatory.

A. Review Process

1. Reviewers

The person who conducts the annual review within the Law School is the Dean. After notification to the faculty, the Dean may seek assistance in the evaluation process from such faculty members as the Dean may select, but such faculty members may decline the Dean's request. Unless the faculty directs otherwise, salary increases shall be awarded as a specific percentage of the recipient's base salary.

2. Notice and Timing of Review

Each year, the Dean shall announce at least three weeks in advance of the date by which all faculty members can present to the Dean documentation of achievement for evaluation. As part of the documentation for annual review, faculty shall submit a report of any professional work performed outside the University, as required under *The Redbook*.

3. Period of Achievement to be Reviewed

The period of achievement to be covered by the annual review ordinarily shall be the then current year and the preceding two years. However, for every consecutive year that the pool of monies for general faculty increases fails to equal two percent (2%) of the total faculty salary budget, the normal three-year period of evaluation shall be extended accordingly. For example, if the total pool equals 1-1/2% for 1988 and the following year the pool equals 5%, the 1989 evaluations must cover a four-year period instead of the normal three-year period.

Unless the faculty directs, it is within the Dean's discretion to determine any minimum or maximum levels of salary increases in a given year.

4. Review Criteria

The Dean shall evaluate each faculty member based on his or her performance over the relevant time period in the following areas: (1) teaching; (2) research and creative achievement; and (3) service. The Dean shall make the evaluation in light of faculty workplans. There shall be different relative weights for faculty members who elect to concentrate in one area so they are not discriminated against in annual review evaluations.

The Dean shall rate faculty performance as commendable, satisfactory, generally satisfactory but needing improvement in certain areas, or unsatisfactory. A lack of performance in one area of the workplan must be offset by extra performance in another area if a faculty member is to have an overall performance which is satisfactory or above. The factors relevant to evaluating performance in each of these areas are enumerated above.

5. Extramural Reviews

Ordinarily, extramural reviews of faculty performance are unnecessary for annual review evaluation. If a faculty member wants extramural review, such reviews must be obtained by the faculty member and available to the Dean at or before the time of the annual review evaluation, i.e., failure to obtain extramural review cannot delay the evaluation process.

6. Salary Increase Eligibility

Regardless of title, responsibilities, or status (e.g., on sabbatical, leave of absence), all full-time members of the Law Faculty shall be considered for annual salary increases.

The Associate Deans and Law Librarian will be evaluated for the salary increases over a three-year period. While serving in that capacity, the Associate Deans and Law Librarian will be evaluated on performance of faculty and administrative responsibilities. The Associate Deans and Law Librarian will be eligible to receive the same salary increase as any other faculty member.

Only the faculty whose overall performance is judged to be commendable, satisfactory, or generally satisfactory but needing improvement in certain areas will receive a salary increase. A recommendation by the Dean for a zero salary increase must be submitted for the approval of the Provost. This written recommendation shall include the reasons for the zero salary increase and specific suggestions for improving any performance considered to be inadequate. Simultaneously, a copy of the recommendation shall be given to the faculty member involved.

No portion of the funds allocated to the unit for salary increases for a particular year shall be awarded to any faculty member for special one-time bonus payments.

B. Review Reports

By April 15th of each academic year, the Dean shall inform each faculty member in writing of the result of that member's annual review and salary recommendation, and the faculty member shall have an opportunity to respond to them. The Dean's review report should include specific recommendations for improvement or for possible adjustments in workload concentration when the review identifies weaknesses and deficiencies.

1. Appeal Procedure

Following a written appeal by a faculty member, the Dean shall reconsider the annual review evaluation and/or salary recommendation for that faculty member only. The faculty member must appeal in writing within fourteen days of receiving the annual review evaluation and salary recommendation from the Dean. During the fourteen day period, an appropriately charged faculty committee shall be available to consult with individual faculty members as to concerns related to the Dean's assessment of the faculty member's professional effort in relation to the expected level of activity.

2. Retention of Records

Annual reviews shall become part of the record to be used in subsequent periodic career reviews. The Law School must collect and preserve annual reviews for future periodic career reviews. This shall be the Dean's responsibility.

- C. Within thirty days of the issuance of annual review evaluations and salary decisions to faculty members, the Dean shall compile a list of all salary increases for that year. The list shall identify each faculty member by name and the amount awarded to the faculty member. In addition, any faculty member may inspect a list of faculty salaries for the following year. These lists shall be available in the Dean's Office for inspection. A copy of these lists shall be provided to the University Provost.

Faculty Resource Policies

This section explains the funding policies that professors rely on to plan their teaching, research, and hiring.

I. Policy on Research Assistants

Each tenured or tenure-track professor, including professors in phased retirement, can request up to 50 hours of research assistance each semester and 50 hours over the summer. If funds are limited, first priority will be given to tenure-track professors, then tenured professors, and then those in phased retirement.

To make a request, the professor should provide a brief description of the research project or projects with which the RA will assist and the types of assistance which the RA will provide. This request should be provided to the Dean of Intellectual Life. Additionally, the name of the RA or RAs should be provided to the Dean of Intellectual Life and the assistant to the Unit Business Manager.

The Dean of Intellectual Life will provide the requests to the Dean who will approve requests in their discretion. Professors Emeriti may request up to 50 hours of research assistance for a semester or the summer directly to the Dean, to be granted in the Dean's discretion.

II. Policy on Teaching Assistants

As we welcome a larger 1L class and prepare for the NextGen Bar exam, all professors who teach 1L and Core courses may hire one TA for up to 50 hours a semester of teaching assistance for each class. If you are teaching a first year or Core course in the Fall semester and would like to hire a teaching assistant, please send the name of your TA to Candyce Woodard. The TAs are paid the same rate as RAs, currently \$12/hour.

Professors who teach other skills courses in which at least 12 students have enrolled can request and be granted up to 25 hours of TA assistance during the Fall or Spring semester at the discretion of the Dean and dependent upon the budget. These TAs are also paid at \$12/hour.

III. Policy on Professional Development Funds (FIRREX)

Scholarly research enriches our whole community and is one of the most important endeavors of the faculty of the University of Louisville Brandeis School of Law. As such, it is important to provide financial support for faculty research and scholarship. The law school will provide annual funds for professional development, in addition to the research assistance noted in the previous section. Faculty who hold a Chair receive professional development funds as part of their Chair Appointment and are not included in this policy. Further, faculty on unpaid leave, phased retirement, or visiting at another university may not receive FIRREX funds. Budget permitting, the following amounts will be allocated annually to spend on professional development.

- \$3,000 for tenure-track professors
- \$2,000 for tenured professors
- \$1,500 for full-time clinical professors
- \$1,000 for professors of practice

Ordinarily, visiting professors will not receive FIRREX funds, but may negotiate for that support as part of their contract (in an amount not to exceed the annual budget for professors of practice).

Professional development (FIRREX) funding must be spent by the end of the year because it does not roll over.

The funds are not a form of supplemental compensation to which each faculty member has an entitlement. Professional development funds can be spent on registration for and travel to academic conferences and symposiums, continuing legal education, and other conferences relevant to the professor's scholarship or teaching; travel to other institutions to workshop papers, guest teach, or give presentations; travel to government hearings or proceedings relevant to the professor's scholarship or teaching; travel and fees to engage in archival or similar location-specific research; LBA, ABA, and state bar dues; other law organizations and society

dues or memberships, such as ALWD, LWI, Law & Society, KLA, & BIAL; research assistants; Scholastica submissions; books to aid in teaching or research; reprints; subscriptions to local or national news sources or magazines to aid in teaching or research, such as the New York Times, Wall Street Journal, Taylor & Francis, Law & Literature, The Green Bag, & the Business Journal/Louisville First; non-essential office equipment; indexing for publication, transcription for qualitative research; statistical programs for quantitative research; and similar expenses that aid in teaching or research.

Requests for additional funding for professional development will be granted at the Dean's discretion. Requests must be in writing to the Associate Dean for Intellectual Life. Requests must describe the specific purpose for which the funds are requested and how the proposed activity will contribute to the professors' professional development and reflect positively on the University and Law School. The request must detail (1) the faculty member's incurred expenditures from their annual allotment, chair, or professorship for the fiscal year; and (2) an itemized budget for the proposed expenditure.

Additional funds can be requested only after a professor has exhausted their funds available through chairs, professorships, or for professional development. To avoid inadvertently creating an advantage for colleagues who exhaust their fixed allotments early, the Dean will ration the total amount set aside for additional professional development so as to assure more or less even distribution over the course of the academic year.

The Dean may consider a variety of facts when distributing any available additional funds such as pre-tenure status, whether a speaking engagement raises the profile of the faculty and Law School, whether the professor has historically been a good steward of their funds, co-sponsorship of the activity by other institutions, level of research productivity of the professor, whether the professor has historically met their workplan teaching obligations, and whether the professor has historically met their workplan service obligations.

IV. Scholastica

The law school policy is to pay annually for the first \$200 of Scholastica submissions, with further expenses coming from a faculty members' FIRREX or chair funds. Faculty should let the law school budget office know the number and cost of submissions they make as they submit them. Faculty should alert the law school budget office as to whether the submissions are within their allotted \$200 or are over that amount and should be paid from FIRREX, chair, or other funds.

V. Summer Research Stipends

This policy seeks to ensure that, subject to the financial resources of the School of Law, all tenure-system and term faculty members with a demonstrated commitment to scholarship are eligible for summer research stipends on a continuing basis if they are pursuing research projects

in a serious fashion during the summer and producing sufficient published work over an extended period of time.

Who is Eligible:

1. Untenured, tenure-track faculty members are eligible for a grant on an annual basis unless they are denied promotion or tenure.
2. A full-time tenured or term faculty member is eligible for an initial grant if she/he/they propose(s) the production of a law review article or its substantial equivalent.
3. A full-time tenured or term faculty member is eligible for a subsequent grant if:
 - a. she/he/they had a law review article or its substantial equivalent accepted for publication in the preceding academic year; or
 - b. she/he/they actively engaged in serious scholarly inquiry in the preceding year that will lead to publication (e.g., completed a portion of a monograph).

By September 30th each year, a faculty member who received a summer research stipend will submit to the Dean a short memo (one page or less) describing the scholarly work she/he/they undertook over the summer.

Eligibility determinations under this policy shall be made by the Dean of Brandeis Law, with the advice of the Associate Dean for Intellectual Life. If the Dean intends to deny a faculty member's application for a summer research stipend under this policy, the faculty member shall be notified of the initial decision by the Dean. The faculty member will then be given an opportunity to be heard before the Dean, Associate Dean for Intellectual Life, and three members of the Dean's Advisory Committee. After a hearing is provided, the Dean shall make a final decision regarding whether to approve a faculty member's application for a summer research stipend in consultation with the Associate Dean for Intellectual Life and Dean's Advisory Committee.

Teaching Policies

Course Preferences

Faculty course loads are determined on an annual basis by the Dean in consultation with the Associate Dean for Academic Affairs and the individual faculty member. To assist in that process, Academic Affairs will send out an annual survey to full-time faculty requesting their course preferences, including preferred days of the week and time of day. Although faculty are not guaranteed to receive their preferences, due consideration will be given to reasonable faculty requests.

Syllabus Policies

Every course must have a syllabus, and all syllabi must be posted online to Blackboard in the appropriate class section (you may also distribute your syllabus by other means as well). Information regarding how to post a syllabus to Blackboard is located at [this link](#).

Every syllabus must include Student Learning Outcomes (SLO) or Course Learning Outcomes (CLO) in a narrative or bullet-point format. Every syllabus must include the [Title IX/Clery Act Notification](#).

Syllabi for [perspective courses](#) must include at least one SLO or CLO that describes how diverse perspectives about the area of law covered by the course will be addressed, how cultural competency skills will be developed and assessed, and how students' enhanced understanding of these perspectives will be measured.

Syllabi for courses satisfying the [upper-level writing and research requirement](#) must include notification that the course fulfills the ULWR requirement and language detailing [expectations for students](#) fulfilling this requirement.

All syllabus requirements and other recommended sections for syllabuses (such as ADA and Honor Code policies) is located at [this link](#).

Educational Materials Policies

I. Selecting Educational Resources

Faculty are responsible for selecting their own course materials, including commercially published textbooks. Information for how to order your own textbooks using Follett Discover is located at [this link](#). Academic Affairs can also assist faculty with obtaining courtesy copies of commercial textbooks and ordering textbooks through the bookstore.

II. Conflict of Interest in Educational Materials Policy

If any instructor of a course offered at the Louis D. Brandeis School of Law wishes to adopt instructional materials from which the instructor or a member of his or her family would receive financial gain within a 12-month period, the instructor must submit a written request for vote at any regular faculty meeting prior to the adoption. The request will state the title of the instructional materials, name of the author(s) and publisher, name of the course, approximate number of students that will enroll in the course, and the nature of the gain (e.g., royalty payment, cash incentive offered by publisher, or in-kind incentive offered by publisher). The faculty shall approve or deny any such requests by a majority vote. Once use of a book is approved, the faculty member need not seek approval for any later use of that book (including later subsequent edition(s)) in the course for which the book was approved. This policy applies to all full-time and part-time faculty.

Credit Hours; Policy and Procedure for Awarding Credit Hours to a Class; Assessment

I. Definition of a Credit Hour

A "credit hour" is an amount of work that reasonably approximates:

- A. not less than
 - 1. one 50-minute hour of classroom or direct faculty instruction, and
 - 2. two (60-minute) hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time for a total of 42.5 true hours. (In a class with a final exam, the exam week can be counted as one of the fifteen weeks.); or
- B. an equivalent amount of work as required in Subparagraph A of this definition for other academic activities as established by the institution, including:
 - 1. simulation activities,
 - 2. field placements,
 - 3. clinical activities,
 - 4. co-curricular activities, and
 - 5. other academic work leading to the award of credit hours.

II. **Presumption of Meeting Credit Hour Requirements**

For purposes of determining the credit hours awarded in a course that requires attendance in regularly scheduled classroom sessions or direct faculty instruction over the course of a full semester, the following criteria shall presumptively apply:

- A. Except as provided in Subsection B below, in a doctrinal course, assignment of a minimum of 140 pages of reading, including textbooks, statutes, restatements or other assigned readings, per credit hour per semester shall be sufficient academic engagement to earn an hour of academic credit.
- B. In a doctrinal course that is based primarily on a problem-method of instruction, meaning a course where weekly assignments ordinarily include the preparation by students of a set of problems based on the assigned materials, the assignment of 100 pages of reading, including textbooks, statutes, restatements or other assigned readings, per credit hour per semester shall be sufficient academic engagement to earn an hour of academic credit.
- C. In a first-year lawyering skills course, assignment of five pages of substantive research-driven written work per credit hour per semester shall be sufficient academic engagement to earn an hour of academic credit.
- D. In all other cases, only after consultation with and approval by the Associate Dean for Academic Affairs.

III. **Credit Hour Calculations for Other Academic Activities**

- A. **Requirement to Record Hours Worked**
 For purposes of determining the credit hours awarded in other academic activities such as journal, field placement, clinical, independent study and other academic work leading to the award of credit hours, credit hours must be established by having students engaged in such activities (which could include reading, researching, writing, attending structured study group sessions, etc.) keeping and reporting a record of their time over the course of the period of time when work shall be undertaken, by any reasonable methods established in consultation with the Associate Dean for Academic Affairs.

No student that is required by this credit hour policy to keep and report time according to the policy shall be entitled to receive academic credit unless such student has fully

complied with such requirement, except with approval of the Assistant Dean for Student Affairs.

B. Written Work Requirement

For purposes of determining the credit hours awarded in a course where a substantial portion of student engagement will consist of out of class work, then any such course that requires preparation of a written work product totaling a minimum of 3,250 words, such as a research paper, court brief, or pleading, shall presumptively be sufficient academic engagement to earn an hour of academic credit.

For purposes of determining the credit hours awarded in a course that otherwise does not meet the requirements stated in the credit hours policy, such determination can be made only after consultation with and approval by the Associate Dean for Academic Affairs.

IV. Timing of Assessment of Credit Hour Policy Compliance

At the time a course is proposed initially for approval by the Curriculum Committee or as a course temporarily approved by the Dean according to law school policy, the faculty member must describe the basis for the number of credit hours requested in such request for approval for the course. If the course might be offered awarding varying credit hours, the faculty member must clarify the differential work to be done for each version.

After initial approval is given, the course must be reviewed for compliance within three years, followed by a live-year review as described below.

Starting with academic year 2017-2018, all courses will be reviewed every five years by the Associate Dean. These reviews will occur on a rotating/revolving basis, as follows: Year 1: the first-year courses; Year 2: all required non-first year core courses; Year 3: all third-year core courses not yet reviewed; Year 4: all seminars and other traditional courses; Year 5: all other courses not noted above.

V. Implementation of the Policy

The policy will be implemented by publication in student handbooks, on the web, and in other appropriate places to provide notice. The Associate Dean for Academic Affairs will have primary responsibility for monitoring implementation.

Attendance Policy

In accordance with ABA Standard 308(a), the right to take examinations, as well as the privilege of continuing as a student in the School of Law, is conditioned on regular attendance and satisfactory participation in class work.

Absence Limitation: There are no excused absences except as mandated by university policy. With respect to any course, a student is allowed to miss up to the “Absence Limitation” for that course. The Absence Limitation shall mean 15% of the total minutes of instruction required for the credit amount of the course and is defined by the table below.

Credit Hours/Semester	Absence Limitation/Semester
2-credit course, meets once a week	220 minutes of class, or up to two class meetings
2-credit course, meets twice a week	220 minutes of class, or up to four class meetings
3-credit course, meets once a week	330 minutes of class, or up to two class meetings
3-credit course, meets twice a week	330 minutes of class, or up to four class meetings
3-credit course, meets three times a week	330 minutes of class, or up to six class meetings
4-credit course, meets twice a week	440 minutes of class, or up to four class meetings
4-credit course, meets three times a week	440 minutes of class, or up to five class meetings

To obtain a waiver from this rule, a student must submit a petition to the Associate Dean for Academic Affairs. The Associate Dean will only grant the petition if:

1. the petition shows an extraordinary and unavoidable circumstance, and
2. the instructor believes that the amount of absence will not unreasonably alter the level of engagement expected of all students in the course.

Intensive Courses (anything less than the traditional 14-week semester): A faculty member may designate a course as an “intensive course,” if that course has a limited number of class meetings or meets for less than the traditional 14-week semester. In a course so designated, there will ordinarily be no Absence Limitation. Students are expected to attend all class meetings in intensive courses. An absence or significant tardiness in an intensive class will result in the student being excluded from the course. Alternatively, a faculty member may designate a specific number of absences that are acceptable, using as a guide 15% of the total course minutes.

Externships and Clinics: Regular and punctual attendance is also required in externship and clinical courses. Participation in an externship or clinical program is a professional commitment. All students are expected to adhere to a high standard of responsibility, competence, and dedication with regard to all work assigned.

Sanctions: Unsatisfactory attendance or unsatisfactory classroom performance may result in lowering of a final grade for the course, involuntary withdrawal from the course, failing the course, or other resolution.

Reporting Absences to the Instructor: Any absences within the Absence Limitation should be addressed consistent with the instructor’s policy. Any absences in excess of the Absence Limitation or any absences of more than three consecutive school days shall be reported to the Associate Dean for Academic Affairs by the student as soon as practicable.

Reporting of Excess Absences: The instructor of a course shall notify the Associate Dean when a student has been absent for more than the Absence Limitation, excluding any covered absences. The instructor's communication to the Associate Dean should include the dates or number of class absences. Once it is determined that the student is to be excluded from the course, the Associate Dean, in light of applicable circumstances, will consult with the reporting instructor.

The Associate Dean and instructor shall determine whether:

1. to allow the student to withdraw from the course; or
2. to exclude that student from the course and to award a grade of F for the course.

Absences Beyond the Absence Limitation: The Associate Dean does not manage absences that fall within the Absence Limitation. However, the Associate Dean, in consultation with the course instructor, may decide that, on account of extraordinary circumstances affecting an extended period of time, a student may be granted absences beyond the Absence Limitation. Such extraordinary circumstances must relate to health, bereavement, family, military, or significant personal issues. Additional absences will not be granted for vacations or on-going conflicts resulting from the student's normal employment commitments. In addition, exceptions will not be granted to relieve students of the limitation on employment set by the law school.

The Associate Dean for Academic Affairs may not allow additional absences for more than one week's worth of classes beyond the Absence Limitation or in circumstances where a student would miss more than 10 consecutive days of classes during a semester regardless of the circumstances.

Students who have circumstances causing them to be absent for more than these specified periods shall consult with the Associate Dean for Academic Affairs regarding a Voluntary Leave of Absence or course withdrawal.

Faculty Responsibilities

Faculty will take attendance and monitor absences. Faculty must provide notice of the attendance policy in their syllabus. If the faculty policy deviates from the law school policy (by being more restrictive), the syllabus must note the differences.

Student Responsibilities

Students are expected to keep a personal record of all absences. In courses where the instructor requires the students to sign an attendance sheet (or otherwise mark themselves as present), it is the student's responsibility to ensure that this is done in a timely manner for each class. Students who mark or sign as present a classmate who is absent shall be subject to disciplinary action.

Tardiness and Early Departures

Excessive tardiness or early departures from class may be counted as an absence and may result in exclusion from a course under this policy. Tardiness or early departures for normal and foreseeable commutes or work schedules are not considered extraordinary circumstances.

Religious Observances

Students who observe work-restricted religious holy days must be allowed to do so without jeopardizing their academic standing in any course. Faculty are obliged to accommodate students' request(s) for adjustments in course work on the grounds of religious observance,

provided that the student(s) make such request(s) in writing during the first two (2) weeks of term.

Rescheduled Classes

Students who do not attend a rescheduled class will be counted as absent. In a course where a professor cancels and reschedules more than one class, a student should not be counted as absent if he or she does not attend any rescheduled classes after the first rescheduled class.

Bad Weather Schedule

The School of Law follows the University's lead in all weather-related cancellations and delays. Please note that the University will provide official school closing information in the following ways: A notice at the top of the University home page (www.louisville.edu); e-mails sent to all students and employees on their official university e-mail accounts; a recorded message at 852- 5555.

1. If the University cancels classes for the entire day, all School of Law classes are cancelled.
2. If the University delays the start of classes, the following rules apply:
 - All classes scheduled to *end* at or before 10:25 a.m. are cancelled,
 - All classes scheduled to *begin* after 10:25 a.m. will meet at their normal time, and
 - All classes scheduled to *begin* before 10:25 a.m. and end after 10:25 a.m. will begin at the later of (i) 10:00 a.m. or (ii) the regularly scheduled start time.
3. If the university cancels evening classes, all School of Law classes beginning at or after 4:15 p.m. are cancelled.
4. Notwithstanding the prior rules, if any delay or cancellation affects only the Belknap campus, Law Clinic and Law Clinic II will meet as scheduled, unless the Clinic Director indicates otherwise.

Requirements for Particular Courses

I. Experiential Courses

Under [ABA Rule 303](#):

An experiential course must be a simulation course, a law clinic, or a field placement.

To satisfy this requirement, a course must be primarily experiential in nature and must:

- (i) integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more of the professional skills identified in Standard 302;
- (ii) develop the concepts underlying the professional skills being taught;
- (iii) provide multiple opportunities for performance; and
- (iv) provide opportunities for self-evaluation.

II. Live Client Courses

Live client courses have the same requirements as experiential courses but they also include a substantial amount of student legal work that is performed outside the classroom with members of the public. These courses include externships and clinic placements.

III. Perspectives Courses

A. General Requirements

Perspective courses may be offered for only two or more credit hours. A Perspectives course may also satisfy the writing requirement or the experiential requirement, but not both.

The maximum enrollment for a Perspective course is 25 students, including students from other graduate and professional programs

B. Cultural Competency Requirement

All Perspectives Courses shall include an SLO in the Syllabus which describes specifically how diverse perspectives on or about area of the law covered by the course will be addressed and how the students' enhanced understanding of those perspectives will be measured.

Cultural competency is defined as, "A set of behaviors, policies, and attitudes which allows cross-cultural groups to effectively work professionally in situations." In order to enhance the cultural competence of all Brandeis students, a Perspectives course should be designed to look at an area of the law from multiple perspectives, including (for example) those individuals and groups who may have traditionally been advantaged by operation of legal systems, historically disadvantaged groups, lawmakers themselves, those who seek fundamental change in the law, and others. While there is and should be no one template that fits all Perspectives courses for how cultural competence is introduced, which groups are studied and discussed, or how students' cultural competence is enhanced upon completion, instructors in all such courses should include in their Syllabi an SLO describing how, in that particular course, cross-cultural understanding and the students' ability to function more effectively as legal professionals serving the needs of diverse clients will be enhanced.

IV. Writing Requirement Courses

All students must complete a substantial writing project that involves significant legal research, organization, analysis, and writing by successfully completing a I- credit Upper Level Writing and Research course (designated W in registration materials) that is taken in conjunction only with:

1. A 2-credit or 3-credit seminar that has been advertised in registration materials as Writing Eligible (WE) and has an enrollment cap of 25 students;
2. Membership on the University of Louisville Law Review and completion of a note that meets the standards below; or
3. a 1-credit independent study supervised by a full-time faculty member.

Every instructor of a section of Upper Level Writing and Research (i.e., writing eligible seminar instructor, journal advisor, independent study supervisor) will be provided with a standard syllabus template by the Associate Dean to use as a baseline minimum, but may add learning outcomes, course

requirements, and educational experiences to the baseline syllabus. The Upper Level Writing and Research course must provide to students explicit instruction in legal writing, legal research, legal analysis and reasoning, and proper use of citations to authorities, through online instructional modules, individual or group meetings with the instructor, assigned readings (including examples of good legal writing), and other methods deemed appropriate by the instructor. The instructor must provide meaningful written formative assessment to each student on required drafts and interim work products.

Through the Upper Level Writing and Research course, the student must produce substantial written work products that meet all of the following standards:

1. Selection of an appropriate topic with the instructor's active involvement and approval;
2. Substantial legal research;
3. Submission of at least two pieces of interim work product that allow meaningful practice of skills and written formative feedback, one of which must be a substantially completed draft of the final work product;
4. Submission of a final work product that:
 - a. Is at least 6,250 words, typed, double-spaced, exclusive of footnotes or endnotes (but supported by footnotes, endnotes, or other appropriate citations to authorities),
 - b. Demonstrates sound legal analysis and reasoning,
 - c. Is supported by significant legal research and proper citation to authorities,
 - d. Communicates the student's analysis and research effectively and professionally,
 - e. Has not been prepared in any other course or for any other publication, and
 - f. Earns a grade of "C" or higher.

For purposes of the Upper Level Writing Requirement, a substantial written product may include appellate briefs, trial court memoranda, or inter-office memoranda that meet the above-listed criteria, but does not include drafting documents, such as complaints, depositions, trial motions, or estate plans.

For writing-eligible seminars, students who also enroll in Upper Level Writing and Research are expected to fulfill the regular course requirements of the seminar, as well as the writing and research requirements for the paper, and may receive different grades for the seminar and the Upper Level Writing and Research course.

V. Law Journals

The law school rules require the following in terms of faculty oversight: 1) active involvement in choice of topic; 2) submission of a draft and consultation between the student and faculty, member about the draft, and 3) review of final paper to ensure that the work must also meet the word count and is at least "C" level work.

The Dean shall have the discretion to assign a faculty member to supervision of the University of Louisville Law Review as the equivalent of two courses (or to assign two faculty members to divide the work as the equivalent of one course each). These assignments will be considered part of the faculty member's teaching load.

The assigned faculty member(s) shall also facilitate educational training about the process of writing a law review publication. This can be provided as one or more group presentations or trainings.

VI. Moot Court

Faculty members may be a faculty advisor, coaches, or both for a moot court team, which is considered part of the faculty member's service to the law school. Faculty members who act as moot court coaches are expected to follow the rules set out for their team's competition.

VII. Independent Study Courses

An Independent Study may be for one (1) or two (2) credit hours. With the permission of the Associate Dean for Academic Affairs and a supervising faculty member, a student may take an independent study on a pass/fail basis.

Students may apply no more than two pass/fail independent studies or seminars toward graduation. In addition, students may apply no more than four (4) credit hours of independent studies toward graduation, unless the Associate Dean for Academic Affairs grants a hardship exception.

A "credit hour" is based on 50 minutes of in-class instruction and two hours of out-of-class work (See Chapter 2, Part A). This would require 42.5 hours of work over a fifteen-week semester for a one credit hour independent study.

Only students having a 2.0 or better average and at least 19 hours may register for an independent study.

An independent study paper does not satisfy the perspective requirement, but may satisfy the writing requirement.

All independent studies must be supervised by a full-time School of Law faculty. However, the faculty member does not have to be the sole supervisor.

To enroll in an independent study, the student must submit to Student Records a completed Independent Study Form, which requires the supervising faculty member's signature. This completed form must be submitted prior to the last day to add a class, so that the Associate Dean of Academic Affairs may approve the Independent Study in time for the student to register. Students enrolled in an independent study will be required to keep track of time spent working on the assignment.

VIII. Online Courses

Faculty may request that one or more of their courses in a given semester be taught online by filling out [this form](#). Online courses should be primarily asynchronous but may have an synchronous component. Under SACS and University [policy](#), faculty are required to have regular and substantive interaction between instructors and students for all online courses.

Under ABA Rules, courses that meet in person for at least 70% of the required class sessions are deemed "in person" and not "distance education."

Proposing a New Course

Any professor wishing to propose a new course for consideration by the Curriculum Committee, including subjects which have previously been taught as special topic (999) courses, should submit the [Course Inventory Form](#) via Microsoft Forms. A proposed syllabus is required for consideration.

Revising a Course Description

Any professor wishing to propose a change to the description of an existing course should submit a [Course Change Form](#). This form should be submitted for proposed changes to a class title, description, prerequisites/corequisites, or attributes. All proposed changes are subject to approval by the Curriculum Committee and faculty vote.

Teaching Evaluations

- I. In order to ensure that the dean is able to evaluate what is effective teaching in annual reviews, for determining appropriate faculty teaching assignments in work plans, for rewards and incentives (reduced teaching loads, sabbaticals, recommendations for awards) and for members of the Personnel Committee to consider during the Promotion, Tenure and Retention process, the following are factors for consideration. Faculty members are encouraged to provide evidence of these factors as appropriate. While the dean will not directly list them in future Annual Review Forms, these factors will be included in the "Faculty Guidance" document that is in process.

The following is offered for additional consideration related to defining “effective teaching.” These include:

- student course evaluations
 - classroom visitation by peers
 - organization of courses and material,
 - planning and preparation for the courses,
 - the vitality of classroom presentation,
 - the capacity to inspire students and to arouse lasting intellectual interest,
 - knowledge of the subject matter,
 - use of teaching materials,
 - efforts made to encourage student participation, and the like,
 - advising and counseling,
 - development of new courses and innovations, Other relevant factors
 - evidence of infusion of updated material,
 - use of effective pedagogies,
 - reviewing exams and other exercises and student performance,
 - evidence of high-quality formative assessments provided to students,
 - other efforts indicating that a faculty member went above and beyond the basic expectation.
- II. The Dean has the discretion to grant faculty members exemption from teaching for those with administrative or unusually heavy service responsibilities, for personal leave for health or other compelling circumstances, for sabbaticals or grant buy-outs or required or important research responsibilities.

III. The 6 credit/two course load per semester is the standard work plan, but the Dean has the discretion to allocate it throughout an academic year. The dean has the discretion to adjust this taking into account the following (including the factors noted above):

- institutional needs in a particular semester,
- type of course (certain course tend to require greater preparation and student attention in office hours),
- whether it is a new course,
- course enrollment,
- mandated course feedback (e.g., seminars REQUIRE specific formative assessments, but most other courses do not),
- number of students enrolled,
- teaching two sections of the same course, administrative burdens of setting up interdisciplinary courses,
- overloads taken on in prior semester to accommodate institutional needs.

IV. Unique "teaching" expectations such as Law Review supervision, moot court supervision, and supervision of externships and preparation of law students teaching at Central High School are sometimes considered as service but often may be more appropriately considered as teaching. The dean has the discretion to determine how best to assign these in the workload as either teaching or service.

Teaching Abroad

I. Teaching Abroad Opportunities

Faculty have multiple opportunities to teach or conduct research abroad. In addition to potentially teaching an [ISLP](#) course, faculty may also take part in an existing faculty exchange with a partner institution abroad. Teaching abroad typically does not take the place of one of the courses in the faculty member's workplan but may entitle the faculty member to additional compensation.

II. Faculty International Exchange Criteria

In selecting faculty for participation in teaching-based exchanges, the International Committee uses the following criteria (in no particular order of priority):

1. Faculty who have never participated in exchanges should receive priority over faculty who have participated in exchanges;
2. Faculty who have never participated in a particular exchange should be given priority over someone who has participated in that particular exchange;
3. As between two prior participants in a particular exchange, a faculty member who more recently participated in that exchange would be disadvantaged vis-a-vis a faculty member who participated less recently;
4. If two (or more) candidates are weighed equally using the above factors, priority will be given to the faculty member who is not a member of the International Committee;

5. If a faculty member was slated to participate in a particular exchange, but had to withdraw because of personal exigencies, that faculty member should receive priority for that exchange the next time that it comes around;
6. Any other relevant factors.

No criteria is needed for research-based exchanges since the Committee is not promoting or administering that type of exchange.

III. Policy for New Faculty International Exchanges

Approved by faculty at March 2025 faculty meeting.

The policy for new faculty international exchange approvals outlines the procedure and criteria for faculty members wishing to initiate a new faculty exchange program with an international institution. An international exchange is defined as a formalized agreement between educational institutions in different countries to allow faculty to teach and conduct research at the partner institution on a reciprocal basis.

1. Eligibility Criteria

- Full-time faculty members are eligible to apply. Preference may be given to those faculty members who have not previously participated in an exchange.
- Faculty must demonstrate that the exchange will provide professional growth potential or research opportunities that align with the law school mission.

2. Application Process

- **Submission of Proposal:** Faculty must submit a formal application or proposal to the chair of the International Committee outlining the following:
 - Purpose of the exchange (e.g., research collaboration, teaching exchange).
 - Benefits for the faculty member and the law school.
 - Duration and proposed schedule of the exchange.
 - Expected outcomes (e.g., Scholarship--article, book chapter, essay or other publication; Student engagement--teaching, advising, or reviewing and supervising student research projects).
 - The international partner institution and its alignment with the law school's mission.

3. Approval Process

- **International Committee Review:** The International Committee will review the proposal and evaluate the merit and alignment with the law school's mission.
- **Criteria for Approval:**

- Academic impact and alignment with the law school's mission and goals.
- Feasibility, including funding and scheduling.
- Potential for long-term collaborations with the international institution.
- **Decision:** The Chair of the International Committee will notify the faculty member of the Committee's recommendation for approval or denial, possibly with feedback or conditions for approval. If the Committee votes to approve the proposal, the Chair will forward the approval recommendation and copy of the proposal to the Dean for consideration.
- **Dean Review:** The Dean will evaluate the proposal and International Committee recommendation. The Dean will decide whether to approve or reject the proposal. The Dean will notify the proposer of the final decision, providing feedback, recommendations, and further steps (if any).

Assessing Students

Exam Policies and Procedures

The Office of Academic Affairs will circulate a proposed exam schedule to faculty at least two months before final exams begin for a review and comment period. Once this comment period has passed, faculty will not be permitted to change exam times, days, or room numbers (absent extenuating circumstances). Faculty will be notified in a timely manner if exam times, days, or room numbers are changed for one of their scheduled exams.

Faculty will be asked to submit an online exam survey for each exam they are administering. This form will ask faculty whether their exam is take-home or in-person and how much time should be allotted for the exam. **Allotted exam time must include any reading or other prep time.** Faculty may not change the answers given on this survey absent extenuating circumstances.

Faculty will be informed at least two weeks prior to the beginning of the exam period of the deadline for final grade submission and the process for doing so.

Faculty must provide a copy of their exam to the Office of Academic Affairs (or the Law Resource Center, as designated) at least three days prior to the date of each scheduled final exam.

Faculty are responsible for all exam distribution and proctoring unless students are taking accommodated or makeup exams.

Important policies for all final exams:

- Exam4 is the only software available for computer-based exams. Blackboard and TWEN cannot be used due to the inability to provide tech support to students for these platforms.
- Take-home exams must be completed during the scheduled exam period.
- Faculty cannot use scantrons unless they will be grading them personally.
- Take-home exams cannot be proctored. Students are responsible for following exam rules and keeping time for take-home exams.
- Accommodations must be provided by the Disability Resource Center and cannot be granted by

- Brandeis faculty or staff.
- Faculty must notify Academic Affairs staff of any approved makeup exams in a timely manner.
- Exams listed as more than four hours in length must be take-home exams. They cannot be administered in-person.

Anonymous Grading System

Brandeis uses a modified anonymous grading system where a student is given a personal number for each exam during the exam period. Student records personnel randomly assign each number for each student for each exam. Students place this anonymous number on each exam, and faculty grade exams using these anonymous numbers.

During the final exam period, access to student files and records is restricted. If a final grade requires compilation of a final exam grade with other assigned participation or bonus points given during the semester, faculty may request a compilation of these scores from staff members with access to student records during the exam period. Faculty may also request a deanonymized grading roster after the final exam period following the submission of final exam grades in order to compile participation/bonus points and/or to enter final grades.

Such systems have been implemented by many other schools in the nation and are the standard for grade reporting. This system eliminates the burden for faculty of making subjective decisions. Class participation points can be awarded to benefit students in situations of a borderline grade case. Professors grade each exam on a standardized scale, give participation or bonus points as desired.

Period of Retention and Review of Examination Materials

Examination booklets and papers are retained by faculty for one (1) year. Students are encouraged to seek review of their examinations in a timely manner. No grade may be changed after the earlier of (a) one year after it is released or (b) the J.D. degree has been posted on the student's transcript, unless such change is the result of an Honor Code proceeding.

Original exams should not be returned to students. Students may obtain copies or view originals on site at your discretion.

It is the policy of the faculty that each full- and part-time faculty member should have available some mechanism by which students may be informed of appropriate answers to test questions. A faculty member may satisfy this policy by providing a sample answer drafted by the professor; answers of student(s) who did well in the course, discussion of the answers to the exam at a publicly announced time and place (including in a class continued during a second semester), or a checklist of appropriate issues and answers. This list is not exclusive and faculty are free to select other ways of providing information.

Written Work Product in Lieu of Final Exams

Seminars and regular upper level doctrinal courses that do not use a final exam should require students to produce written work product demonstrating knowledge and understanding of the law, as well as legal analysis and reasoning. For courses following within this category, faculty will:

- Include explicit instruction as to legal analysis and reasoning and legal writing, and, for a course that fulfills the writing requirement, legal research and proper citation to authorities

(building upon the foundation provided in the IL Lawyering Skills courses);

- Require successful completion of substantial written work product demonstrating sound legal analysis and reasoning and, for a course that fulfills the writing requirement, significant legal research and proper citation to authorities;
- Require that students submit at least two pieces of interim work product, at least one of which is a substantially completed draft of the final work product and a second which allows meaningful practice of skills and written formative feedback; and
- Provide meaningful written formative assessment for both pieces of submitted interim work product, and the final work product. In assessing the substantially completed and final draft, faculty will use either (i) rubrics substantially similar to the rubrics developed for use in the 1L Lawyering Skills courses for written analysis and reasoning, legal research, and citations to authority (tailored as needed), or (ii) comparably helpful tools for providing meaningful formative feedback.

Grading Policies

Entering Grades

Faculty will be informed at least two weeks prior to the beginning of the final exam period the deadline for submission of grades.

Faculty cannot release final grades to individual students. All final grades are released to students via ULink on the same day.

Faculty wishing to award a deferred/incomplete grade must meet with the Associate Dean of Academic Affairs. Faculty with students who have not submitted a final exam or final paper should contact the Associate Dean of Academic Affairs.

Faculty should indicate **one top grade** in each graded course for purposes of granting CALI Awards. This can be done by assigning the top student in each class a 100 or the highest score in the course during grading, or by emailing the Office of Academic Affairs with the identity of the top student in the class during the grading process each semester.

Faculty wishing to submit a grade change due to input error, to remove an incomplete, or for another reason should submit a [Grade Change Form](#) to the Office of Academic Affairs. Faculty should not submit this form or any form directly to the University Registrar.

Faculty teaching an upper-division course who know a student will be receiving a failing grade for the semester should contact the Office of Academic Affairs as soon as possible.

Directions for posting grades in ULink are available [here](#).

Mandatory Grading Median and Grading Scale

The grade point average (GPA) of a student will be calculated by dividing the number of quality points earned by the number of semester hours attempted for all courses in which they receive grades of "A", "A-", "B+", "B", "B-", "C+", "C", "C-", "D+", "D", "D-", and "F".

The Law School has no required grading curve for any classes. Instead, beginning in Fall 2024, for all first year, core and required courses, as well as all elective courses with enrollment exceeding 25 students (calculated after the add/drop period has ended), but excluding upper-level experiential courses, the median grade in such courses shall be a letter grade of "B," which on our grading scale is a 3.0. The mandatory median shall apply to the final grades assessed by the faculty member and submitted/posted in the grading system, after any class participation or other adjustments have been applied to student scores in such class.

"Median" in this context is understood to be the grade earned by the student representing the middle of the grade distribution in a class if the number of students in the class is an odd number, or the lowest grade in the top half of the class if the number of students is an even number.

If a faculty member, in the exercise of their professional judgment, believes that the grades in a course otherwise subject to the B median cannot be adjusted to meet that median, the faculty member shall submit to the Associate Dean for Academic Affairs a written explanation of the grades and the reason(s) for their deviation from the rule.

No mandatory mean (average), nor any mandatory curve or set grade distribution, shall be required apart from the mandatory median grade. The Associate Dean for Academic Affairs shall monitor compliance and work with the faculty to facilitate compliance with this rule. If any deviation occurs, the Associate Dean must report such deviation to the faculty at the next regularly scheduled faculty meeting.

Students can access their unofficial transcript through ULink.

GPA Scale

The following scale sets the credit hours awarded for each letter grade.

	1 credit hour	2 credit hours	3 credit hours	4 credit hours
A	4.0	8.0	12.0	16.0
A-	3.7	7.4	11.1	14.8
B+	3.3	6.6	9.9	13.2
B	3.0	6.0	9.0	12.0
B-	2.7	5.4	8.1	10.8
C+	2.3	4.6	6.9	9.2
C	2.0	4.0	6.0	8.0
C-	1.7	3.4	5.1	6.8
D+	1.3	2.6	3.9	5.2
D	1.0	2.0	3.0	4.0

D-	0.7	1.4	2.1	2.8
F	0.0	0.0	0.0	0.0

Grading Scale Guidance

The following table provides guidance to faculty as to which letter grade to assign to an individual student's work:

Letter Grade	Quality Description	Points
A	Exceeds expectations. Mastery of course content and skills at the highest level of attainment that can reasonably be expected of students at a given stage of development.	4.0
B	Meets expectations. Strong performance demonstrating a high level of attainment of course content and skills for a student at a given stage of development.	3.0
C	Adequate but below expectations. Performance demonstrating a passable level of attainment of course content and skills for a student at a given stage of development.	2.0
D	Passing, but unsatisfactory. A marginal performance demonstrating a minimal passing level of attainment of course content and skills.	1.0
F	Failure; inferior performance. The F grade indicates that the student's performance has revealed insufficient understanding of the course content and skills.	0.00

Grades may be adjusted up or down by a "plus" or "minus." Such adjustments have the following meaning:

- The "plus" grade reflects performance slightly above the associated letter grade. This will add 0.3 to the points assigned to the letter grade.
- The "minus" grade reflects performance slightly below the associated letter grade. This will subtract 0.3 to the points assigned to the letter grade.

There are two exceptions to these adjustments. First, the Law School does not recognize the grade of 'A+,' therefore no professor shall award a grade above an 'A.' Second, in no case shall the grade of 'F' be adjusted."

Scholarship Documents

University of Louisville Research Grant Submission Process

The Dean will coordinate with the Research Office regarding law faculty submitting grant proposals for sponsored research. Faculty members must work with the Dean and advise the Research Office of any intention to submit such grant proposals so that the Research Office may advise the faculty about any deadlines or other concerns the central administration might have about those requests.

This process is not applicable to grant requests for support from organizations such as the Louisville Bar Foundation and the Kentucky Bar Foundation, which requires the request to come from the Law School and not individual faculty, because the Research Office does not oversee those kinds of grants. However, the Research Office would appreciate being informed of these grant submissions so that the Research Office can provide support and ensure a coordinated effort.

Law Library Documents

Law Library Collection Development Plan

I. Introduction

Electronic and print resources are chosen for the Law Library in conformance to the priorities expressed in the law library's mission statement:

"The primary mission of the Law Library is to support the curriculum and the research needs of faculty and students of the University of Louisville Brandeis School of Law. This primary mission motivates the adoption of policies and procedures as well as the provision of materials, equipment, and services."

Library facilities are available to the University community, the legal community, and the public at large. Because of availability and demand, much of the Law Library's print collection does not circulate. While every effort is made to procure digital sources that may be accessed by all patrons, contractual arrangements sometimes restrict access to the law school community.

While collection, facilities, and services are made available on a broad basis, selection of these is based on the needs of the law school community. Determinations of adding services and titles or withdrawing services and titles are made solely regarding the scholarship needs of the law school. No effort is made to accommodate the needs of other patron populations.

The Law Library shall maintain at all times a collection that meets or exceeds the standards of the American Bar Association and the Association of American Law Schools.

II. Selection of Materials

It is the responsibility of the Director of the Law Library to select electronic services and materials to be added to the collection, consistent with the policy and the available budget. Library personnel assist the Director in selection decisions. Suggestions from the law faculty are welcomed and encouraged, and every effort is made to purchase those items as budget allows. Items suggested by patrons outside the law school community are purchased only when consistent with the scholarship needs of the law school.

- A. Approvals. The Law Library normally does not accept titles offered on approval by publishers.

- B. Trial subscriptions to electronic services. The Law Library may agree to brief trial subscriptions to electronic services under serious consideration.
- C. Gifts. All materials offered to the Law Library as gifts must be approved by the Director. The library may accept donations of materials that are consistent with this collection development plan. Donations are normally accepted on a "no strings attached" basis, with the library including materials in the collection or discarding them at its discretion. When gift materials are accepted by the library, a letter acknowledging the gift will be sent to the donor. Bookplates commemorating the gift may be attached to gift volumes when appropriate.
- D. Consultation with faculty. Decisions regarding adding or withdrawing electronic services or print titles will be made in consultation with faculty as appropriate.

III. Format Priority

Increasingly, information is available both as part of one or more electronic services and in print. Historically, the Law Library has prioritized ownership of information in print sources and considered duplication of information on electronic services to be supplemental. The Law Library now gives priority to information in digital formats. With some exceptions, whenever information is available as part of a database, and is also held by the library in print, the library will cancel the print subscription and rely on the electronic service. The main reasons for this shift in policy are: (1) patron preference for electronic research in most cases, and (2) budget constraints that prohibit the library from affording the same information in multiple formats, and that limit the ability to afford purchase of new titles.

Despite the preference for electronic services where available, the library will continue to subscribe to print for select titles, such as the following:

- A. Kentucky legal information. Information sources about Kentucky law will be held both electronically and in print. The library may own more than one print copy of sources such as Kentucky statutes, cases, administrative regulations, and some important secondary resources such as the Kentucky Practice series. The Law Library also archives superseded print. Such archives are not typically available electronically.
- B. Indiana legal information. Primary sources and significant secondary sources may be held both electronically and in print.
- C. U.S. Supreme Court decisions. United States Reports and Supreme Court Reporter will be held electronically and in print.
- D. State statutes. In addition to Kentucky and Indiana, the statutes of some bordering states and a select few other states may be retained in print.
- E. Secondary sources. The library may elect to retain print copies of select secondary sources such as American Jurisprudence 2nd.
- F. Top SO law journals. The library may retain print copies of top SO law journals for the convenience of the faculty.
- G. U.S. Supreme Court records and briefs. The Law Library is one of the few law schools acting as a depository for print copies of U.S. Supreme Court records and briefs, as a

result of the efforts of Louis D. Brandeis. While some of these are also available online, the Law Library will also retain print copies.

- H. United States Code. The library will continue print subscriptions to the official United States Code, and also one annotated federal code.

Some materials will be obtained in print that are not otherwise available electronically. These include:

- A. Kentucky legal history. Many legal historical sources have not been converted to digital formats. The Law Library will purchase these when available, if not already owned, and as budget allows.
- B. Treatises and other secondary sources. Many commercial treatises and secondary sources are not available electronically. The Law Library will purchase these when consistent with the curriculum or the scholarly needs of law faculty and students.
- C. Historical documents related to Louis D. Brandeis and John Marshall Harlan. The Law Library owns extensive collections of materials by and about Louis D. Brandeis and John Marshall Harlan, two U.S. Supreme Court justices. The Law Library will purchase any such materials that it does not own when they are reasonably priced and the budget permits.

Other formats:

The Law Library will de-emphasize acquisition of new titles in the following formats:

- A. Looseleaf services
- B. Casebooks
- C. Periodical indexes
- D. Citators
- E. Government publications
- F. Microforms
- G. DVDs

IV. Retention

As print subscriptions are canceled, a decision will be made regarding whether to retain retrospective volumes or discard them, on a case-by-case basis. The decision will be based on a number of factors, such as the research and historical value of the retrospective volumes and whether information from the retrospective volumes is available electronically. At least one copy of Kentucky materials is preserved. When appropriate, law faculty will be consulted in making a determination regarding retention.

V. University Libraries

Although the Law Library is independent of the University Library System, efforts are made to coordinate services and collections. The Law Library generally does not purchase titles already

owned by University Libraries. At the Director's discretion, an exception may be made under the following circumstances:

- A. The title is one that would be in great demand at the Law Library.
- B. A member of the law faculty has requested that a duplicate title be purchased by the Law Library.
- C. The title relates to a faculty member's field of study.
- D. The title relates to an area of special interest in the law school, such as Louis D. Brandeis or Kentucky law.
- E. The title is important to a subject within the curriculum.
- F. The title is an important reference tool.