

LOUIS D. BRANDEIS SCHOOL OF LAW
LAW LIBRARY FACULTY
POLICIES FOR REAPPOINTMENT, PROMOTION,
CONTRACT RENEWAL, TENURE
AND PERIODIC CAREER REVIEW

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

I. FACULTY APPOINTMENTS

A. Term Appointments

Term faculty shall be full-time faculty appointments without tenure for a stipulated contract period not to exceed three years. Such appointments are not probationary appointments, and no such appointments, continuation, or renewal thereof shall result in acquisition of tenure or implied renewal for subsequent terms. Term faculty appointments may be renewed if the Dean of the Law School, in consultation with the Law Librarian, determines that the services of the incumbent are needed for the renewal term. Term faculty may apply for and be appointed to probationary faculty positions.

B. Tenure Appointments

Tenure is the right of certain full-time faculty personnel who hold academic rank to continuous full-time appointment without reduction in academic rank until retirement or termination as provided in Sec. 4.5.3 of the Redbook. Tenure is granted in accordance with the procedures established in Sec. 4.2.2.H. of the Redbook, and the Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion, and Tenure.

II. FACULTY RANK

A. Law Librarians occupying full-time positions requiring a Master of Library Science degree or its equivalent hold faculty rank. Personnel occupying such positions may also be required to hold professional credentials or graduate degrees in law or other scholarly fields.

B. The ranks are:

1. Assistant Professor
2. Associate Professor
3. Professor

C. Initial rank for Law Library Faculty shall be determined according to education and experience. The Law Librarian shall make a recommendation to the Dean of the School of Law on rank, and credit toward tenure when applicable, for each new appointment.

III. GENERAL CRITERIA RELATING TO REAPPOINTMENT, PROMOTION, TENURE, AND PERIODIC CAREER REVIEW

The following criteria shall be used in determining whether a faculty member should be reappointed, promoted, and advanced to tenure; in contract renewal for term faculty; and in a periodic career review.

A. Librarianship / Teaching

1. The Librarianship / Teaching criterion is meant to be interpreted to apply to the wide range of functions librarians assume, and may not always mean the same sort of teaching responsibility other faculty in the University have.
2. When a member of the Law Library Faculty is assigned to teach a course in the School of Law, or engages in activity that qualifies as teaching under section IV.A. of the Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion, and Tenure, then the Personnel Committee may consider teaching using the same criteria outlined in that section. In addition, performance of duties as a librarian, pursuant to III.A.1. shall also be considered.

B. Research and Creative Activity

Within the scope of librarianship, research and creative achievement focuses on the advancement of knowledge in the fields of librarianship, information science, and information technology. Research and creative achievement may take such forms as books; articles related to law or librarianship in journals, newsletters or elsewhere; 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 proposals, electronic publication and the like are also recognized. Research which leads to the development of major innovations in effective teaching and research methods is recognized as significant creative activity. Law Library Faculty may also meet this criterion by performing any of the scholarship activities described in sec. IV.B. of the Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion, and Tenure.

C. Service to the Profession and Professional Development

This criterion is defined as sharing one's professional expertise with the field and advancing one's professional knowledge through formal or informal educational opportunities. Activities include participation in professional and scholarly organizations, coursework designed to update professional knowledge, coursework toward an additional formal degree, and coursework to improve subject specialization.

D. Service to the School of Law

This criterion includes, but is not limited to, active participation in School of Law committees, and performance of special tasks as assigned by the Dean of the School of Law and by the Law Librarian.

E. Service to the University and the Community

This criterion includes, but is not limited to, active participation on University committees and in University governance, acceptance of significant advisory positions within the University, and performance of special tasks assigned by University administration.

F. Adherence to Professional Standards

Each faculty member is expected to adhere to an appropriate standard of professional conduct such as the Ethical Principles of the American Association of Law Libraries. The Personnel Committee shall also consider rules of professional conduct for lawyers, as well as rules and standards of law school accrediting bodies, of the teaching profession, and of the University, when appropriate.

G. Collaboration

Law Library Faculty are expected to collaborate effectively with students, faculty, and other members of the University community.

IV. FACULTY PERSONNEL REVIEWS

A. Annual Review

All members of the Law Library Faculty are subject to an annual review in accordance with the procedure set forth in section IX of the Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion, and Tenure. Evaluation of performance shall take into consideration the faculty member's annual work plan. When the review identifies weaknesses and deficiencies, it shall include specific recommendations for improvement or for possible adjustments in workload concentrations. Annual reviews shall take into consideration professional achievement for the current year and the preceding two years. The Dean of the School of Law shall conduct the annual review of Law Library Faculty members in consultation with the Law Librarian.

B. Tenure Review

1. Law Library Faculty occupying probationary appointments will be reviewed for tenure within twelve months after five years of service applied to tenure. Candidates for advancement to tenure shall demonstrate proficiency in Librarianship / Teaching; Research and Creative Activity; Service to the Profession and Professional Development; Service to the School of Law; Service to the University and the Community; Adherence to Professional Standards; and Collaboration. They also shall demonstrate a level of performance better than proficiency in Librarianship / Teaching; Research and Creative Activity; or Service to the Profession and Professional Development. They shall, in addition, give promise of continuing at these levels of performance in all areas.

2. Probationary Law Library Faculty will undergo a pre-tenure review, typically after the third year of service to the Law Library. The purpose of the pre-tenure review is to inform the faculty member about progress toward meeting the Law Library's standards for tenure. The Law Librarian will conduct the pre-tenure review. This review is advisory only and does not constitute sufficient justification for award or denial of tenure.

C. Promotion Review

All members of the Law Library Faculty occupying term and probationary positions are eligible for promotion. Promotion is granted on the basis of significant contributions to the School of Law, the University, and the profession. Evaluations of whether the standards for promotion are satisfied shall take into account the candidate's annual work plans. Successful fulfillment of one's designated responsibilities as outlined in annual work plans is mandatory. Candidates will also be evaluated on the basis of a continuing record of achievement, evidence of professional development, and contributions to the mission of the School of Law. Neither seniority nor time in rank is to be the sole basis for promotion. It is the responsibility of the faculty member to ensure her or his ability to satisfy the criteria for promotion as described below.

1. All candidates for promotion from Assistant Professor to Associate Professor shall demonstrate proficiency in Librarianship / Teaching; Service to the Profession and Professional Development; Service to the School of Law; and Collaboration. In addition, all candidates shall adhere to Professional Standards. Any Service to the University and the Community, while not required, may also be taken into consideration. Candidates shall give promise of continuing proficiency in these areas. Candidates who occupy probationary positions shall also demonstrate proficiency in Research and Creative Activity. The Personnel Committee may take into consideration Research and Creative Activity for term faculty candidates.

2. Promotion from Associate Professor to Professor

Law Library Faculty candidates for promotion to the rank of Professor shall meet the standards required for tenure. Term faculty are not required to satisfy the criterion of Research and Creative Activity. In addition, they shall demonstrate a strong commitment to excellence in librarianship and achieve significant professional respect among their colleagues as evidenced, for example, by invitation to speak at conventions or conferences.

D. Reappointment of Tenure-Track Faculty

1. Law Library Faculty who are Assistant Professors occupying probationary positions who are candidates for reappointment shall demonstrate that they hold promise for achieving – and are making reasonable progress toward achieving – proficiency in Librarianship / Teaching; in Research and Creative Activity; in Service to the Profession and Professional Development; in Service to the School of Law; in Adherence to Professional Standards; and in Collaboration. They shall also give promise of continuing proficiency in all areas.

2. Law Library Faculty who are Associate Professors occupying probationary positions 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 Librarianship / Teaching; in Research and Creative Activity; or in Service to the Profession and Professional Development.

E. Contract Renewal Review of Term Law Library Faculty

No later than the spring semester preceding the expiration of a contract of a term Law Library Faculty member, the Personnel Committee will recommend to the Dean of the Law School whether the contract should be renewed. Consideration by the Personnel Committee shall follow the procedure defined in Part III of the Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion and Tenure for the Louis D. Brandeis School of Law Faculty. Law Library Faculty shall be eligible for reappointment if they demonstrate that they continue to meet the requirements for the rank they occupy.

F. Periodic Career Review

1. Law Library Faculty members with tenure shall undergo a periodic career review after every fifth year of service, as determined by the year in which he or she joined the Law Library Faculty. The standard the

Personnel Committee shall apply in periodic career review cases is whether the faculty member is proficient in all relevant areas of faculty responsibility enumerated in Part III of this document, and better-than-proficient in a chosen area of career emphasis. The Personnel Committee shall also take into account the faculty member's assigned responsibilities and his or her performance under approved work plans. The institution of quinquennial periodic career reviews for the tenured faculty members is understood by the School of Law and its tenured faculty members not to waive any legal rights vested in such faculty as a consequence of their being awarded tenure.

2. 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.

3. The Personnel Committee shall review the three most recent annual review ratings provided for in IV.A. pertaining to the faculty member under consideration. If at least two of the three ratings are satisfactory and/or commendable, the Personnel Committee shall report to the Dean of the Law School 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.

4. 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 in accordance with the provisions of Part VI.F. of the Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion, and Tenure. This review can occur at the same meeting or at a later meeting. The Committee shall make a finding, after reviewing relevant annual review information, as provided in IV.A. above, 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 IV.F.1. The Personnel Committee shall report its finding to the Dean of the Law School and the faculty member 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 submit a memorandum to the Dean rebutting the findings of the Personnel Committee. If the Dean concurs with the committee, then the faculty member may file an appeal with the University Grievance Committee.

5. The periodic career review for Law Library Faculty members occupying term positions will be the contract renewal review provided prior to reappointment.

G. Extramural Evaluation

1. Extramural evaluation is required for Research and Creative activity in review for tenure, or for promotion of a tenured or probationary member of the Law Library Faculty. At least one scholarly work must be evaluated each time a Law Library faculty member is reviewed for promotion or tenure. Candidates for promotion to Associate Professor shall submit at least one scholarly work for extramural evaluation. 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.
2. The faculty member must provide the Personnel Committee with the scholarly works for review by August 1 of the academic year in which promotion or tenure for that faculty member will be considered. Unless the faculty member wishes to have separate evaluations of each work, if more than one work is submitted for the review, 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.
3. The faculty member to be considered for promotion or tenure must submit a list of at least three external reviewers to the Personnel Committee at the same time the scholarly works to be considered are submitted. The faculty member must select librarians or scholars in the subject area in which the faculty member publishes. The faculty member must disclose his or her relationship, if any, with prospective reviewer.
4. The Personnel Committee shall submit the articles to at least three reviewers who have agreed to consider the publications. At least one of the reviewers must be from the list submitted by the candidate. Names of reviewers selected by the Committee will be submitted to the candidate by August 20 of the academic year in which promotion or tenure is considered.
5. If the candidate fails to provide a list of prospective reviewers by the deadline date, then the Personnel Committee may select reviewers without his or her input.
6. The Law Librarian will contact each prospective reviewer to ask if he or she is willing to provide a review. The Law Librarian will send to each reviewer a copy of each publication to be reviewed, together with an instructional letter and a copy of the candidate's curriculum vitae.

7. If it appears that three extramural reviews will not be returned in time for consideration by the Personnel Committee, then the Committee will make an effort to obtain reviews from alternative reviewers. If it is not possible to obtain three reviews in time for consideration by the Personnel Committee, then the required number of evaluations may be waived by a majority vote of the Personnel Committee with the consent of the candidate.

8. 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.

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

V. PROCEDURE FOR CONSIDERATION OF REAPPOINTMENT, RETENTION, PROMOTION, TENURE, AND PERIODIC CAREER REVIEW

A. The process by which personnel decisions shall be determined is defined in Part III of the Law School Personnel Policies for Appointment, Retention, Reappointment, Promotion and Tenure for the Louis D. Brandeis School of Law faculty.

B. Personnel Committee

1. The Personnel Committee shall act for the faculty in making recommendations concerning the reappointment, promotion, granting of tenure, contract renewal of term faculty, and periodic career review for Law Library Faculty members.

2. The Personnel Committee shall be composed of at least five members: each full-time Law Library Faculty member with a tenure appointment whose primary appointment is to the University of Louisville Law School Library and who has been awarded tenure; each full-time Law Library faculty member with a term appointment who has attained the rank of Professor; the Law Librarian; the Dean of the School of Law or her or his designate; and two full-time members of the Law School faculty who are members of the Law School Personnel Committee, or who are Writing Skills Faculty who have achieved the rank of Professor. In addition, in matters involving promotion and tenure, a member of the University

Libraries Faculty who has recently served on their Personnel Committee shall participate as a voting member.

3. A member of the Law Library Faculty who is being reviewed for reappointment, promotion, tenure, or periodic career review shall not serve on the Personnel Committee during consideration of her or his action.

4. The Law Librarian shall serve as the Chair of the Personnel Committee, with full voting privileges.

VI. CONDITIONS OF FACULTY EMPLOYMENT

A. Sabbatical Leave

A tenured Law Library Faculty member with six years of full-time service at the University of Louisville may petition for a sabbatical leave of absence for six months at full pay or twelve months at one-half pay in accordance with the procedures outlined in Redbook 4.3.5. Sabbatical leave will be granted only upon the approval of the Dean of the School of Law, the Provost, and the President. No leave will be granted without the guarantee of at least one year of continued full-time service after return from the sabbatical leave.

B. Annual Work Plan and Presence at the University

Working with the Law Librarian, each Law Library Faculty member shall present an annual work plan for the approval of the Dean. The work plan shall specify the responsibilities of the faculty member for teaching, service, and other institutional obligations, and other activities or requirements for the faculty member's presence on campus. When circumstances require changes in the work plan, the faculty member and the Law Librarian shall file an amended plan (including an explanation of the necessary changes) for the Dean's approval.

C. Work Outside the University

Law Library Faculty may carry out professional work outside the University, with or without pay, usually for not more than the equivalent of one work day per week, averaged throughout the number of weeks of their employment in a given year. Such work shall be previously approved by the Dean of the Law School and by the Law Librarian, and must be appropriate to the faculty member's expertise and the mission of the University. Such work must not conflict or interfere with the faculty member's schedule of assignments and responsibilities at the University. As part of the annual review, a faculty member whose request for such work has been approved will provide a report of the outside professional work.

(Approved by Law Faculty May 9, 2005; approved by Board of Trustees, November 10, 2005).