

Georgetown University Law Center

Memorandum of

STANDARDS FOR TENURE AND PROMOTION

Approved by the Faculty January 29, 2014, effective as of January 1, 2014

1. Faculty's Function

1.1 It is the responsibility of the tenured members of the faculty to consider questions of both tenure and promotion and to make appropriate recommendations to the President of the University through the University Rank and Tenure Committee. A recommendation that either tenure or promotion is not appropriate will not be forwarded to the University Committee, but in any such case, the candidate may petition the University Rank and Tenure Committee.

1.2 With respect to tenure, the faculty may make the following recommendations:

1. That tenure be granted.

2. That consideration of tenure be deferred for an additional year, up to the maximum length of time such person may remain at his or her existing rank without tenure.

3. That the appointment of an untenured member of the faculty be terminated either at the conclusion of that member's nontenured period, or earlier, provided that action is taken by the appropriate deadline.

1.3 With respect to promotion, the faculty may recommend that promotion be either granted or not granted.

1.4 It is the responsibility of tenured members of the faculty to attend faculty meetings in which rank and tenure are considered for untenured members of the faculty, or for lateral appointments (section 5.2, below). A quorum for any such meeting shall be 60% of all

tenured faculty, excluding those not participating because they are on sabbatical or leave of absence. A decision to recommend that tenure or promotion be granted shall require approval by a majority of those who have cast “yes” or “no” votes. Absentee votes on a tenure or promotion decision shall be permitted in compelling circumstances and only if approved by the Dean after the faculty member requesting an absentee ballot provides the Dean a written explanation of the faculty member’s absence. Tenured faculty on sabbatical or leave of absence are eligible to vote only if present at the faculty meeting. All votes on tenure and promotion shall be conducted by secret ballot.

2. The Law Center Rank and Tenure Committee's Function

2.1 It is the responsibility of the Law Center's Rank and Tenure Committee (“the Committee”) to make written recommendations to the tenured faculty with respect to tenure and promotion, as set forth in this memorandum. The recommendations of the Committee shall comprise a part of any record forwarded to the University Rank and Tenure Committee.

2.2 The Committee shall act by open ballot at its meetings. The casting of votes shall be accompanied by a full statement of reasons. The report of the Committee to the tenured faculty shall not identify how individual members of the Committee voted.

2.3 The Committee shall consult with the Student Advisory Committee on the question of tenure for untenured full-time faculty who are candidates for tenure. Any such candidate should receive a written report from the Advisory Committee. The membership and procedures of the Advisory Committee shall be determined by the appropriate student organization.

3. Standards

3.1 As to Tenure

(a) Incorporation by Reference

The standards of the Law Center with respect to tenure incorporate by reference the applicable standards contained in the University Faculty Handbook. The elaboration of the standards in this memorandum is intended to amplify the University standards and to apply those standards to the particular circumstances of the Law Center.

(b) Evidence of teaching ability:

(1) Purpose of the Requirement

Education of students is a primary mission of the Law Center, and proficient teaching is expected of all full-time members of the faculty. Candidates for tenure must demonstrate their ability to be effective teachers in, as appropriate, seminars, examination courses, experiential courses, clinics, and simulations.

(2) The components of teaching ability

The following factors are relevant to the assessment of teaching ability:

- (i) ability to communicate;
- (ii) preparation for class;
- (iii) breadth of knowledge relevant to the field;
- (iv) organization of individual class sessions and overall course content;
- (v) ability to stimulate and inspire students;
- (vi) ability to control and direct a classroom meeting;
- (vii) ability to evaluate students' progress and achievement, as appropriate to the courses taught;

- (viii) effectiveness of guidance and supervision of research and writing in seminars or of independent research projects, or of clinical cases and projects;
- (ix) accessibility to students and demonstrated interest and involvement in their welfare;
- (x) attention to teaching methodology.

(3) Measurement of teaching ability

Teaching ability will be measured by both student appraisal and the appraisal of colleagues. Student appraisal will be supplied by course evaluations and by the report of the Student Advisory Committee to the Rank and Tenure Committee and faculty. That report should describe and analyze the evidence that the students have considered and set forth the factors that they have weighed in assessing the quality of the candidate's teaching ability. The faculty will also consider reports of colleagues from class visits and any other evidence of student opinion deemed pertinent.

(c) Evidence of Scholarship and Research

(1) Purpose of the Requirement

Another primary mission of the Law Center is the production of scholarship. Excellence in scholarship benefits not only the academic community of law teachers and students but also the profession. Students who are exposed to serious scholarly investigation and analysis will be inspired to carry forward in practice an ethic of critical inquiry about the legal system. The production of scholarship also fosters constructive dialogue within the legal profession, with academics and practitioners in other disciplines, and with the international legal community.

(2) Form in Which Scholarship and Research May Be Manifested

In respects pertinent to the law faculty the University's Faculty Handbook says of scholarship:

A faculty member whose responsibilities include research is expected to have a wide and critical command of the field of his or her study. The highest indication of scholarship is the ability to make original contributions in one's field of knowledge. Scholarship is generally evidenced by scholarly publications of high quality, but also may be evidenced in certain areas by creativity and professional contributions demonstrated through the medium of communication customary in that discipline. Consideration will be given to such subsidiary evidence as direction of or significant participation in research projects, particularly in the scholarly activities of learned societies and professional consultative service.

Excellence in scholarship that contributes to the Georgetown community, the community of legal scholars and professionals, and the wider academic community can be manifested in many forms. In all cases the scholarship must ultimately reach written form, and must be disseminated to and warrant recognition by a significant audience, having in mind the specific characteristics and purpose of the work.

For purposes of tenure and promotion, the traditional forms of scholarship are books and articles. While not independently sufficient, weight can also be given to book review essays, amicus briefs, and publications for which the candidate is principally responsible resulting from activities of learned societies and professional organizations. Also appropriate are significant scholarly contributions resulting from activities of clinical legal education programs as evidenced by briefs, memoranda, studies, proposed statutes and regulations, or reports, to the extent that those materials are designed to advance either the state of the law or the state of teaching methodology.

(3) Quality of Scholarship

Tenure shall only be granted to a faculty member who has a proven record of producing and publishing excellent legal scholarship. Legal scholarship is characterized by diversity in both subject matter and method. Excellence in legal scholarship is characterized by clear and compelling argument that relies on relevant evidence or authority, by ideas or results that are both original and important, and by the author's attention to method. A pre-tenure faculty member should aim to publish in journals of established reputation among the relevant scholarly audience. The body of the candidate's work should make a significant contribution to the field of legal scholarship, establishing the candidate as a serious and respected participant.

Each piece of scholarship produced during the candidate's pre-tenure period as a member of the full-time faculty shall be submitted to two or more outside reviewers who have expertise in the candidate's field of study. Reviewers shall be asked to evaluate whether the candidate's scholarship meets the standards of excellence set forth in these sections, and whether it would meet the tenure standards at his or her own institution. Reviewers will also be asked to state any shortcomings or criticisms they have of the work, notwithstanding their overall evaluation.

(4) Quantity of Scholarship

One purpose of tenure review is to evaluate the candidate's promise for future productivity. The best evidence of a candidate's future productivity is his or her pace of production during the pre-tenure period. A candidate is expected to have demonstrated a continuous scholarly engagement sufficient to establish his or her capacity and inclination for future scholarship, given the competing demands of the job.

A pre-tenure faculty member during the early years of his or her academic career may not be able to produce scholarship at the rate of a tenured faculty member, but the level of productivity should be sufficient to demonstrate a commitment to and capacity for meeting the scholarship obligations of a tenured faculty member. A tenured faculty member with a standard non-clinical teaching load should write on average at least the equivalent of one substantial article per year accepted by a respected law review or peer-edited journal.

Tenable scholarship varies in length, in the time required for preparation, and in the time it takes to publish. In some years, scholarly productivity may be slowed by the demands of teaching new courses or unavoidable overloads, or by absorption in law reform projects. Also, it is recognized that some projects are multi-year and that some scholarship does not result in publication in law reviews. It is the responsibility of the Dean and the Associate Dean for Research and Academic Programs to encourage scholarship and to maintain real but flexible expectations.

Except for lateral appointments of faculty from other schools, scholarship substantially written prior to coming to Georgetown cannot substitute for scholarship written while at Georgetown. Earlier writings, however, are relevant as evidence of the promise of continuing productivity. Completed manuscripts that a pre-tenure candidate is prepared to submit to external evaluators can be counted in the candidate's scholarship package.

(d) Service to the Institution and the Community

The candidate is obligated to devote substantially all of his or her professional time to the Law Center, including, in addition to the duties of teaching and scholarship, attending and participating in faculty meetings and being available to students to meet their reasonable

educational needs. Activities outside the Law Center may include service to the profession, community, and the nation, but these activities should not detract from the commitment to teaching and scholarship, which are the faculty member's principal responsibilities. In addition, the candidate will be expected to serve on faculty committees as arranged with or assigned by the Dean, and to participate in other important institutional activities such as faculty workshops and graduation ceremonies.

(e) Special Factors Pertaining to Law Librarians

The Law Librarian is customarily a member of the faculty on a tenure track. In considering whether to recommend tenure and, if applicable, promotion, the tenured faculty shall evaluate:

(1) Evidence of contributions to the general course of knowledge and expertise in the field of law librarianship through research, writing or active participation in professional groups in the discipline.

(2) Intellectual capacity and skill in the educational endeavors that are the responsibilities of the Law Librarian, including maintaining and building the collection; providing services to and resources for the research needs of the faculty, the clinics, administrators, and students; providing classroom and curriculum support for faculty and students; training and supervising a professional staff to provide such services.

(3) If tenure is conferred upon the Law Librarian, the contract between the Law Librarian and the University shall provide that the Law Librarian cannot resign from the Librarianship and retain the Professorship with tenure, unless the tenured faculty at the time of such resignation votes to recommend to the President, and the President concurs, that such person remain a member of the tenured faculty.

3.2 As to Promotion

(a) Entry Level

The normal, initial, tenure-track appointment to the law faculty will be at the rank of Associate Professor. In the exceptional case of an appointment of a person with so little professional experience as to call into question use of the rank of Associate Professor, the Dean is authorized to use a title conveying a lesser rank, with promotion to Associate Professor by the Dean after two years of satisfactory performance.

(b) Promotion To the Rank of Professor

In order to merit promotion to the rank of Professor within the University, there must be clear and convincing evidence that the scholarship, both as to quality and quantity, has been such as to merit substantial recognition by scholars in the particular field of learning.

4. Procedure for Tenure and Promotion

4.1 Determination and Recommendation

The final determination as to the grant of tenure and promotion is made by the President of the University. The President acts upon the recommendation of each of the following: the University Rank and Tenure Committee, the Dean of the Law Center and the tenured law faculty. The Rank and Tenure Committee of the Law Center shall prepare a file and make its recommendation to the tenured faculty.

4.2 Applicability of Rules

The procedures set forth in this Section 4 apply to the ordinary case of a candidate who has joined the faculty with an expectation that tenure will be considered some time after three years of service on the faculty. Such procedures are not applicable to the special cases described in Section 5, except as otherwise specified.

4.3 Definitions

The following definitions apply to Section 4:

(a) "Academic year" means the fall and spring semesters.

(b) "Leave of absence" means an unpaid leave that has been granted for all or part of the academic year.

(c) "Countable semester" means a semester during which a candidate has been a full-time member of the faculty, but not including (1) any period in which the candidate was a visiting professor, or (2) any semester that occurs in an academic year in which the candidate has a leave of absence extending to more than one-third of his or her time, unless the contrary is specifically provided in the written document granting the leave of absence. A paid research leave, however, is a countable semester.

4.4 Pre-tenure Review

In a tenure-track faculty member's fifth countable semester, the Rank & Tenure Committee shall conduct a pre-tenure review of that faculty member's scholarship, teaching and service.

At the beginning of a pre-tenure faculty member's fifth countable semester, he or she shall provide the Committee a letter summarizing his or her (a) scholarly production since joining the faculty, including works in progress; (b) scholarly agenda for the next few years; (c) teaching experiences; and (d) service to the institution. The Committee shall review and discuss the pre-tenure faculty member's letter, scholarship, and evidence of teaching accomplishments. The Committee may also consult tenured colleagues in the pre-tenured faculty member's area of expertise.

The Committee shall then meet with the pre-tenure faculty member and the Associate Dean for Research and Academic Programs. The purpose of this meeting is to give the pre-tenure faculty member feedback on his or her progress toward tenure, to provide advice on what additional steps might be taken, and to answer questions about the tenure process. It is to be understood that an existing Rank & Tenure Committee cannot guarantee that any specific actions will result in tenure in the future, but the Committee can share its expertise and judgment, which is the object of the review. After the meeting, the Chair of the Committee shall prepare a short memo summarizing the substance of the discussion, which shall be added to the pre-tenure faculty member's employment file.

In addition to the automatic fifth-semester review, early in each academic year, the Chair shall meet with the Associate Dean for Research and Academic Programs to review the progress of all tenure-track faculty members who have been on the faculty for six or more countable semesters. The Chair and the Associate Dean may request the Committee to conduct a second (or third) pre-tenure review for any members of that group who would benefit from such a review. Any pre-tenure faculty member may request a pre-tenure review at any time.

4.5 Eligibility

A faculty member normally is not eligible for consideration for tenure until the seventh countable semester as a member of the full-time faculty, on tenure track.

The appointment of a faculty member not achieving tenure shall be terminated no later than the end of the faculty member's fourteenth countable semester at Georgetown. The University's Faculty Handbook states that the "appointment of a tenure-eligible faculty member not achieving tenure shall be automatically terminated no later than the end of his seventh year of full-time employment." For any full-time faculty member whose initial appointment begins

during the second half of an academic year, the Handbook defers the start of the tenure probationary period until the beginning of the academic year following the initial appointment. The Handbook also excludes from the tenure probationary period any year in which the faculty member is employed for less than two-thirds of the year. In the rare event of a conflict between the Handbook computation and that set forth in this Memorandum, the Handbook computation controls.

4.6 Manner of Consideration

The tenure and promotion consideration shall be conducted in accordance with the following procedure:

(a) A candidate for tenure or promotion shall submit to the Chair of the Law Center's Rank and Tenure Committee a detailed curriculum vitae.

(b) The candidate shall submit to the Law Center's Rank and Tenure Committee at least one electronic or paper copy of all written material, published and unpublished, that the candidate believes relevant to the consideration of the Committee.

(c) The candidate should submit a list of persons outside the Law Center whom the candidate deems qualified and appropriate to be evaluators of all or part of the candidate's work. The Committee is not limited to evaluators named by the candidate and shall prepare a list of persons outside the Law Center who are qualified to evaluate the candidate's written material. The Committee shall allow the candidate an opportunity to indicate why the views of any person or persons should be disqualified for reason of personal or professional prejudice. The Committee shall then solicit evaluations of a candidate's scholarship from persons both outside the Law Center and from the Law Center's own faculty, assuring the outside evaluators of

confidentiality (except for the tenured faculty and all others subsequently involved in the University's decisional process) unless the evaluator waives confidentiality.

(d) The candidate shall submit to the Committee electronic or paper copies of all student critiques of his or her courses taught at the Law Center and of all courses taught while visiting elsewhere. A candidate who is a lateral appointment shall supply a representative set of student evaluations (in electronic or paper format) from courses taught as a law faculty member elsewhere.

(e) The candidate shall submit to the Committee a memorandum of future goals and plans relating to teaching and scholarship, providing as much specific information as to projects and intended scholarship as possible. The candidate should also include a statement about anticipated service contributions.

(f) During each untenured faculty member's active consideration for tenure, and in consultation with the candidate, the Rank and Tenure Committee will arrange visits to the candidate's classes by committee members, and, as appropriate (for example due to shared subject matter expertise), by other tenured faculty members. Members of the Student Advisory Committee will likewise visit an applicant's classes under arrangements made between that Committee and the candidate.

(g) The identity of authors of all written reports received by the Law Center's Rank and Tenure Committee evaluating a candidate's teaching or scholarship, or providing personal or professional evaluations, shall not be disclosed to the candidate unless the author of such a report or evaluation requests otherwise. Nevertheless, to the extent practicable without jeopardizing confidentiality of the authors of written reports, and before the Committee writes its report to the faculty, the Committee shall disclose to the candidate, in writing or orally, a

summary of the substance of any criticisms of his or her work contained in those written reports and afford the candidate the opportunity to respond to those criticisms. When full Committee reports are submitted to the tenured faculty with a recommendation to grant or deny tenure or promotion, or to defer decision, the copies of such letters or reports shall be included in the report and the identity of the authors shall be disclosed in the report.

(h) The Committee shall determine whether to recommend to the tenured faculty the grant of tenure, the denial of tenure, or the deferral of decision for another year with respect to any person eligible for tenure as determined under § 4.5. For any candidate for promotion to the rank of full Professor, the Committee shall determine whether to recommend to the tenured faculty of full professorial rank that the candidate should be promoted or that the promotion should be deferred.

(i) The Chair of the Law Center's Rank and Tenure Committee or the Dean, or both, shall communicate to a candidate any decision of the Committee that does not recommend that the candidate's request for tenure or promotion be fully granted. This communication shall summarize fully the grounds for that decision, keeping confidential (1) any information that would reveal the names of persons who submitted reports to the Committee and who did not expressly waive-confidentiality; (2) the votes or views of individual members of the Committee; (3) the votes or views of individual members of the tenured faculty and the Student Advisory Committee; and (4) the identity of individuals contacted for evaluations of the applicant's, teaching or scholarship, or candidacy generally, whether or not an evaluative report had been received. If the Committee's recommendation is not favorable, the candidate will be furnished a reasonable time to consider whether to acquiesce in the Committee's recommendation or to have the candidate's original request considered by the tenured faculty as a whole.

(j) In all cases other than a negative Committee recommendation in which the candidate acquiesces, the Law Center's Rank and Tenure Committee will deliver its recommendation to the tenured faculty in a written report that summarizes fully the bases for the recommendation. This report will be confidential. In addition, any written report of the Student Advisory Committee will be circulated to the tenured faculty with such confidentiality as that Committee deems appropriate.

(k) The meeting of the tenured faculty to consider any application for tenure and promotion shall be a closed meeting and shall be confidential. Where relevant, the Student Advisory Committee shall be invited to present its views orally to the tenured faculty and to respond to any questions members of the tenured faculty may have. The candidate has the right to appear in person or by a representative to make a statement, present arguments and answer any questions posed by members of the tenured faculty. The candidate does not have a right to be present in person or by a representative for the discussion limited to the tenured faculty or for the vote. In addition, or in lieu of appearing, the candidate may submit any written statement or supporting material that he or she wishes to distribute to the tenured faculty. The vote of the tenured faculty shall be by secret ballot. The recommendation of the tenured faculty shall be made by the voting method stated in section 1.4 above.

(l) Each member of the tenured faculty shall maintain fully the confidentiality of the tenured faculty meeting, except that the Dean shall advise the candidate of the outcome of the meeting. No communications concerning the meeting, the vote or the discussion shall otherwise be made by any member of the tenured faculty to the candidate or to any other person, except as necessary in presenting a successful candidate's file to the University Rank and Tenure Committee and to the President of the University.

(m) If the decision of the tenured faculty is adverse to the candidate's request, the candidate shall have the opportunity to acquiesce in the recommendation. The candidate, however, has the right to apply to the University President, through the University Rank and Tenure Committee, in the event of a negative recommendation of the tenured faculty of the Law Center.

(n) If the tenured faculty recommends in favor of tenure and/or promotion, the Chair of the Law Center's Rank and Tenure Committee shall prepare the candidate's file, including a copy of the report of the Committee, the vote of the tenured faculty, and such other pertinent material and forward the same to the University Rank and Tenure Committee in accordance with the procedures of that Committee. If the tenured faculty does not grant the candidate's request in whole or in part, and the candidate decides to proceed with his or her application to the President without the affirmative recommendation of the tenured faculty, the candidate shall prepare for the President whatever supporting material or statement the candidate deems appropriate, which the candidate shall furnish to the Chair of the Law Center's Rank and Tenure Committee. The Chair shall forward the candidate's statement and supporting materials to the President, through and in accordance with the procedures of the University Rank and Tenure Committee, along with the file of the Law Center Committee.

(o) The tenured faculty must complete action on all recommendations at least two weeks prior to the final date for submission of files set by the University Rank and Tenure Committee.

5. Special Cases

5.1 The foregoing standards and procedures describe the ordinary case of a candidate who has joined the faculty with an expectation that tenure will be considered after six countable semesters. There are special categories of candidates for whom different standards and procedures are applicable.

5.2 Lateral Appointments

(a) Standard

A candidate of unusually high ability may be granted tenure at the rank of Professor at the time he or she joins the full-time faculty. As is provided in the University Faculty Handbook, such appointments will be exceptions to the customary requirement of a minimum tenure probationary period at Georgetown of not less than four years. Approval of any such exception must be stated at the time of the faculty member's initial appointment to the full-time faculty in a written agreement between the faculty member and the Dean of the Law Center, acting in his or her capacity as Executive Vice President of the University.

(b) Procedure

The Law Center's Rank and Tenure Committee shall submit a report to the tenured faculty with respect to initial appointment to the full-time faculty at the rank of Professor with tenure. The report shall conform in scope and content, to the extent feasible, to those prepared for inside candidates for tenure with professorial rank.

5.3 Clinical Teachers Hired Before 1995

Those members of the clinical faculty who have attained the rank of professor on the contract track may choose (a) to be evaluated in accordance with these tenure standards, or (b) to be evaluated in accordance with the standards and procedures governing the status of clinical

teachers as of January 1, 1993 and amended in 2013 (see Appendix A). A faculty member who chooses to be evaluated in accordance with these tenure standards, and whose application for tenure is denied, may nonetheless thereafter continue to be evaluated for a renewal of his or her contract according to the procedures set forth in Appendix A.

APPENDIX A

GEORGETOWN UNIVERSITY LAW CENTER

STANDARDS FOR HIRING AND PROMOTION

OF PROFESSORS ON THE CLINICAL CONTRACT TRACK*

*This Contract system was in force for all clinical professors at Georgetown between 1982 and 1995. All faculty members are now appointed on an integrated tenure track irrespective of their teaching assignments. As of 2013, several faculty members remain employed pursuant to the Contract system and will remain so unless they apply for tenure. All current clinical faculty members hired and evaluated under these standards and not governed by the tenure standards have presumptively renewable 7-year contracts.

The procedures for renewal every seven years until they retire are contained in these rules.

1. Contract Renewal at the Rank of Professor

Contract-track faculty being considered for renewal at the rank of Professor shall be evaluated pursuant to the following criteria:

1.1 Evidence of Teaching Ability

Since the education of students is the primary mission of clinical training at the Law Center, it is essential that clinical faculty be effective teachers and have the capacity and commitment to motivate and challenge their students.

Contract-track teachers should be judged for renewal at the rank of Professor by their achievement in each of the following areas:

(a) articulation of pedagogical objectives in a clinical setting and a plan for their achievement;

(b) the integration into the pedagogical plan of the various components of clinical teaching, such as individual or small team student effort, faculty-student supervisory meetings, simulations, skills training, and substantive classroom sessions;

(c) awareness and understanding of contemporary trends in clinical legal education and familiarity with the applicable pedagogical literature;

(d) development, refinement, and attention to teaching methodology;

(e) accessibility to students and demonstrated interest in their welfare;

(f) incorporation of professional responsibility as an integral part of clinical teaching;

(f) willingness and ability to teach other clinics if the particular subject matter of the clinician=s primary interest is discontinued;

(g) preparedness to teach or successful teaching of an occasional seminar or other nonclinical curricular offering; and

(h) successful training of clinical fellows to perform their own teaching and supervisory responsibilities.

Teaching ability will be measured by student appraisal through critiques and comments and by the appraisal of colleagues, particularly those who have significant clinical teaching experience.

1.2 Writing

Contract-track faculty seeking renewal at the rank of Professor are expected to have demonstrated the ability to produce high quality written work, although the content and format may differ from that produced by members of tenured or tenure-track faculty. Clinicians= writings may be in the form of traditional scholarship, or may be partially or entirely in the form of briefs, memoranda, studies, proposed statutes or regulations, teaching materials, or reports if those formats are appropriate to advancing either the state of the law or the state of clinical teaching methodology. The quantity of formal writing may be less than that expected of members of the tenure-track faculty. Nevertheless, quality writing is still a requirement at this senior level. Whatever writing is produced should evidence an active, inquiring, insightful, and intellectually curious mind that indicates that the writer will continually strive for personal and intellectual growth and development.

1.3 Service to the Institution and the Community

The candidate is obligated to devote substantially all of his or her professional time to the Law Center, including, in addition to the duties of teaching and scholarship, the responsibility to attend and participate in faculty meetings and to be available to students to meet their reasonable needs in connection with their coursework or clinical programs. Activities outside the Law Center may include service to the profession, community, and the nation, but these activities should not detract from the commitment to teaching and scholarship as the faculty member's principal responsibilities. In addition, the candidate will be expected to serve on faculty committees as arranged with or assigned by the Dean, and to participate in other important institutional activities such as faculty workshops and graduation ceremonies.

2. Procedures

2.1 Terms of Service

Contracts of employment for persons attaining the rank of professor on the contract-track shall be for 7 years and shall be presumptively renewable.

2.2 Renewals

After a contract-track faculty member has attained the rank of Professor, the Dean may renew his or her contract for additional seven-year terms. In the 5th year of the contract, the faculty member shall submit to the Associate Dean for Clinical Education a report detailing his or her accomplishments in the area of writing, teaching, and service during the current contract term. The Associate Dean shall review the report with the faculty member and then recommend to the Dean whether the faculty member should be reappointed or terminated. If satisfied, the

Dean may then renew the contract. If the Dean determines not to renew the contract and the candidate chooses to contest the decision not to renew, the Dean shall, during the eleventh or twelfth semester of any seven-year contract, request the Law Center's Rank and Tenure Committee to reevaluate the faculty member's qualifications in accordance with the procedures set forth in 2.3 below.

2.3 Procedure for Full Faculty Review

If the Dean refers the contract renewal to the Law Center's Rank and Tenure Committee, the candidate shall submit to the Committee a detailed curriculum vitae, a copy of all written material, published and unpublished, that the candidate believes relevant to the evaluation, and a list of persons inside or outside of the Law Center who the candidate deems to be qualified and appropriate evaluators.

The Committee shall solicit evaluations of the candidate's teaching from appropriate persons, assuring the evaluators confidentiality (except with respect to those persons involved in the decisional process) unless the evaluators waive such right. Prior to preparing its report, the Committee shall furnish to the candidate a list of possible outside evaluators, including the names of all those from whom opinions will be solicited, and shall allow the candidate an opportunity to indicate why the views of any such persons should be disqualified for reasons of personal or professional prejudice. Evaluations of teaching ability shall always include detailed interviews with recent students and fellows.

The Committee shall meet with the candidate at least once. Requests by the candidate for additional meetings shall be liberally granted by the Committee. At these meetings, the

Committee and the candidate shall review and discuss the candidate's teaching record, writings, service, and goals.

The Committee may arrange for professional visits to appraise the candidate's teaching, but in scheduling such visits, regard shall be paid to the need to preserve clinic-related lawyer-client confidentiality. Where appropriate, video- or audio- recordings of clinical classes or supervisory meetings may be used in addition to or instead of classroom visits. Names of clients may be deleted from the recordings before they are played.

Renewal at the rank of Professor in cases calling for full faculty review shall be made by the Dean after a report by the Law Center's Rank and Tenure Committee to the faculty holding that rank, including any report by the student advisors, and a majority vote in favor of renewal by the participating faculty. If renewal is denied because of the lack of a majority vote of the voting faculty or by the Dean's rejection of the faculty recommendation to renew, the Dean may offer to extend the candidate's contract for one additional year, in order to permit the candidate to have an additional evaluation the following year. No additional extensions of a contract-track Professor's contract shall be granted.

3. Reduction in Force

Nothing in these procedures shall preclude the faculty from voting to reduce the overall size of the Law Center's clinical program for budgetary reasons and, therefore, terminating the contracts of one or more contract-track faculty on at least six months' notice. A clinician who is favorably evaluated by the Dean and faculty pursuant to the procedures set forth above may, in the absence of a reduction in the overall size of the clinical program, be terminated or denied a renewal of a contract only for reasons that would support termination of a full-time faculty

member in accordance with the policies and procedures specified in the Faculty Handbook. If the overall size of the clinical program is reduced, any termination of contracts shall occur in the reverse order of seniority.