

Source/ Notes	Revised Text
<p><i>In general, italicized text indicates additions or changes to 2016 draft</i></p> <p><b>2016 Title:</b></p> <p>Added “RANKED” Changed date</p> <p><b>2016 §1:</b></p> <p>Added -“ranked” -reference to CRR 310.035 -added reference to ABA 405(c)status</p> <p>Added: “ranked” “or the P&amp;T Committee of the Law School...”</p> <p><b>2016 §2:</b> Changed Section title (originally “Promotion and Tenure Committee”)</p> <p>Moved italicized phrase in first sentence from end to middle of sentence.</p> <p>Reformatted original second paragraph to § 2(a) and added “if such faculty exist” for consistency with CRR 310.035(K)</p>	<p><i>[In general, italicized text indicates additions or changes to 2016 draft]</i></p> <p style="text-align: center;"><b>UNIVERSITY OF MISSOURI SCHOOL OF LAW RETENTION AND PROMOTION RULES FOR RANKED FACULTY ON THE NON-TENURE TRACK (Revised May 10, 2018)</b></p> <p>1. Introduction</p> <p>This statement is to inform <i>ranked</i> non-tenure track (“NTT”) faculty members of the procedures and practices governing decisions on retention and promotion. Such procedures and practices are subject to any applicable regulations of the University of Missouri System, including, without limitation, <i>University of Missouri Collected Rules &amp; Regulations 310.035</i> (“CRR 310.035”) regarding <i>Non-Tenure Track Faculty</i>. All ranked NTT faculty members shall have the status that Rule 405(c) of the ABA Standards and Rules of Procedure for Law Schools affords to full-time clinical faculty members.</p> <p>The term “NTT faculty member” means an assistant teaching professor, an associate teaching professor, a teaching professor, an assistant clinical professor, an associate clinical professor, or a clinical professor of law who has been placed on a ranked non-tenure track pursuant to (1) a vote of the law faculty (including all tenured, tenure track, and NTT faculty) or (2) the Promotion and Tenure Committee of the law school in response to a request from a current tenure-track faculty member to be moved to a ranked non-tenure track faculty position.</p> <p>2. <i>Role of Faculty in Retention and Promotion Decisions.</i> The faculty’s role regarding the retention and promotion of NTT faculty members is to make recommendations to the dean. Subject to the provisions of Sections 2(a), 2(b) and 2(c), that faculty role shall be carried out by the Promotion and Tenure Committee. In addition, the dean may appoint a Promotion and Tenure Subcommittee to aid in the administration of these rules.</p> <p>(a) When considering <i>retention or promotion</i> of an NTT Assistant or Associate Professor, the Promotion and Tenure Subcommittee shall be augmented with at least one NTT faculty member of higher rank than the NTT faculty member being reviewed, <i>if such faculty exist</i>. When considering <i>retention of an NTT Professor</i>, the Promotion and Tenure Subcommittee shall be augmented with at least one NTT Professor, <i>if such faculty exist</i>.</p> <p>(b) When voting on <i>retention or promotion</i> of an NTT Assistant or Associate Professor, the Promotion and Tenure Committee shall be augmented to include all NTT faculty members of higher rank than the NTT faculty</p>

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<p><i>Expanded and rearranged § 2(a) to include additional §§ 2(b and 2(c)</i></p> <p><b>2016 §9(f):</b> <i>Copied original §9(f) as current §2(d)</i></p> <p><b>2016 §3:</b></p> <p><b>2016 §3:</b> <i>Created new Section 4 to reorganize and reformat third ¶ of original § 3 and combine with excerpts from other Sections as noted.</i></p> <p><b>2016 §5(d):</b> <i>Copied original §5(d) as new §4(a)(i)(C)</i></p> <p><b>2016 §4(b):</b></p>	<p>member being reviewed. <i>When voting on retention of an NTT Professor, the Promotion and Tenure Committee shall be augmented to include all NTT Professors.</i></p> <p>(c) If the Promotion and Tenure Subcommittee is asked to aid in the administration of these rules or otherwise make determinations relevant to these rules, the Promotion and Tenure Subcommittee shall be augmented with at least one NTT faculty member, <i>if such faculty exist.</i></p> <p>(d) With regard to any meeting of the Promotion and Tenure Committee, the candidate shall be given the opportunity to present his or her views and to provide any further relevant information, either in writing or by personal appearance.</p> <p>3. Rank of NTT Faculty Members</p> <p>There are three ranks of NTT faculty <i>members</i>: assistant teaching/clinical professor of law, associate teaching/clinical professor of law, and teaching/clinical professor of law; <i>however</i>, the NTT teaching position of Director of the Library has only two ranks: associate teaching professor of law and teaching professor of law.</p> <p>The initial appointment of a faculty member to an NTT faculty position will ordinarily be at the rank of associate teaching/clinical professor of law. Persons who have less than three years of law practice or teaching experience may be appointed at the rank of assistant teaching/clinical professor of law, and persons who have extensive previous <i>law practice</i>, legal research <i>or teaching</i> experience may be appointed at the rank of teaching/clinical professor of law.</p> <p>4. <i>Contract Length</i></p> <p>(a) <i>Initial Appointments.</i></p> <p>i. <i>Except as set forth below</i>, the initial appointment of an NTT faculty member shall <i>usually</i> be a term appointment for one year.</p> <p>A. The Director of the Library shall have an initial appointment of a three-year contract.</p> <p>B. A person hired as a teaching/clinical professor of law shall have an initial appointment of a three-year contract.</p> <p>C. The contract of an NTT clinical track faculty member who was hired principally to fulfill obligations under a grant shall be deemed to expire upon the termination of such grant.</p> <p>ii. Appointments to the NTT teaching faculty are for nine months; however, the Director of the Library is an eleven-month appointment.</p>

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<p><b>2016 §5(b):</b> <i>Deleted sentences regarding discretionary modifications of subsequent terms without consent of NTT clinical faculty member</i></p>	<p>iii. Appointments to the NTT clinical faculty are ordinarily for nine months, although the dean, based on curricular or other needs, may make an initial NTT clinical appointment for eleven months. The length of an appointment may thereafter be changed by mutual agreement by the dean and the affected NTT clinical faculty member on or before the date for notice of nonrenewal.</p>
<p><b>2016 §3:</b> <i>Moved last sentence of §3 as intro to new §4(b)</i></p>	<p>(b) <i>Renewal Terms.</i> Renewal is subject to the criteria for retention set forth in Section 6.</p>
<p><b>2016 §3</b></p>	<p>i. Following the initial appointment, a person hired as an assistant teaching/clinical professor of law shall be eligible for two additional one-year terms, followed by a three-year term. <i>Written notification of non-renewal of this three-year term shall be given at least 12 months in advance of the end of the term.</i></p>
<p><b>2016 §3</b></p>	<p>ii. Following the initial appointment, a person hired as an associate teaching/clinical professor of law shall be eligible for one additional one-year term, followed by a three-year term. <i>Written notification of non-renewal of this three year term shall be given at least 12 months in advance of the end of the term.</i></p>
<p><i>Added new § 4(b)(iii) for consistency with CRR 310.035(J)</i></p>	<p>iii. <i>An NTT faculty member whose contract is eligible for a one-year renewal shall be notified in writing at least three months in advance of the appointment end date if his or her contract will or will not be renewed for a one-year term. For example, for an initial one-year contract on a nine-month appointment, the deadline for written notification of non-renewal would be February 1<sup>st</sup> of that year.</i></p>
<p><b>2016 § 3:</b> <i>Added italicized words – originally “At the end of the initial three-year contract the NTT Faculty member...”</i></p>	<p>iv. At the end of the <i>first</i> three-year contract <i>held by an NTT faculty member, such</i> NTT faculty member shall be eligible for rolling three-year contracts. The three-year rolling contract is renewable annually as provided in Section 7(b). Written notification of <i>nonrenewal</i> of the <i>first</i> three-year contract shall be given at least 12 months prior to the end of that term.</p>
<p><b>2016 §4(d)</b> <i>deleted – see (i)-(iv)</i></p>	
<p><b>2016 §4(e)</b> <i>moved and edited as new § 4(c)</i></p>	<p>(c) Dismissal. <i>Subject to the provisions of Section 1 regarding ABA 405(c) status, an NTT faculty member may be dismissed only for adequate cause (as defined in CRR 310.035(L)) during his or her contract term, subject to any applicable university regulations and, if applicable, Section 4(a)(1)(C).</i></p>
<p><b>2016 §§ 4(a) and 5(a):</b> <i>Copied and combined original</i></p>	<p>5. Nature of NTT Appointment.</p>

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<p>§§ 4(a) and 5(a) as new §5(a), §§ 4(c) and 5(c) as new §5(b); Deleted “or eligibility for” in 5(a).</p> <p><b>2016 § 4(f): MOVED TO DRAFT WORKLOAD POLICY</b></p> <p><b>ADDED new § 5(c):</b> <i>current practice for the Trial Practice and the Transactional “tracks”</i></p> <p><b>2016 § 6):</b> <i>Added words to Section title; Copied original § 6 as intro to new § 6; Added defined term “Criteria” for future references to “criteria for retention and promotion”</i></p> <p><b>2016 § 7:</b> <i>Copied and added subheading to original §§ 7(a) and 7(b) as new §6(a).</i></p> <p><b>2016 §§ 8 and 7:</b> <i>Copied and added subheadings to original §8 and §§ 7(c) and 7(d) as new</i></p>	<p>(a) NTT faculty members have no expectation of tenure.</p> <p>(b) NTT faculty members are eligible and are expected to participate in all faculty governance activities. NTT faculty members shall be eligible for summer research grants funded by the School of Law, but priority shall be given to tenure-track faculty members. However, the Director of the Library is not eligible for summer research grants funded by the school of law.</p> <p>(c) <i>An NTT faculty member may have a specifically designated law school title, in addition to the ranked title, as agreed in the terms of such NTT faculty member’s initial appointment as an NTT faculty member.</i></p> <p>6. <i>Timing and Criteria for Retention and Promotion.</i> Criteria for retention and promotion (<i>the “Criteria”</i>) can be found in the <i>Appendices to these rules</i>. The Criteria vary according to courses or clinics that the NTT faculty member was hired to teach.</p> <p>(a) <i>Renewal of NTT Contracts.</i></p> <p>i. To justify the renewal of the contract in the rank of an assistant or associate teaching/clinical professor of law, such person must have demonstrated a high degree of competence with respect to the Criteria and must have demonstrated a high likelihood of achieving promotion to teaching/clinical professor of law.</p> <p>ii. To justify the renewal of the contract in the rank of a teaching/clinical professor of law, such person must have demonstrated excellence with respect to the Criteria.</p> <p>(b) <i>Promotion of NTT Faculty Members.</i></p> <p>i. <i>From Assistant to Associate Teaching/ Clinical Professor of Law.</i></p>

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<p>§6(b) 2016 § 8</p>	<p>A. A person appointed as an assistant teaching/clinical professor of law ordinarily will be considered for promotion to associate teaching/clinical professor of law during the third year of employment, with the promotion to be effective at the beginning of the following academic year. Such a person <i>usually</i> will be considered for promotion to teaching/clinical professor of law during the fifth year of employment as an associate teaching/clinical professor of law, with the promotion to be effective at the beginning of the following academic year.</p>
<p>2016 § 7(c)</p>	<p>B. To justify a promotion from assistant to associate teaching/clinical professor of law, the candidate must demonstrate a high degree of competence with respect to the Criteria.</p>
<p>2016 § 8</p>	<p>ii. <i>From Associate Teaching/ Clinical Professor of Law to Teaching/ Clinical Professor of Law.</i></p>
<p>2016 § 8</p>	<p>A. A person appointed as an associate teaching/clinical professor of law ordinarily will be considered for promotion to teaching/clinical professor of law during his or her seventh year of employment, with the promotion to be effective at the beginning of the following academic year. However, the Director of the Library may apply for promotion to teaching professor of law after three years of employment, with the promotion to be effective at the beginning of the following academic year.</p>
<p>2016 § 7(d)</p>	<p>B. To justify a promotion from associate teaching/clinical professor to teaching/clinical professor of law, the candidate must have demonstrated excellence with respect to the Criteria.</p>
<p>2016 § 8:</p>	<p>iii. The promotion decisions described above may be made earlier or later than specified in Sections 6(b)(i)(A) and 6(b)(ii)(A).</p>
<p>2016 §9: Added to Section title Added subheading</p>	<p>7. <i>Process for Retention and Promotion Decisions.</i></p> <p>(a) <i>Annual Meeting with Dean.</i> At least once each year, the dean shall meet with each NTT faculty member to review her or his progress toward retention and/or promotion based on the Criteria and, if applicable, the recommendations of the Promotion and Tenure Committee. The process for retention or promotion shall be subject to the provisions of this document.</p>
<p>Added subheading 2016 § 9(b) Changed “fall” to “spring”</p>	<p>(b) <i>Retention Process.</i></p> <p>i. The Promotion and Tenure Committee shall make a recommendation regarding contract renewal at a meeting to be convened during the winter (second) semester at the end of the first three-year contract and every three years thereafter. After such meeting, the dean shall convey to the candidate concerned the general content of the Committee’s discussion and shall in</p>

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<p><b>2016 § 9(c)</b></p>	<p>particular inform the candidate of any matters that were perceived as weaknesses. The contract will be renewed if approved by both the dean and a majority of the Promotion and Tenure Committee.</p> <p>ii. During <i>each</i> year when Promotion and Tenure Committee does not review the contract (as described in 7(b)(i)), the dean <i>shall renew or nonrenew</i> the contract without a Promotion and Tenure Committee recommendation; provided, however, that if the Promotion and Tenure Committee recommended against renewal when it last reviewed the NTT faculty, the contract may be renewed only with the approval of the dean and a majority of the Promotion and Tenure Committee. As a result, following the contract renewal described in 7(b)(i), an NTT faculty member will always have at least two years remaining on his or her contract. If the decision is made <i>not to</i> renew the contract at the end of any year, the NTT faculty <i>member</i> would have two remaining years of employment.</p>
<p><b>2016 § 9(d)</b>            Added subheading and introduction</p>	<p>(c) <i>Promotion Process. Except as provided in Section 7(d),</i></p> <p>i. The Promotion and Tenure Committee shall make a recommendation regarding promotion at a meeting to be convened during the <i>spring</i> semester of the year preceding the year in which the promotion would be effective. After such meeting, the dean shall convey to the candidate concerned the general content of the Committee’s discussion and shall in particular inform the candidate of any matters that were perceived as weaknesses.</p>
<p><b>2016 § 10</b>            Moved § 10 to § 9(c)(ii)</p>	<p>ii. The Promotion and Tenure Committee shall make its recommendations regarding promotion to the dean. The dean shall then forward the promotion recommendation and the dean’s promotion recommendation to the <i>Chancellor or the Chancellor’s designee</i>, who shall make the final decision.</p>
<p><b>2016 § 9(e)</b>            Added subheading</p>	<p>(d) <i>Other Meeting Times.</i> In exceptional circumstances, the Promotion and Tenure Committee may meet at other times to discuss retention and/or promotion and make such recommendations as it deems appropriate. For example, the Committee may determine to consider an early recommendation for promotion. The candidate shall be given 30 days’ advance written notice of such a meeting.</p>
<p><b>2016 § 9(f)</b></p>	<p>(e) <i>Opportunity for Candidate.</i> With regard to any meeting of the Promotion and Tenure Committee, the candidate shall be given the opportunity to present his or her views and to provide any further relevant information, either in writing or by personal appearance. <b>[Duplicate of §2(d)]</b></p>



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	<p>studies;</p> <p>(7) Improved legal research instruction and law library administration methods through refinement, development, or new application;</p> <p>(8) Exercised leadership in the development and administration of programs of the law school both within and, as appropriate or assigned, outside the library itself;</p> <p>(9) If assigned to teach courses other than legal research, taught such courses in a focused and well-organized manner; and</p> <p>(10) Advanced the reputation of the law school through professional activities outside the school.</p> <p>The faculty may also consider student evaluations and appropriate outside evaluations, if any; the faculty shall consider evaluations by colleagues, with particular weight given to evaluations by those who have significant experience teaching legal research courses.</p> <p>(b) <i>Participation in Activities Designed to Promote Professional Growth.</i> In accordance with the NTT workload policy, activities designed to promote professional growth may include both service to the profession and service to the university.</p> <p>(1) <u>Service to the Profession</u></p> <p>Legal research track faculty members are expected to promote their growth as professionals by participating in activities such as:</p> <p>Research and publication. Publication is not required. Legal research track faculty members who choose to publish need not do so in the traditional law review format. They may satisfy the requirements of this section by publishing significant writings, including articles, white papers, and teaching materials, relating to legal bibliography, legal research instruction, and law library administration.</p> <p>Other activities. Legal research track faculty members may satisfy the requirements of this section through activities connected to library administration or teaching or to renewal of their knowledge in order to enrich their library administration or teaching. Such activities might include, for example, participation in workshops designed to improve their knowledge of current trends in law librarianship, legal education, or the practice of law; researching and evaluating new methods of teaching legal research; educational programs aimed at the bar or public, schoolchildren, or other groups; participation as a speaker at continuing legal education programs or programs for legal educators or law librarians; active participation on national, state, or local committee of organizations of law librarians, bar associations, assistance to local, state or federal governmental bodies; service on not-for profit boards; service to the public at large; and service to national and regional legal educational organizations such as the ABA, AALS, LSAC, NCBE, SEALS, and CSLSA.</p>

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<p><i>Added defined term “Criteria” and referenced Appendix B</i></p>	<p>(2) <u>Service to the University</u></p> <p>In accordance with the NTT workload policy, a legal research faculty member’s normal law school and university service load is the equivalent of serving on two committees, one of which has a significant workload. Service to the law school and university includes, among other things, participating in, directing, or chairing committees, centers, or faculty governance bodies and advising students and/or student organizations. When evaluating the legal research faculty, the faculty may consider factors such as the intensity of work required by a particular committee/activity, or service as a committee chair.</p> <p>A legal research track faculty member who is uncertain whether certain activities will satisfy the requirements of this Part (b) may obtain a determination from the dean or from a <i>Promotion and Tenure Subcommittee</i> appointed by the dean. Such request and any approval shall be in writing.</p> <p style="text-align: center;"><b><u>Appendix B:</u></b> <b><u>NTT Teaching Faculty Hired to Teach</u></b> <b><u>Primarily Legal Research and Writing Courses</u></b></p> <p>The two factors that are to be considered in retention and promotion decisions are quality of teaching and participation in activities designed to promote professional growth (<i>the “Criteria” for Appendix B</i>).</p> <p>(a) <i>Teaching</i>. The primary criterion for retention or promotion of legal research and writing track faculty members shall be demonstrated teaching ability. In making this qualitative judgment the faculty may consider, among other factors, the extent to which the candidate has effectively:</p> <ul style="list-style-type: none"> <li>(1) taught focused and well-organized classes, using a variety of teaching methods to provide students with an understanding of the legal research, analysis, and writing process,</li> <li>(2) used and, if appropriate, developed supplemental teaching materials,</li> <li>(3) designed challenging writing assignments that require the integration of research, analytical, and writing skills,</li> <li>(4) provided insightful, detailed critiques of student papers with written comments identifying the most significant writing and analytical problems and prescribing solutions,</li> <li>(5) conducted student conferences that help students understand their past mistakes and develop strategies for improving their future performance,</li> <li>(6) fostered a successful learning environment, including being accessible to students, showing an interest and involvement in their development and welfare, and stimulating and inspiring students in their studies,</li> </ul>

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	<p>(7) if applicable, conducted classroom courses other than legal research and writing courses (where appointed to do so by the dean).</p> <p>The faculty may also consider student evaluations and appropriate outside evaluations, if any; the faculty shall also consider evaluations by colleagues, with particular weight given to evaluations by those who have significant experience teaching legal research and writing courses.</p> <p>(b) <i>Participation in Activities Designed to Promote Professional Growth.</i> In accordance with the NTT workload policy, activities designed to promote professional growth may include both service to the profession and service to the university.</p> <p>(1) <u>Service to the Profession</u></p> <p>Legal research and writing track faculty members are expected to participate in activities designed to promote their growth as professionals. Such activities may include research and publication, but unlike tenure track faculty members there is no publication requirement. Further, legal research and writing track faculty members who choose to publish need not do so in the traditional law review format. They may satisfy the requirements of this section by publishing, for example, bar journal articles, white papers, teaching materials, or other significant writings.</p> <p>In addition to publication, legal research and writing track faculty members may satisfy the requirements of this section through activities connected to their teaching or to renewing their knowledge in order to enrich their teaching. Such activities might include, for example, participation in workshops designed to improve their knowledge of current trends in the teaching of legal research and writing or the practice of law; researching and evaluating new methods of legal research and writing teaching; pro bono, legal aid or other advocacy work; educational programs aimed at the bar or public, schoolchildren, or other groups; participation as a speaker at continuing legal education programs, programs for legal educators, or professional conferences; assistance to local, state or federal governmental bodies; service on not-for profit boards; service to the public at large; service to national and regional legal educational organizations such as the ABA, AALS, LSAC, NCBE, SEALS, and CSLSA; and active participation on national, state or local bar committees or national/regional organizations of legal research and writing teachers such as ALWD or LWI.</p> <p>(2) <u>Service to the University</u></p> <p>In accordance with the NTT workload policy, a legal research and writing faculty member's normal law school and university service load is the equivalent of serving on two committees, one of which has a significant workload. Service to the law school and university includes, among other things, participating in, directing, or chairing committees, centers, or faculty governance bodies and advising students and/or student organizations. When evaluating the legal research and writing faculty, the faculty may consider factors such as the intensity of work required by a particular committee/activity, or service as a committee chair.</p>

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<p><i>Added defined term “Criteria” and referenced Appendix C</i></p>	<p>A legal research and writing track faculty member who is uncertain whether certain activities will satisfy the requirements of this Part (b) may obtain a determination from the dean or from a Promotion and Tenure Subcommittee appointed by the dean. Such request and any approval shall be in writing.</p> <p style="text-align: center;"><b><u>Appendix C: NTT Teaching Faculty Hired Primarily to Teach Trial Practice Courses</u></b></p> <p>The two factors that are to be considered in retention and promotion decisions are quality of teaching and participation in activities designed to promote professional growth (<i>the “Criteria” for Appendix C</i>).</p> <p>(a) <i>Teaching</i>. The primary criterion for retention or promotion shall be demonstrated teaching ability. In making this qualitative judgment the faculty may consider, among other factors, the extent to which the candidate has effectively:</p> <ul style="list-style-type: none"> <li>(1) taught focused and well-organized classes, using methods that expose students to a variety of lawyering skills,</li> <li>(2) conducted student conferences that help students understand their past mistakes and develop strategies for improving their future performance ,</li> <li>(3) used and integrated various teaching methods for teaching lawyering skills,</li> <li>(4) provided insightful, detailed critiques of assigned work and student performances,</li> <li>(5) fostered a successful learning environment, including being accessible to students, showing an interest and involvement in their development and welfare, and stimulating and inspiring students in their studies,</li> <li>(6) improved, through refinement, development or new application, trial practice teaching methodology,</li> <li>(7) used and, where appropriate, developed supplemental teaching materials ,</li> <li>(8) if applicable, conducted classroom courses other than pretrial, trial, and appellate practice courses (where appointed to do so by the dean).</li> <li>(9) included writing assignments that require the integration of research, analytical, writing, and other lawyering skills where appropriate. For example, summary judgment briefing as part of pretrial litigation, creation of jury instructions, or motions in limine as part of trial practice, and</li> </ul>

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	<p>(10) conducted committee and administrative duties (where appointed to do so by the dean).</p> <p>The faculty may also consider student evaluations and outside evaluations, if any; the faculty shall also consider evaluations by colleagues, with particular weight given to evaluations by those who have significant experience teaching trial practice courses,</p> <p>(b) <i>Participation in Activities Designed to Promote Professional Growth.</i> In accordance with the NTT workload policy, activities designed to promote professional growth may include both service to the profession and service to the university.</p> <p>(1) <u>Service to the Profession.</u> Trial practice faculty members are expected to participate in activities designed to promote their growth as professionals. Such activities may include research and publication, but unlike tenure-track faculty members there is no publication requirement. Further, trial practice faculty members who choose to publish need not do so in the traditional law review format. They may satisfy the requirements of this section by publishing, for example, bar journal articles, white papers, teaching materials, or other significant writings.</p> <p>In addition to publication, trial practice faculty members may satisfy the requirements of this section through activities connected to their teaching or to renewing their knowledge in order to enrich their teaching. Such activities might include, for example, engaging in unpaid litigation and/or trial work and/or unpaid trial consulting, participation in workshops designed to improve their knowledge of current trends in the teaching of trial practice or the practice of law; researching and evaluating new methods of trial practice teaching; pro bono, legal aid or other advocacy work; education programs aimed at the bar or public, schoolchildren, or other groups; participation as a speaker at continuing legal education programs or programs for legal educators; and active participation on national, state or local bar committees or national organizations or conferences of trial practice teachers; assistance to local, state or federal governmental bodies, service on not-for-profit boards; service to the public at large; and service to national and regional legal educational organizations such as the ABA, AALS, LSAC, NCBE, SEALS and CSLSA.</p> <p>(2) <u>Service to the University.</u> In accordance with the NTT workload policy, a trial practice faculty member's normal law school and university service load is the equivalent of serving on two committees, one of which has a significant workload. Service to the law school and university includes, among other things, participating in, directing, or chairing committees, centers, or faculty governance bodies and advising students and/or student organizations. When evaluating the trial practice faculty member, the faculty may consider factors such as the intensity of work required by a particular committee/activity, or service as a committee chair.</p> <p>A trial practice faculty member who is uncertain whether certain activities will satisfy the requirements of this Part (b) may obtain a determination from the dean or from a <i>Promotion and Tenure Subcommittee</i> appointed by the dean. Such request and any approval shall be in writing.</p>

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<p>Added defined term “Criteria” and referenced Appendix D</p>	<p style="text-align: center;"><b><u>Appendix D: NTT Teaching Faculty Hired Primarily to Teach Transactional Practice Courses</u></b></p> <p>The two factors that are to be considered in retention and promotion decisions are quality of teaching and participation in activities designed to promote professional growth (<i>the “Criteria” for Appendix D</i>).</p> <p>(a) <i>Teaching</i>. The primary criterion for retention or promotion of transactional practice faculty members shall be demonstrated teaching ability. In making this qualitative judgment the faculty may consider, among other factors, the extent to which the candidate has effectively:</p> <ol style="list-style-type: none"> <li>(1) taught focused and well-organized classes, using methods that expose students to a variety of lawyering skills,</li> <li>(2) used and, where appropriate, developed supplemental teaching materials,</li> <li>(3) included challenging transactional practice assignments that require the integration of doctrinal knowledge and analytical, writing, and other lawyering skills, where appropriate,</li> <li>(4) provided insightful, detailed critiques of assigned work and student performances,</li> <li>(5) conducted student conferences that help students understand their past mistakes and develop strategies for improving their future performance,</li> <li>(6) improved, through refinement, development or new application, transactional practice teaching methodology,</li> <li>(7) fostered a successful learning environment, including being accessible to students, showing an interest and involvement in their development and welfare, and stimulating and inspiring students in their studies,</li> <li>(8) if applicable, conducted classroom courses other than transactional practice courses (where appointed to do so by the dean), and</li> <li>(9) conducted committee and administrative duties (where appointed to do so by the dean).</li> </ol> <p>The faculty may also consider student evaluations and appropriate outside evaluations, if any; the faculty shall also consider evaluations by colleagues, with particular weight given to evaluations by those who have significant experience teaching transactional courses.</p> <p>(b) <i>Participation in Activities Designed to Promote Professional Growth</i>. In accordance with the NTT workload policy, activities designed to promote</p>

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<p>Added defined term “Criteria” and referenced Appendix E</p>	<p>professional growth may include both service to the profession and service to the university.</p> <p>(1) <u>Service to the Profession</u>. Transactional practice faculty members are expected to participate in activities designed to promote their growth as professionals. Such activities may include research and publication, but unlike tenure-track faculty members there is no publication requirement. Further, transactional practice faculty members who choose to publish need not do so in the traditional law review format. They may satisfy the requirements of this section by publishing, for example, bar journal articles, white papers, teaching materials, or other significant writings.</p> <p>In addition to publication, transactional practice faculty members may satisfy the requirements of this section through activities connected to their teaching or to renewing their knowledge in order to enrich their teaching. Such activities might include, for example, participation in workshops designed to improve their knowledge of current trends in the teaching of transactional practice or the practice of law; researching and evaluating new methods of transactional practice teaching; pro bono, legal aid or other advocacy work; education programs aimed at the bar or public, schoolchildren, or other groups; participation as a speaker at continuing legal education programs or programs for legal educators; and active participation on national, state or local bar committees or national organizations or conferences of transactional practice teachers; assistance to local, state or federal governmental bodies, service on not-for-profit boards; service to the public at large; and service to national and regional legal educational organizations such as the ABA, AALS, LSAC, NCBE, SEALS and CSLSA.</p> <p>(2) <u>Service to the University</u>. In accordance with the NTT workload policy, a transactional practice faculty member’s normal law school and university service load is the equivalent of serving on two committees, one of which has a significant workload. Service to the law school and university includes, among other things, participating in, directing, or chairing committees, centers, or faculty governance bodies and advising students and/or student organizations. When evaluating the transactional practice faculty member, the faculty may consider factors such as the intensity of work required by a particular committee/activity, or service as a committee chair.</p> <p>A transactional practice faculty member who is uncertain whether certain activities will satisfy the requirements of this Part (b) may obtain a determination from the dean or from a <i>Promotion and Tenure Subcommittee</i> appointed by the dean. Such request and any approval shall be in writing.</p> <p style="text-align: center;"><b><u>Appendix E: NTT Clinical Faculty</u></b></p> <p>The two factors that are to be considered in retention and promotion decisions are quality of teaching and participation in activities designed to promote professional growth (<i>the “Criteria” for Appendix E</i>).</p>

Source/ Notes	Revised Text
	<p>(a) <i>Teaching.</i> The primary criterion for retention or promotion of clinical track faculty members shall be demonstrated teaching ability. In making this qualitative judgment the faculty may consider, among other factors, the extent to which the candidate has effectively:</p> <ul style="list-style-type: none"> <li>(1) conducted individual student conferences, including critical review, evaluation and feedback of student work, to assist students in enhancing their individual abilities;</li> <li>(2) conducted any classroom component of the clinical program;</li> <li>(3) used and integrated various clinical teaching methods (e.g., simulations, live case experience, placements and seminars) to provide students with an understanding of the legal process and lawyering skills;</li> <li>(4) engaged in professional advocacy and the practice of other client representation skills to provide students with a model of professional conduct;</li> <li>(5) improved, through refinement, development or new application, clinical teaching methodology;</li> <li>(6) fostered a successful learning environment, including being accessible to students, showing an interest and involvement in their development and welfare, and stimulating and inspiring students in their clinical studies;</li> <li>(7) administered the clinical program where such is part of the clinical track faculty member=s assigned duties; and</li> <li>(8) if applicable, conducted nonclinical classroom courses (where appointed to do so by the dean).</li> </ul> <p>The faculty may also consider student evaluations and appropriate information or evaluations provided by others, such as former students, judges or lawyers, who have had the opportunity to observe the individual’s teaching; the faculty shall also consider evaluations by colleagues, with particular weight given to evaluations by those who have significant experience teaching skills courses.</p> <p>(b) <i>Participation in Activities Designed to Promote Professional Growth.</i> In accordance with the NTT workload policy, activities designed to promote professional growth may include both service to the profession and service to the university.</p> <p>(1) <u>Service to the Profession.</u> In addition, clinical track faculty members are expected to participate in activities designed to promote their growth as professionals. Such activities may include research and publication, but unlike tenure track faculty members there is no publication requirement. Further, clinical track faculty members who choose to publish need not do so in the traditional law review format. They may satisfy the requirements of this section by publishing, for</p>

Source/ Notes	Revised Text
	<p>example, bar journal articles, white papers, teaching materials, or other significant writings.</p> <p>In addition to publication, clinical track faculty members may satisfy the requirements of this section through activities connected to their teaching or to renewing their knowledge in order to enrich their teaching. Such activities might include, for example, participation or leadership roles at workshops designed to improve their knowledge of current trends in the teaching or the practice of law; researching and evaluating new methods of clinical teaching; obtaining grants to fund clinical teaching programs at the School of Law; pro bono, legal aid, or advocacy work; education programs aimed at the bar or public, schoolchildren, or other groups; participation as a speaker at continuing legal education programs or programs for legal educators; and active participation on national, state or local bar committees or national organizations or conferences of clinical teachers assistance to local, state or federal governmental bodies, service on not-for-profit boards; service to the public at large; and service to national and regional legal educational organizations such as the ABA, AALS, LSAC, NCBE, SEALS and CSLSA.</p> <p>(2) <u>Service to the University</u>. In accordance with the NTT workload policy, a clinical faculty member's normal law school and university service load is the equivalent of serving on two committees, one of which has a significant workload. Service to the law school and university includes, among other things, participating in, directing, or chairing committees, centers, or faculty governance bodies and advising students and/or student organizations. When evaluating the clinical faculty member, the faculty may consider factors such as the intensity of work required by a particular committee/activity, or service as a committee chair.</p> <p>A clinical track faculty member who is uncertain whether certain activities will satisfy the requirements of this Part (b) may obtain a determination from the dean or from a Promotion and Tenure Subcommittee appointed by the dean. Such request and any approval shall be in writing.</p>