

UNIVERSITY OF DETROIT MERCY SCHOOL OF LAW
POLICY ON TENURE, PROMOTION, AND MAINTENANCE IN EMPLOYMENT

4. The Committee’s Recommendation	16
5. Rehearing	16
6. The Dean’s Recommendation.....	17
7. The Provost/ VPAA’s Decision	17
G. Mid-term Evaluation of Progress Towards Tenure	17
II. Promotion	
A. Eligibility to Apply for Promotion.....	18
B. Criteria for Promotion.....	19
C. Procedure for Promotion Decisions	19
III. Maintenance in Employment	
A. Grounds for Non-Reappointment, Termination or Dismissal.....	19
B. Procedures for Maintenance in Employment Decisions.....	20
C. Notice of Non-Reappointment, Termination or Dismissal	21
IV. Phasing-in of this Policy	22
V. Full-time Faculty Positions that are not Eligible for Tenure	22
A. Appointment Criteria and Expectations.....	22
B. Contractual Term	23

B. Probationary Periods

Apart from a fulltime faculty member hired with tenure, every ~~full~~ faculty member must serve a probationary period before acquiring tenure at the Law School.

All probationary periods shall commence with the fall semester concurrent with or next following WKH IDFXOW \ PHPEHU ¶ V DSSRLQWPHQW 7KH period of each new faculty member shall be given to him or her in writing before the appointment is made. A copy of this policy shall also be given to each new faculty member.

The normal probationary period for faculty members hired as assistant professors is seven years.

The normal period for those hired as associate professors ~~is~~ years. After consultation with the Dean of the Law School, the Provost and Vice President for

D. Eligibility to Apply for Tenure

A faculty member is eligible to apply for tenure in the penultimate academic year of his or her probationary period or in any earlier academic year following his or her completion of at least one-half of the term of his or her original probationary period. Two semesters of full-time service to the Law School, excluding summer semesters, at least half of each consisting of teaching functions, will count as one semester of full-time teaching.

(3) ability to communicate knowledge to students,

extent to which those factors have been satisfied. Appraisals by colleagues of teaching ability are of great importance and should be the main criterion used

law through scholarly activity. In short, the mission of the Law School necessarily includes legal scholarship. Consequently, it is essential that tenured members of t

sufficiently ambitious to justify the substantial commitment of time that the applicant should have invested in the work. Scholarship, in sum, is informed, reflective, deeply analytical and in some substantial part a personal statement. By way of a contrasting example, a book that simply collects the views of others, an article that merely reports the holdings of a number of judicial opinions, or an analysis of a current legal issue that is content to summarize the contentions already made by others are not sufficient evidence of scholarship.

d. Quantity of scholarship

There is no bright line that delineates the quantity of work necessary to constitute sufficient evidence of scholarship. There is no requirement that an applicant produce a minimum number of pieces or printed pages. Generally,

e. Assessment of scholarship

The Executive Committee member charged with gathering information

Policy. The Appendix provides templates for an initial electronic mail message to external reviewers inviting their review of the candidate's scholarship, as well as for a subsequent letter to the reviewer that describes this Policy's standards for quality of scholarship, to be sent after the reviewer has agreed to participate.

3. Service to the Law School, the University, Professional Organizations, and the

For other types of service, the Executive Committee member tasked with JDWKHULQJ LQIRUPDWLRQ UHJDUGLQJ WKH DSSOLF from individuals the applicant listed on his or her Mid-term or Tenure Report DV EHLQJ DEOH WR FRPPHQW RQ WKH DSSOLFDQW

The following factors should be addressed in any report regarding the DSSOLFDQW V VHUYLFH

- (1) 7KH DSSOLFDQW V DWWHQGDQFH DW PHHWLQJ
- (2) 7KH DSSOLFDQW V SDUWLFLSDWLRQ LQ DFWL
- (3) 7KH DSSOLFDQW V GLOLJHQFH LQ FRPSOHWLO
- (4) Any leadership role the applicant undertook.

4. Special Factors Pertaining to the Library Director

The Library Director, who must perform the important educational function of supervising the Law Library, is customarily a member of the faculty and tenurable.

In considering whether to recommend tenure, the Library Director must all of the criteria required for tenure as stated above. In determining whether the Director has met these criteria, the Rank and Tenure Committee shall focus particularly upon teaching, service, and scholarship related to law libraries and legal research. Specifically, the Rank and Tenure Committee shall consider:

- (1) evidence of contributions to the general body of knowledge in the fields of law, legal education, or law librarianship through research and scholarship in one or more of these disciplines; and active participation in national, regional, state, and local groups that promote learning in law librarianship;
- (2) intellectual capacity, educational skills, and creativity as manifested in the educational endeavors pertinent to performance of a librarian's responsibilities, including designing and building the collection, providing services and resources for the Law School's legal research endeavors, providing instruction to students in legal research, training a professional and paraprofessional staff to provide such services, working with faculty and students to see that research support for courses is adequate and timely, assisting the faculty in keeping up to date in their fields, and such other library functions as may be pertinent to the criteria; and
- (3) the Library's Director's satisfaction of the criterion of service to the Law School, the University and the community.

c. As to scholarship, the Memorandum shall state how the applicant has met the quantitative and qualitative requirement for scholarship. In this regard, for any piece that the applicant believes should count as more than one piece, the applicant must state how the piece should be counted, with detailed reasons in X S S R U W R I Position Description Lead Title V pieces, the applicant must explain in detail the work that the applicant performed on the authored piece and the work that any other author performed on the piece. Also, for any authored pieces, the applicant must provide any CD X W K R U V ¶ Q D P H V D Q G F R Q W D F W L Q I R U F designate which scholarship is subject to review by the faculty and outside evaluators, and the purpose for submitting other written material. The D S S O L F D Q W V K D O O D O V R V W D W H W K H D S S O L F D C

Under no circumstances will information about an applicant be part of the

The faculty member shall provide a Midterm Review Memorandum meeting the requirements set forth in Section F.1. This Midterm Review Memorandum is due on August 15th.

Prior to February 1, the Committee shall submit the results of its Midterm Review to the Dean of the Law School. The written report shall explain whether the professor is making reasonable progress towards tenure by addressing scholarship, and service. Further, it shall describe any meaningful debate among the faculty regarding improvement, and the outcome of the vote. The professor shall receive a copy of the report.

II. Promotion

A. Eligibility to Apply for Promotion

An assistant professor is eligible to apply for promotion to the rank of associate professor in the fall semester following his or her completion of four semesters of full-time law teaching (excluding summer semesters) the rank of assistant professor, at least two of which must be completed semesters at the Law School.

An associate professor is eligible to apply for promotion to the rank of full professor in the fall semester following his or her completion of four semesters of full-time law teaching (excluding summer semesters) the rank of associate professor, provided that he or she must have completed two semesters of full-time teaching (excluding summer semesters) at the Law School as a tenured faculty member.

For promotion purposes, two semesters of full-time service to the Law School, at least half of each consisting of teaching functions, will count as one semester of full-time teaching.

By May 1 of the academic year prior to the academic year that the assistant or associate professor is eligible for promotion, an assistant or associate professor who anticipates seeking promotion in the next academic year shall submit a letter of intent in this regard to the Dean.

B. Criteria for Promotion

An assistant professor who receives tenure will also be promoted to the rank of associate professor.

(1) Non-reappointment because the Law School faculty has adopted a change in curriculum emphasis, and a probationary faculty member is either unwilling or unqualified to change teaching areas.

(2) Non-reappointment because the faculty member clearly not be able to meet the conditions required for tenure by the end of his/her probationary period.

(3) Termination because the University's Board of Trustees has stated that a financial exigency exists which requires a reduction in the size of the faculty, or the Provost/ VPAA has determined that a continued significant decrease in the Law School's enrollment requires a reduction in the size of the faculty, and it is educationally reasonable to terminate the particular faculty member.

(4) Dismissal because the faculty member is not performing the duties specified or implicit in his/her contract as a full-time faculty member, or the obligations specified from time to time in policies promulgated by the Law School faculty, the Dean of the Law School, or the university.

(5) Dismissal because the faculty member has knowingly violated statements of good practice promulgated by the Association of American Law Schools that demonstrate unfitness to serve as a full-time law faculty member, or has engaged in conduct in violation of the American Bar Association's Model Rules of Professional Conduct that demonstrates unfitness to serve as full

of the request to make a decision.

B. Contractual Term

A Professor of Practice will generally be hired on a one-year contractual basis. At the end of the first full year, generally, the contract can be renewed for an additional two-year period. This will allow the professor to recommit if he or she desires to do so, and the law school to evaluate the performance of the professor on a regular basis. There will be no limit on the number of contract renewals for Professor of Practice.

APPENDIX 1
SCHOLARSHIP REVIEW TEMPLATES

[INITIAL EMAIL CONTACT]

Dear Professor _____:

On behalf of the Rank & Tenure Committee at University of Detroit Mercy School of Law, I am writing to ask for your help in reviewing an article by our colleague, Professor _____, who is working toward [tenure and/or promotion] 7 K H D U W L F O H L V H Q W L W O H G 3 B B B published in [journal].

If you are willing to help by reviewing this piece, please let me know and I will send a separate letter describing our standards for scholarship reviews. If you have any questions, please do not hesitate to contact me by email or by phone at 313.XXX.XXXX.

Thanks for your considerations.

Sincerely,

Professor of Law

[THIS TEMPLATE IS FOR REVIEWERS WHO HAVE BEEN CONTACTED VIA EMAIL OR PHONE AND HAVE ALREADY AGREED TO SERVE]

[date]

Professor [name]
[institution]
[city, state, zip]

Dear Professor [name]:

7 K D Q N \ R X I R U D J U H H L Q J W R V H U Y H D V D Q R X P A S H G U H Y L H
undergoes his tenure and/or promotion evaluation at University of Detroit Mercy School of Law. I have attached the article that you agreed to review. We are looking forward to your honest, objective evaluation of this piece, in light of your expertise with this subject matter.

As part of the tenure and/or promotion evaluation process, and pursuant to our Rank & Tenure Policy, our Rank and Tenure Committee will assess whether Professor _____ has demonstrated