Guidelines for Reappointment of Lecturers and Promotion to Senior Lecturer

1. Substantive Criteria for Reappointment of Lecturers and Promotion to Senior Lecturer in the School of Law

   a. Introduction

Indiana University Maurer School of Law is dedicated to providing the highest quality professional education to those who wish to practice law in any common law jurisdiction, to those who will become judges, legislators, and administrators, to those who plan to use their education in law as general background for a career in another field, and to those who will themselves become teachers and scholars of the law. We are dedicated to critical analysis of the law and its foundations, to pushing back the boundaries of ignorance about law, its nature, functions, and limits, and to sharing new insights with the scholarly and professional communities. And we are dedicated to using our resources to provide high quality service to the University, professional societies, the state, and the nation.

In providing such a professional education to our students, the School of Law strives to meet the following seven goals:

   i. To assure that our students develop critical thinking and legal analysis skills;

   ii. To assure that our students can express their legal analysis and conclusions through skillful and sophisticated written work;

   iii. To assure that our students possess the ability to perform accurate and comprehensive legal research;

   iv. To assure that our students acquire a broad-based substantive legal education;

   v. To assure that our students learn about the methodology of at least one other academic discipline as it relates to the law;

   vi. To assure that our students understand and respect the ethical obligations of attorneys;

   vii. To assure that our students have an adequate opportunity to obtain essential skills training in specific practice-related areas, such as negotiations, trial and appellate advocacy, mediation, interviewing, and counseling.

The School of Law believes that lecturers and senior lecturers can significantly enhance the fulfillment of these goals. The following substantive criteria for reappointment and promotion to senior lecturer reflect the expectation that lecturers and senior lecturers will make high quality contributions to the teaching mission of the School of Law, and
are designed to ensure that education in the School of Law will be of the highest possible quality.

b. Teaching

Lecturers are expected to be sound and effective law teachers. The primary criterion of success in their teaching is excellence in helping students learn the skills of legal research and writing. High-quality performance in classroom instruction, individual sessions with students, and supervision of research and writing exercises is essential to sound and effective law teaching by lecturers.

Like all faculty members at the School of Law, lecturers are expected to possess the intellectual capability and thoughtful cast of mind necessary to engage in critical analysis of the law and its foundations. Included within the scope of effective law teaching by lecturers are the development of courses and materials, the use and development of innovative or particularly effective teaching methods, and the publication of works that explore teaching methods or the subjects taught by lecturers.

c. Service

Lecturers are not formally required to participate in any particular level of service to the Law School, the University, or community. The Law School, however, recognizes that service by lecturers can enrich both the experience of lecturers and those served. Examples of such service may include participating in valuable, high quality efforts at law reform; engaging in unusually effective advocacy before courts and other decision-making bodies; writing and publishing works of legal scholarship (these may depart from conventional models of legal scholarship by, for example, addressing issues related to legal writing and learning); contributing to the continuing education of lawyers by preparing practice manuals or CLE materials, or by developing, supervising, or teaching in high-quality CLE programs; and making other exemplary contributions to the development of the legal system or the profession. The Law School also recognizes important service activities which contribute to the learning by students, including counseling and work with moot court programs.

To the extent that a lecturer has administrative responsibilities within a Law School program or activity, he or she is expected to be effective in carrying out those responsibilities. Such responsibilities may include supervision of lecturers and students, coordination with other curricular programs, and working with librarians and other faculty and staff members. The teaching responsibilities of lecturers often make it difficult for them to engage in traditional forms of faculty participation in the institutional life of the Law School. Consequently, they need not establish strong records of such traditional service in order to be reappointed or promoted to Senior Lecturer.
2. Standards for Reappointment of Lecturers and Promotion to Senior Lecturer

a. General Considerations

i. General expectations. The School of Law expects lecturers to be satisfactory teachers and it expects senior lecturers to be excellent teachers. Satisfactory performance is not merely minimally competent performance, but rather performance that is satisfactory in the context of a first-rate university law school.

ii. Number of critical evaluation stages. During a probationary period not to exceed seven years, the lecturers will be reviewed annually for reappointment. No later than the sixth year of service, each lecturer will be considered for Promotion to Senior Lecturer, which carries with it the security of a five-year renewable contract. The decision of when to consider a particular lecturer for promotion to senior lecturer will be made by the Committee on Lecturers and the Dean, after consultation with the lecturer involved.

iii. Nonexclusivity of specific standards. The specific standards that appear in the following sections, although normally applicable, do not exhaust all possible models of promotion to senior lecturer. A candidate who does not satisfy these standards normally will not qualify for such promotion, but exceptional cases may arise in which the candidate’s special contributions to teaching, service, or research may justify promotion.

b. Specific Standards¹

i. Promotion to Senior Lecturer (with long-term contract)

A lecturer will be promoted to senior lecturer if the lecturer has demonstrated excellence and the promise of continuing excellence in teaching. Factors to be considered include:

1) Substantive knowledge of the relevant subject matter;

2) Analytical skills;

3) Teaching skills and performance (i.e., the ability to challenge and motivate students, to direct and control a class, to direct and control written work, and to use imaginative teaching techniques);

4) Originality and creativity;

5) Contributions to the field of education in legal research and writing, either within Indiana University Maurer School of Law or beyond;

¹ The university nomenclature in 2012-13 for evaluating teaching is Excellent, Very Good, Effective and Ineffective.
6) Ability to communicate effectively and persuasively;

7) Exemplary preparation efforts; and

8) Evidence of improvement.

ii. Reappointment within rank as lecturer (during probationary period)

For reappointment within rank as lecturer, during the probationary period, a candidate must demonstrate satisfactory teaching on the same criteria as specified above for promotion to senior lecturer.

3. Standards for Reappointment of Senior Lecturers

Senior Lecturers shall be employed under long-term contracts with a duration of five years. Under University policies, a senior lecturer who is employed under such a long-term contract may not be dismissed during the five-year period of the contract, except for the following reasons:

- Closure or permanent down-sizing of the program within which the lecturer teaches;
- Professional incompetence;
- Serious misconduct; or
- Financial exigency.

Under University policies, a senior lecturer who is employed under such a long-term contract shall, upon the expiration of the contract, be reappointed to another five-year contract, except for the following reasons:

- Closure or permanent down-sizing of the program within which the senior lecturer teaches;
- Professional incompetence;
- Serious misconduct;
- Financial exigency; or
- Changing staffing needs of the program within which the lecturer teaches.

4. Procedural Criteria for Appointment and Reappointment of Lecturers and Senior Lecturers, and for Promotion of Lecturers in the Law School

Note: Where specific dates are indicated, they are guidelines which will be followed whenever possible. However, some variation may be required by circumstances such as deadlines imposed by University procedures.
a. Procedures for Promotion to Senior Lecturer

i. No later than June 1 of each year, the Dean, in consultation with the Policy Committee, shall appoint a Committee on Lecturers (hereafter the Committee), consisting of three or more faculty members with either tenure and full professional rank or long-term contracts and senior lecturer rank. This Committee shall be responsible for making initial recommendations on the appointment, reappointment, and promotion of lecturers and senior lecturers.

ii. The Committee, in conjunction with the Dean, shall determine which lecturers are to be considered for promotion to senior lecturer during the fall semester. It shall be the privilege of any faculty member (including lecturers and clinical faculty members) to submit a recommendation to the Dean concerning the promotion to senior lecturer of any faculty member, including the person making the recommendation.

iii. A member of the Committee shall be assigned the responsibility of assembling a file for each lecturer subject to review. This member shall ensure that a complete and thorough file is developed and that the specified procedures are followed, and shall present the lecturer’s file to the Committee and, if requested by the Committee and Dean, to the Promotion and Tenure Committee.

iv. As soon as the Committee and Dean have jointly determined which lecturers are to be reviewed, the Dean shall notify each such lecturer in writing that he or she is under review and that within a specified and reasonable period of time the lecturer may submit materials which it is believed will be relevant to a consideration of his or her professional qualifications. Copies of these Guidelines, and of the appropriate University guidelines for lecturers, shall be provided. All members of the permanent faculty (including lecturers and clinical faculty members) shall also be informed, and shall be invited to submit any statements they may desire.

v. The Committee shall compile a complete file on each lecturer under consideration. The content of the file shall consist of such materials as shall be determined by the Committee, after consultation with the lecturer under consideration, including, but not necessarily limited to, the following:

1) All materials submitted by the lecturer pursuant to (d) above;

2) The lecturer’s own statement about teaching and other professional activities;

3) The factual data on the lecturer’s teaching and service activities;
4) A summary of teaching evaluations by students. Faculty members eligible to vote on the promotion to senior lecturer shall have access to the individual evaluations;

5) The results of interviews with students;

6) Peer evaluations of teaching, by faculty members assigned to visit the lecturer’s classes, and by faculty members who have worked with the lecturer or who otherwise have knowledge of his or her teaching competence;

7) Evaluations of the quality of the lecturer’s service activities, whether inside or outside of the University, by professional colleagues at Indiana University or by associates in the service activity;

8) Evaluations of the lecturer’s teaching and service activities by outside referees as the Committee and Dean deem appropriate, in consultation with the lecturer.

9) Evaluations of all pedagogical or scholarly publications, by faculty members assigned to review them and by outside referees as the Committee and Dean deem appropriate, in consultation with the lecturer.

   a) The pedagogical and scholarly publications to be evaluated for the purpose of promotion to senior lecturer will normally include all those accepted for publication (or accepted for distribution, in the case of non-published works) by September 15 of the academic year in which the decision is being made;

   b) All referees shall be given a copy of these Guidelines, the candidate’s curriculum vitae, all the materials to be reviewed by the particular referee, and an option to receive the candidate’s other publications.

vi. The Committee or a members designated by the Committee shall inform the lecturer from time to time regarding the development of the file and shall involve the lecturer as far as possible in the development of the file. The lecturer shall have the right to examine all parts of the file at any time, including each letter as soon as it becomes available.

vii. The Committee shall decide whether an affirmative recommendation on promotion to senior lecturer is to be made to the Promotion and Tenure Committee, and shall prepare a written report containing a review of the candidate’s achievements and the recommendation of the Committee (unless the lecturer withdraws), the Dean shall immediately refer the recommendation and report, along with the complete file, to the Promotion
and Tenure Committee for its consideration. The recommendation and report shall also be made available to the candidate.

viii. As soon as practicable, the Promotion and Tenure Committee shall decide whether an affirmative recommendation on promotion to senior lecturer is to be made to the faculty, and shall supplement the report with the recommendation of the Promotion and Tenure Committee. Following receipt of either a positive or negative recommendation from the Promotion and Tenure Committee (unless the lecturer withdraws), the Dean shall then promptly call a meeting of the appropriate members of the permanent faculty; this shall include all faculty members with tenure and full rank, all clinical faculty with full rank and all senior lecturers. The report, including the recommendations of both the Committee and the Promotion and Tenure Committee, shall be made available to faculty members voting on Promotion to Full Rank at least seven days in advance of the meeting. The report and recommendations shall also be made available to the candidate at least seven days in advance of the meeting.

ix. As soon as practicable after the meeting of the appropriate members of the permanent faculty, the Dean shall prepare his or her recommendation. The recommendation is to be made available to faculty members who were eligible to participate in the meeting. Faculty members who were eligible to participate in the meeting may, if they so desire, prepare an additional statement of their views to supplement the candidate’s file; which statement, if prepared in time, shall be sent to the Dean of Faculties as part of the complete file.

x. As soon as practicable after the faculty deliberations on promotion to senior lecturer, the Dean shall inform the lecturer of the action of the faculty, and of his or her intended action or recommendation, if any. If the result is a negative recommendation by either the faculty or the Dean, the faculty member shall be provided with a written statement fully explaining his or her rights according to University policies. In the case of such a negative recommendation, upon written request submitted to the Dean within 30 days of reasonable notification thereof, the Dean will provide the lecturer within a reasonable period of time with a written statement of the reasons for the recommendation. The lecturer may request reconsideration of a negative recommendation. If not satisfied with the Law School’s action, the lecturer has recourse to the review mechanisms specified by University policies.

b. Procedures for Reappointment of Senior Lecturers

All decisions on dismissal or non-reappointment of senior lecturers shall be made by the Dean after consultation with the Policy Committee. If the decision on dismissal or non-reappointment is based on the senior lecturer’s professional incompetence or serious misconduct, the Dean may request that the Committee on Lecturers compile relevant information and supply that information to the Dean and the Policy Committee. In the
event of a decision by the Dean to dismiss or not to reappoint a senior lecturer, the Dean shall notify the senior lecturer of that decision as soon as possible. The Dean shall also inform the senior lecturer of his or her rights, including all of the available review mechanisms specified by University policies. The jurisdiction of campus faculty grievance institutions extends to all cases of dismissal and non-reappointment of senior lecturers.

c. Procedures for Reappointment of Lecturers during Probationary Period

Probationary appointment is the name given to the period of employment of a lecturer who has not achieved promotion to senior lecturer; this probationary period may last no longer than seven years. Even though a lecturer on probationary appointment does not have the security of a long-term contract, there are certain other protections against arbitrary administrative action. Specifically, depending upon the number of years of academic service at Indiana University an individual has, there are varying notice requirements if the individual’s services are to be terminated. In the first year of service, notice of non-reappointment must be given three months before the termination of a one-year contract; in the second year of service, notice of non-reappointment must be given by November 15 if the appointment expires at the end of that academic year; and in the third and later years, twelve months’ notice is required.

i. At the beginning of each academic year (by October 1), the Dean will inform the Committee on Lecturers (hereafter the Committee) of the names of those lecturers on probationary appointment.

ii. The Dean will notify each such lecturer that he or she is under such consideration, and that within a properly specified and reasonable period the lecturer may submit material relevant to a consideration of his or her professional qualifications.

iii. Since reappointment is procedurally separate from promotion to senior lecturer, the extent of formal file preparation and Committee review required for reappointment will vary depending on whether the lecturer is being or has recently been reviewed for promotion to senior lecturer. The extent of the review necessary will be determined in each case by the Committee in conjunction with the Dean.

iv. The Committee will make its recommendations to the Dean in a timely fashion, having in mind the deadlines for notice stated above and the University timetable of deadlines.

v. If the Committee recommends reappointment and the Dean concurs, the Dean shall proceed with the reappointment. If the Committee recommends non-reappointment or if the Dean disagrees with an affirmative Committee recommendation, the matter shall be presented to those members of the permanent faculty who have tenure and full rank, or who are senior
lecturers, for their advice. The vote of the faculty shall be included as part of the Dean’s report and the recommendation on the reappointment.

vi. In the event of a decision not to recommend reappointment of a lecturer on probationary status, the Dean shall notify the lecturer of that decision as soon as possible and shall inform the lecturer of the review procedures as specified by University policies. A copy of these University policies shall be furnished to the lecturer.

d. Annual Review of Lecturers

The Dean conducts annual reviews of all lecturers. These reviews are usually conducted at the end of the academic year. It is the purpose of the annual review to inform the lecturer of all matters relevant to reappointment and to promotion to senior lecturer. The lecturer or senior lecturer should cooperate with the Dean to ensure that the file on which such a review is based contains all relevant materials. A written statement summarizing the substance of each annual review shall be kept in the individual’s file, and the individual should also be given a copy. The Committee on Lecturers (hereafter the Committee) will assist the Dean in the implementation of the annual review process.

The Dean will appoint one or more faculty member(s) from the Committee who will have the chief responsibility of collecting all material relevant to the annual review. The faculty member(s) and the Committee will then consult with the Dean concerning matters which should be discussed during the annual review process. It is anticipated that the annual review process will involve class visitation, the examination of teaching evaluation forms completed by students, the reading of any publications, and consideration of evidence of service. The materials collected for purposes of the annual review will also be used for decisions on reappointment and promotion to senior lecturer.

e. Procedures for Appointment of New Lecturers

Whenever a vacancy occurs, or seems likely to occur, among Lecturers at the Law School, the Dean shall inform the Committee on Lecturers (hereafter the Committee) of the possible need to appoint a new lecturer. The Committee shall undertake to identify the best available candidate(s) to fill the vacancy, operating in a manner similar to that of the Appointments Committee with respect to the appointment of other faculty members. After identifying the best available candidate(s) to fill the vacancy the Committee shall make its recommendation to the faculty. The Committee’s recommendation may include the possibility of reducing or eliminating the standard probationary period for the new lecturer or appointing the individual as a senior lecturer. Before making such a recommendation, however, the Committee shall prepare and distribute to the faculty a complete file, comparable in content to the file described above in Procedures for Promotion to Senior Lecturer, containing all of the relevant information on which the Committee’s special recommendation is based. Upon receipt of the recommendation of the Committee, the Dean shall promptly call a meeting of the appropriate members of the permanent faculty; this shall include all non-clinical faculty members with tenure or
on the tenure track, all clinical faculty members with long-term contracts or in their probationary period, and all lecturers and senior lecturers. The deliberations and vote of the faculty on the appointment of a new lecturer shall be conducted in the same manner as for the appointment of new faculty members.

5. **Transition Period**

These *Guidelines* apply to all lecturers or senior lecturers appointed or reappointed after the *Guidelines* are adopted. The probationary period specified in these rules will begin to run with a new initial appointment or the first reappointment thereafter.