

UNIVERSITY OF WASHINGTON
SCHOOL OF LAW
FACULTY PERSONNEL POLICIES AND STANDARDS

Adopted:
November 16, 2011

Revised March 2, 2015

NOTE: The *Faculty Code* at the University of Washington governs all faculty appointments. Candidates for promotion, tenure or a change in status should review the applicable provisions of the *Faculty Code* that appear in Volume II, Part II, Chapters 24 and 25. Should candidates feel themselves to be aggrieved, they should also consult Chapters 27 and 28 of the *Faculty Code*, which provide procedures for the resolution of disputes. The most current copy of the *Faculty Code* is available on the University of Washington homepage.

Our faculty members are the intellectual leaders of our community; they are culturally and intellectually diverse, distinguished in their respective fields, and dedicated to furthering the highest standards of academic excellence in their scholarly and teaching pursuits. As members of a professional school in a public research university, the faculty is equally devoted to imaginative, influential scholarship and to enthusiastic, effective teaching. Our staff members and librarians are valued and vital partners in our students' learning and professional development and in our faculty's accomplishments in teaching, scholarship, and service. Proud of being Washington's only public law school, we enroll more outstanding students from Washington than from any other state, while also welcoming talented and diverse students from every state in the nation and many other countries. We honor our Washington roots by contributing to the welfare of our state while also expanding our global reach and influence.

LAW SCHOOL POLICY GOVERNING TENURE & PROMOTION

A. GENERAL GUIDELINES

1. Tenure and promotion decisions are the most important ones that the faculty and its Committees or Councils make because the quality of the school's faculty is the most critical factor in the degree of excellence the Law School can achieve.

2. Decisions on tenure or promotion shall be based on the objective evidence relevant to the standards and to each of their component elements.

3. The Law School policy is to make an award of tenure or to promote only those persons who provide clear evidence that they will be effective teachers and productive scholars throughout their academic careers.

4. The faculty should determine, on the basis of the record, that there is reason to believe the candidate has the potential to become an intellectual leader in his or her chosen field.

5. Public service activities and law school and university administration are not considered alternatives to scholarly activity. Thus, the law faculty and law school administration are committed to ensuring that untenured faculty will not be pressed to undertake inappropriate administrative or service duties that prejudice the progress to tenure.

6. Tenured and tenure-track faculty teaching primarily clinical courses should order their case flow so that the summer session has as few case responsibilities as possible so that this time may be devoted to scholarship. Recognizing that it will not always be possible to completely eliminate case duties in the summer months, the law faculty and law school administration are committed to providing summer case coverage for faculty whose primary teaching responsibility is in the clinical law program.

7. The most important component of faculty governance is the fair and rigorous evaluation of colleagues' teaching and scholarship. As a result, each faculty member is responsible for consistently and effectively participating in the critical process of collegial evaluation for promotion and tenure. Although this policy provides for an elected Promotion and Tenure Council, the policy requires the cooperation and involvement of the entire faculty. Accordingly, involvement in promotion and tenure activities is an important part of a faculty member's merit review.

8. If there is substantial doubt about a candidate's overall qualifications for an award of tenure, or a promotion, the faculty and the Dean's recommendations should be against the award of tenure or promotion.

9. In these standards, "Dean," also includes the Dean's designee, and "Associate Dean" refers to the particular Associate Dean to whom the Dean assigns the responsibility at issue.

B. Mentoring

Formal and informal mentoring is an important part of faculty development.

1. Formal: *Faculty Code* Sec. 24-57 C and D provide that the Dean shall meet with all lecturers and assistant professors annually, with associate professors at least every two years, and with professors at least every three years. Additionally, the *Code* provides that the Dean shall document these meetings in writing, and that the faculty member may choose to respond to the Dean's statement in writing. It is expected that these conferences will provide information to each candidate for promotion and tenure on his/her progress towards promotion. The Dean is encouraged to consult the Promotion & Tenure Council for advice on its interpretation of the criteria for Promotion and Tenure. The Dean's letter and any response thereto shall be included in the candidate's Promotion and Tenure file.
2. Informal: Each faculty member below the rank of full professor (the "mentee") may request to be assigned a faculty mentor (the "mentor") selected with the mutual consent of the mentee, the mentor, and the Associate Dean. During the mentee's first year on the faculty, the Associate Dean may serve as the mentor until a permanent mentor is appointed. The advice given by a mentor or the Associate Dean, however, is not binding on the Promotion and Tenure Council.

I. LAW SCHOOL STANDARDS GOVERNING REAPPOINTMENT, TENURE AND PROMOTION FOR FACULTY IN THE PROFESSORIAL RANKS

A. Criteria for Reappointment as Assistant Professor

In order to be eligible for reappointment, the candidate must demonstrate clear progress towards tenure and promotion. Ordinarily this will be demonstrated through publication or submission for publication of the equivalent of one substantial law review article of scholarly excellence and the achievement of a high level of teaching excellence.

B. Criteria for Tenure and Promotion to Associate Professor

1. Scholarly Research and Writing

- a. Level of achievement: To merit promotion to Associate Professor, the faculty member must demonstrate the ability and continuing inclination to engage in significant and high quality legal research and writing throughout his or her academic career. Publication of scholarly works is a primary criterion on which the University of Washington bases promotion, tenure and merit decisions. It makes open and visible the individual's capacity to think, to formulate, and to communicate in a manner that is compelling to national and global peers. Through publication, the research effort of the individual is translated into new knowledge for the field.

Because tenure is to be awarded only if there is reason to believe that scholarly work will continue throughout an entire career, it is important that candidates for promotion and tenure demonstrate a continuing inclination towards productive scholarship. Thus, a faculty member who works steadily on research and writing during the untenured period is usually considered more likely to continue an active scholarly career than one whose patterns of work indicate disinclination to scholarship.

b. Nature of scholarly achievement: The candidate's total published research must constitute an effort equivalent to at least three substantial law review articles of scholarly excellence. A substantial portion of each work included in the candidate's "total published research" must have been completed after the candidate began full-time, tenure-track employment as a faculty member, whether at the Law School or elsewhere. A substantial article is one of outstanding quality that is of significant theoretical or doctrinal scope; of a significant length to fully explore the topic; and that makes an original contribution to the field of inquiry. The ability to engage in significant and high quality scholarship can be shown in many ways, e.g., the rank and placement of articles, post-publication citation, re-publication, scholarly responses to articles and conference invitations.

The University of Washington School of Law values a wide variety of scholarly methods, including theoretical quantitative/empirical, qualitative, doctrinal, mixed-method, historical, and critical perspectives. Thus, published research appropriate to the candidate's field will be considered, including published interdisciplinary research and published research on teaching methodologies and models of lawyering. Teaching materials published for national use in book form may be considered as scholarly writing, depending upon the quantity and quality of original analyses contained in the teaching materials.

Shorter essays, commentaries, and book reviews are generally not sufficient to meet the standard of substantiality. Briefs, committee reports and similar writing will not ordinarily be considered as scholarly research, though they may be relevant to a candidate's professional service. Co-authored works may be difficult to assess either in terms of the faculty member's contribution or in terms of the extent to which they indicate the capacities of the faculty member to engage in significant legal research and writing. Accordingly, candidates should be prepared to provide information which will permit evaluation of the candidate's contribution to co-authored works.

Only published materials will be considered; however, in its discretion, the Council may consider a maximum of one manuscript that has been accepted for publication but is not yet published. Other unpublished materials may be included in the file as additional evidence of scholarly growth and potential, but may not substitute for the publication requirements above.

2. Teaching

a. Level of achievement: The University of Washington School of Law has a long-standing tradition of excellent teaching. To merit promotion to Associate Professor, the candidate is expected to demonstrate a consistently high level of excellence and effectiveness commensurate with the candidate's experience, such that the candidate shows a clear promise of achieving tenurable levels of teaching excellence by the time of the application for tenure.

Some elements in assessing effective teaching include the ability to organize and conduct a course of study appropriate to the level of instruction and the nature of the subject matter; the consistency with which the teacher brings to the students the latest research findings and professional debates within the discipline; the ability to stimulate intellectual inquiry so that students develop the skills to examine and evaluate ideas and arguments; the extent to which the teacher encourages discussion and debate which enables the students to articulate the ideas they are exploring; the ability to recognize diverse perspectives while creating an inclusive environment; the availability of the teacher to the student beyond the classroom environment; and the regularity with which the teacher examines or reexamines the organization and readings for a course of study and explores new approaches to effective educational methods. A major activity related to teaching is the instructor's participation in academic advising and counseling, whether this takes the form of assisting students to select courses or discussing the students' long-range goals.

In addition, candidates are expected to contribute their fair share to institutional teaching responsibilities. For candidates whose teaching responsibilities are not primarily clinical or writing courses, a fair share of institutional teaching responsibilities includes teaching first-year or high-enrollment upper-level courses.

b. Evaluation of teaching: Three principal sources of information should be employed: class visits by faculty members, the opinion of students and the candidate's own statement of pedagogical goals and methodologies.

- i. Class visits*: Assistant professors and Lecturers will have one peer evaluation (class visit) per year in any course. Additional evaluations may be required if student evaluations and/or peer evaluation are determined to be below standard.
Associate Professors and Senior Lecturers will have one peer evaluation (class visit) every two years in any course unless going up for promotion/reappointment the next academic year. Additional evaluations may be required if student evaluations and/or peer evaluation are determined to be below standard.

Written reports of the visits should ordinarily indicate the techniques used, the nature of student response, the accuracy and clarity with which the material was presented, the relative time or importance assigned to particular ideas, how well the instructor responded to student questions, and the general effectiveness of the teaching. Reports shall be made utilizing a form to be developed by the Promotion & Tenure Council and made available, in advance, to faculty members whose class will be reviewed.

Class visits shall be scheduled with notice to the candidate. It is the expectation of the faculty that all faculty members who visit classes will share their draft written report with the person teaching the class before finalizing the document and are urged to do so in the collegial spirit of promoting faculty self-improvement.

ii. Student opinion will be reflected in the regular course evaluations as well as from surveys designed to obtain representative feedback from former and current students.

iii. Candidate's statement of pedagogical goals and methodology will also be examined and evaluated as part of the total evaluation of the quality of a person's teaching.

iv. It is to be understood that in reaching beyond the minimum requirements of the Faculty Code, the collection of the foregoing sources of information for evaluating teaching is aspirational. The failure of the Council or the faculty to do the specified number of class visits or to collect the specified evidence of student opinion not required by the Faculty Code shall not be construed as creating either a right in the candidate to such collection, nor a penalty if the information is not collected as specified.

3. Professional and Institutional Service.

Faculty members are expected to serve the Law School, the University, the greater community, the organized bar, and the several institutions which comprise the legal system, particularly in ways that use and develop the expertise of the faculty member.

i. Professional Service. Professional service may be rendered in a variety of ways. This includes participation in programs designed to improve the level of competence within the legal profession or to improve understanding of law and the legal system in the public at large; participation in professional and scholarly organizations which bring the faculty member in contact with other persons having related professional interests and which enhance the faculty member's scholarly and professional development; and participation in efforts to improve the effectiveness or fairness of the law, legal institutions, or the legal system as a whole.

ii. Institutional service. Faculty members are expected to work actively in maintaining and improving the Law School and the University as effective, intellectual institutions of higher learning. Such activities include participating in the work of committees and special programs, conducting studies, preparing reports, providing intellectual and collegial assistance (both within and without the Law School), and other similar activities. In addition, regular attendance at faculty meetings, committee meetings, and the like, are expected of all candidates. Faculty members are also expected to participate in alumni, community, state, and national affairs that promote understanding of and support for the University and the Law School.

C. Criteria for Promotion to Professor

1. Scholarly research and writing

a. Level of achievement: Promotion to professor requires that the candidate's published writing embody outstanding, mature scholarship, and that it have attracted significant national or international stature.

b. Evidence of scholarly achievement: Evidence of such stature may take many forms, including (a) awards received because of the excellence of the research; (b) reproduction of a significant portion of a candidate's publications in other sources, including textbooks; (c) publication of an article by a recognized authority citing and relying upon the candidate's research, even though it may be disputed; (d) inclusion of the candidate's work in a selective electronic data base; (e) selection of the candidate for editorship of a scholarly journal; (f) citation by the majority or minority of a court or by a legislative body of a candidate's published research; (g) selection of the candidate either to referee submissions for publication to scholarly journals or to scholarly presses, or to referee grant applications submitted to private foundations or to a governmental body; (h) invitation to a lectureship or to participate in a scholarly symposium.

2. Teaching: The candidate must demonstrate sustained excellent performance at the tenurable level of teaching effectiveness in classroom and out-of-classroom teaching, and the promise of continuing teaching effectiveness. In addition, candidates are expected to contribute their fair share to institutional teaching responsibilities. For candidates whose teaching responsibilities are not primarily clinical or writing courses, a fair share of institutional teaching responsibilities includes teaching first-year or high-enrollment upper-level courses.

3. Professional and institutional service. Full professors are the institutional leaders of the school, responsible for the continued advancement of the overall educational quality of the school. Furthermore, full professors are the role models for more junior faculty as to the quality of institutional citizenship that is expected from faculty members. Accordingly, the candidate must demonstrate effective leadership in institutional service and the commitment to continuing that leadership throughout his or her career. Leadership can be demonstrated by effective chairing of committees, by the creation and direction of centers, institutes, or other core academic programs, by service in important

administrative roles (e.g., associate deans), and by active participation in other key institutional events and programs. In addition, regular attendance at faculty meetings, committee meetings, and the like, are expected of all candidates.

II. LAW SCHOOL STANDARDS GOVERNING RENEWAL, PROMOTION & STATUS CHANGE FOR FACULTY HOLDING THE TITLE OF LECTURER

A. Renewal of Appointments

To merit renewal of an appointment as Lecturer, Senior Lecturer or Principal Lecturer, candidates must demonstrate consistent levels of excellence in teaching and service. Publication is not a requirement for renewal of appointment, but is welcomed and will be considered. The standards for teaching and service shall be the same as for tenured/tenure track faculty as detailed in the above section.

B. Promotion from Lecturer to Senior Lecturer

Promotion shall occur at the earliest after 3 years of consecutive meritorious service as a Lecturer in the School of Law. To merit promotion to Senior Lecturers, the faculty member shall demonstrate continued excellence in teaching and service, and have extensive training, competence, and experience in his or her discipline.

C. Promotion from Senior Lecturer to Principal Lecturer

Promotion shall occur at the earliest after 5 years of consecutive service to the law school. Persons seeking a promotion to Principal Lecturer must demonstrate superior accomplishment in teaching as recognized through appropriate awards, distinctions, or major contributions to their field.

D. Change of Status Decisions for Lecturers (including Senior and Principal Lecturers)

For Lecturers and Senior Lecturers, a change to the rank of Assistant Professor is viewed as a change of status rather than a promotion. In the event that a Lecturer or Senior Lecturer desires a change of status, he or she should consult with the Dean and provide notice in writing to the Dean. The Dean must provide a written response within 60 days to a candidate's written request for a change of status. The Dean will evaluate a request for change of status in accordance with criteria set forth in *Faculty Code* Section 24-34. If the Dean and the candidate agree to pursue the change in status, the Dean will forward the request for consideration of change in status to the Faculty Appointments Committee (FAC). The FAC will review the candidate's record, self-assessment and submitted materials in providing its recommendation to the faculty for a vote on the request for a change of status.

A change of status from Lecturer to the rank of Assistant Professor is viewed as a change of status rather than a promotion. Therefore, under no condition shall a faculty member who successfully changes his or her status be eligible for any promotion salary increase granted in the *Faculty Code* or other controlling university or law school policy.

III. LAW SCHOOL STANDARDS GOVERNING PROMOTION AND TENURE OF WOT FACULTY

A. Promotion of WOT Faculty

WOT faculty must meet the qualifications listed in the *Faculty Code* at each rank, *e.g.* assistant, associate and full. *Faculty Code* §24-34. The qualifications for WOT and tenure track faculty are identical; the *Faculty Code* does not make a distinction between WOT faculty and tenured faculty as it pertains to promotion.

B. Change from WOT to tenured appointment

A request for a change of status is regarded as an unusual request, and faculty members requesting a change of status may initiate this change by following the substantive and procedural requirements listed below. It is anticipated that change of status requests will be granted only when the faculty member presents an extraordinarily strong case for the change. Two key reasons for this policy are that the national hiring market is different depending upon the status and responsibilities of the position. Thus, the pool of candidates for a tenured position may be different than the pool of candidates for a WOT position. Thus, converting a position from one status to another raises budget questions that only the Dean can determine; it may also limit the pool of candidates that the law school is able to consider in its hiring processes. A broad pool of candidates is critical to achieving the quality (including the diversity) of the faculty that the School of Law seeks to meet its aspirations for excellence.

A successful change of status is not a promotion. Therefore, under no condition shall a WOT faculty member who successfully changes his or her status to tenured be eligible for any promotion salary increase granted in the *Faculty Code* or other controlling university or law school policy.

Funding, and therefore salary, for a tenured position is for a nine-month term. Because many WOT appointments are for a twelve-month term, the faculty salary shall require adjustment to reflect the nine-month status. Ordinarily, this means that compensation for administrative duties that may have been performed will not be included in the nine-month base salary nor will summer support. Any such additional compensation or support would be independently established and paid independently of regular faculty compensation.

1. Criteria for Change from WOT to tenured appointment

- a. The funding source for the faculty position WOT has a demonstrated track record of stability and there is every assurance that the funding source will continue indefinitely.
- b. There is sufficient reserve funding in the program or funding source to cover at least two full years of the faculty member's salary without endangering the operation of the program, project, enterprise or the funding of any faculty or staff members currently supported by the program, project or enterprise. This determination shall be made by the Dean.

2. Procedure for change from WOT to tenured appointment

For WOT faculty hired prior to the adoption of this policy, the Dean will evaluate a request for change of status in accordance with the Standards and Procedures for WOT Status Changes in effect at the time of the candidate's hire.

For candidates hired after on and after the date of this policy, a change of status from WOT to a tenured appointment shall not be permitted. Rather, if a new tenured position is authorized for hiring by the Dean, then the Faculty Appointments Committee shall conduct a national search for that position and any person, including a current faculty member, may apply.

IV. PROCEDURES FOR THE CONSIDERATION OF RENEWAL, TENURE AND PROMOTION

A. Selection and Duties of a Promotion and Tenure Council

1. Selection Process: Each year, the Faculty shall elect a Council of at least five tenured Faculty members, three of whom are full Professors, to serve on the Promotion and Tenure Council ("Council"). After consulting with faculty as to preferences for Council membership, the Dean shall propose the slate to the faculty each year for election and shall attempt to maintain continuity in the Council from year to year where possible given faculty members' sabbatical schedules and other duties.

2. Council's Pre-tenure responsibilities:

a. The Council will meet with each tenure-track faculty member at the end of each academic year to review the progress the candidate has made toward satisfying the law school's promotion and tenure criteria.

b. The Council will schedule class visits for Assistant Professors as detailed above in Item I.B.2.b.i. It shall schedule class visits for Lecturers on the same basis as for Assistant Professors. It shall schedule one class visit per year for Associate Professors and for Senior Lecturers. In addition, it shall conduct a class visit prior to recommending any promotion of a faculty member. Faculty Code 24-57.A. It is to be understood that beyond the minimum requirements of the Faculty Code, the collection of the foregoing sources of information for evaluating teaching is aspirational, as further elaborated in Item I.B.2.b.iv."

c. The Council, or a designee of the Council, will review each published work of a tenure-track candidate and provide a report to the candidate at the time of the article's publication. If members of the Council do not have expertise in the candidate's field, they will designate a member of the faculty to conduct the evaluation. This process is intended to provide the candidate with immediate feedback on the article to assist the faculty member in his or her scholarly development and progress toward tenure. It is not a substitute for the external review process required to obtain tenure.

B. Timetable and Voting Rights for Contract Renewal, Re-appointment, Tenure & Promotion

1. Timetable for Renewal as Lecturer, Senior Lecturer or Principal Lecturer:

a. The voting members of faculty who are superior in academic rank to the person under consideration shall decide whether to recommend renewal or termination of the appointment and transmit its recommendation to the Dean. However, a renewal decision is not required where an initial appointment of a full-time Lecturer, Senior Lecturer, or Principal Lecturer is for one year or less and the appointment is identified at the time of appointment as not eligible for renewal.

b. Upon transmittal of the faculty vote, the Dean shall decide the matter at least six months (or three months in the case of an initial annual appointment) before the expiration date of an appointment of a full-time Lecturer, Senior Lecturer, or Principal Lecturer and shall inform the faculty member in writing of the decision.

c. If a faculty member requests a written statement of the reasons for the non-renewal of his or her appointment, the Dean shall supply such a written statement within 30 days.

2. Timetable for Promotion to Senior Lecturer or Principal Lecturer

a. Lecturers desiring a promotion to Senior Lecturer and Senior Lecturers desiring a promotion to Principal Lecturer should consult with the Dean and provide notice in writing to the Dean by March 1st of the calendar year in which the candidate seeks a promotion. The Dean will then refer the matter to the Promotion and Tenure Council.

b. A procedure similar to the one described for tenure review is appropriate except that the criteria for promotion are the qualifications for the rank to which the candidate seeks promotion. No external reviews of scholarship are required.

3. Timetable for Reappointment as Assistant Professor

a. The voting members of the faculty who are superior in academic rank to the person under consideration shall decide whether to recommend renewal or termination of the candidate's appointment as Assistant Professor during the second year of the Assistant Professor's initial appointment. It shall transmit the recommendation to the Dean.

b. Upon receiving the faculty's recommendation for renewal or termination, the Dean shall decide the matter during the second year of the Assistant Professor's initial appointment, and shall inform the candidate whether:

1) The appointment is to be renewed;

2) The appointment is not to be renewed beyond the initial three-year period, in which case the appointment will terminate at the end of the third year; or

3) The decision concerning the appointment is to be postponed to the following year. In the event of a postponement, during the third year of the initial appointment the Dean shall decide whether:

a) The appointment is to be renewed under the above provision for reappointment, or

b) The appointment is not to be renewed; if it is not, the basic appointment is extended to include a fourth and terminal year.

c. If a faculty member requests a written statement of the reasons for the non-renewal of his or her appointment, the Dean shall supply such a written statement within 30 days.

4. Timetable for Tenure : If an Assistant Professor is reappointed, the period of reappointment must include a tenure decision. A tenure decision would normally occur four years after an Assistant Professor's appointment as Assistant Professor. However, in unusual circumstances, and subject to paragraph 6.c., below, it may occur as early as three years after that appointment. A tenure decision, or, in unusual cases, tenure and promotion to full professor, will be made no later than five years after the Assistant Professor's appointment as Assistant Professor. If a negative tenure decision is made, it must be followed by a terminal year of appointment.

5. Timetable for Promotion to Professor: For faculty at the rank of Associate Professor, a decision on promotion to the rank of full Professor would normally occur two years after the decision to promote to Associate Professor. An Associate Professor need not apply for promotion to Professor when first eligible, but may defer application to a later date. Associate Professors seeking promotion should consult with the Council and the Dean and provide notice in writing to the Dean by March 1st of the calendar year in which the candidate seeks a promotion. The Dean will then refer the matter to the Promotion and Tenure Council.

6. Variance in Timetables

a. The University recognizes that under special circumstances, such as care for new infants, faculty women and men must devote extraordinary efforts to their family responsibilities which may significantly detract from their research and academic capabilities. Even if the faculty member continues to work full time, efforts normally devoted to scholarship may necessarily be reduced by these new family responsibilities. In recognition of these family obligations, the University has developed several programs to stop temporarily the tenure clock.

When a faculty member takes a leave of absence without salary at 50% or more and for six months or longer, the year in which the leave is taken is not counted as a year towards mandatory tenure review.

In the situation where a faculty member becomes a parent but chooses to take less than six months leave, or when other family care responsibilities have interrupted the regular dedication to teaching or scholarship, she or he may request the year in which this

occurs not count as a year towards the mandatory tenure review. The faculty member who wishes a year be waived on the tenure clock may apply through the Dean to the Provost.

b. Time spent on leaves of absence from the University does not count in the accumulation of time toward tenure.

c. A faculty member has the right to request promotion at an earlier point. In the event that an Assistant or Associate Professor desires a promotion review out of sequence, he or she should consult with the Dean and provide notice in writing to the Dean by March 1st of the calendar year in which that person wishes to be reviewed.

C. Procedure for Application for Contract Renewal, Tenure and/or Promotion to Associate or Full Professor

1. Preparation of the Record for Law School Review

a. Contents of the record: The record upon which the faculty will make its recommendation on the application for promotion or tenure shall include the file prepared by the candidate, copies of student evaluations, and, in the case of applications for tenure or for promotion to professor, external peer review of the candidate's scholarly writings.

b. Contents of the candidate's file: The candidate shall submit a file for law school review that shall include the following: (1) self-assessment of the candidate's qualifications for promotion; (2) reports of meeting with the Dean pursuant to FAC § 24-57; (3) a curriculum vitae that includes the candidate's educational background, teaching and professional employment history, and professional accomplishments; (4) a brief statement by the candidate of pedagogical goals and methodology for each class currently taught; (5) reprints or other copies of scholarly writings submitted as evidence of professional growth; and (6) any other statements, exhibits, or materials that the candidate wishes to be considered by the law school faculty and dean in making their recommendation as to the application.

c. The Dean shall make the record available to faculty in a timely manner.

d. Student evaluations

1. The Dean shall make available for review student evaluations and student comments of all courses taught in the two years prior to application, or in the case of application for tenure, of all courses taught prior to application. The Dean shall also supply a numerical summary of the evaluations for each evaluated course.

2. In addition, the Council may seek input from the Student Bar Association and other pertinent student and alumni groups.

e. External peer review

1. The Associate Dean is responsible for selecting at least three external reviewers for each candidate. The Associate Dean should consult with the Council and the candidate regarding suitable reviewers. The goal in selecting reviewers shall be to obtain reviews from persons recognized as in the top-tier nationally in their respective field. While the candidate has the right to suggest reviewers, the candidate does not have the right to particular reviewers. The external reviewer should be sent the candidate's work in the case of assistant professors and a representative sample of work since obtaining tenure in the case of associate professors. External reviews may also include, at the candidate's request, professors from other academic departments within the University. External letters of review shall be kept confidential from the candidate, unless waived by the reviewer.

2. Peer reviewers will be asked to comment upon the quality of the scholarship reviewed, including an assessment of its originality and significance within the field, its intellectual context, and how it compares with other work within the field. Peer reviewers shall also be asked to disclose any personal or professional relationship with the candidate under review.

D. Deliberation Procedures for the Promotion and Tenure Council and the Faculty

1. Process for assessment: The Council will carefully review the record submitted for the application, and in the course of its evaluation, may request submission of additional information that may be helpful in reaching a fair assessment of the application.

2. Optional Meeting with the candidate: The Council may invite the candidate to meet with the committee prior to its recommendation, and in such cases shall inform the candidate in advance of any specific areas it intends to address in that meeting. A candidate may initiate a request to meet with the Council prior to its recommendation.

3. Council report: The Council shall prepare a written report of its analysis and recommendation. The report must assess the candidate's performance in the areas of scholarship, teaching and service. Candidates for tenure must be evaluated according to criteria in the Law School Promotion and Tenure Policy in effect at the time of hire. The Dean shall provide the candidate with a written copy of the Council's report and recommendation as required in Section 24-54 of the *Faculty Code*. The report should be accurate and meaningful so that the candidate is able to clearly understand the recommendation and its reasoning. Subject to the external reviewers' confidentiality noted above, the report must include a sufficient summary of external reviews to alert the candidate to the existence of any negative reviews so that the candidate may respond.

4. Candidate's Option to Respond to the Council Report: The candidate has the option of responding in writing to the Council within seven calendar days, unless the Dean authorizes an extension of time for response.

5. Faculty Vote: The report and the candidate's response (if one exists) shall be provided to all members of the faculty who are superior in rank to the candidate no later than one week prior to the faculty meeting at which the candidate's application will be considered.

6. Transmission of the report and faculty recommendation: After the faculty decision on promotion or tenure, the Dean shall write a formal report for the Provost, summarizing the Faculty discussion and recommendation as provided in Section 24-54 of the *Faculty Code*.

The decanal recommendation shall include a summary of the faculty comments on the application made at the meeting in which the vote was taken. For purposes of confidentiality, all names shall be omitted and vote counts may be omitted from the decanal report.

The candidate has the option of responding in writing to the decanal report within seven calendar days, unless the Dean authorizes an extension of time for response.

7. Dean's Report: After receiving the recommendation of the Council and the vote of the faculty as well as the summary of the faculty comments, the Dean shall decide the matter, and if the decision is favorable shall transmit his or her recommendation to the President with the other materials prepared in this process.

E. Calendar for Law School Internal Evaluation of the Application for Promotion or Tenure

It is anticipated that the schedule will be as follows for candidates applying for tenure and/or promotion in the following academic year:

April: Faculty appointment of the Council

March – May: Solicitation and confirmation of names for outside reviewers by Associate Dean

May: First meeting of the Council

May/June: As soon as practicable following this first meeting, the Council must meet with the candidate to discuss the review process. During this meeting the candidate shall provide the Council with a preliminary overview of what he or she plans to submit as part of the file for tenure or promotion. The Council shall provide preliminary feedback on what materials and information it would like to have the candidate submit as part of the formal application.

September 1: All outside reviews should be completed and in the file. The candidate's complete file and self-assessment are due on or before September 1.

September 15 - October 30: The Council should review and discuss the file and formulate its recommendation. Ample time should be given for the Council to discuss its expected

recommendation with the Dean prior to finalizing that recommendation and for then preparing the written report that will be issued to the faculty and to the candidate.

No later than October 1: The Council will provide the candidates for promotion to Senior Lecturer or Principal Lecturer with its written recommendation in order to give the candidate adequate time to prepare a response and to circulate it to the faculty in anticipation of the November faculty meeting

No later than November 1: The Council will provide the candidates for promotion to Associate Professor or Professor with its written recommendation in order to give the candidate adequate time to prepare a response and to circulate it to the faculty in anticipation of the December faculty meeting.

November: Full faculty vote on candidates for Senior Lecturer and Principal Lecturer.

December: Report of faculty vote to Senior Lecturer and Principal Lecturer candidates.

December: Full faculty vote on candidates for Associate Professor or Professor.

December: Report of faculty vote to Associate Professor and Professor candidates.

January: Dean's written summary of faculty deliberation and vote submitted to Provost and to candidate along with Dean's review of and recommendation on candidate's application.

MEMORANDUM

TO: Dean Testy; Law School Faculty

FR: Peter Nicolas (chair), Helen Anderson, Christine Cimini

DT: February 3, 2017

RE: Amendments to Promotion and Tenure Standards (Lecturer Track)

In the process of evaluating candidates seeking promotions to the ranks of Senior and Principal Lecturer, the Promotion and Tenure Council discovered that although the School of Law's Promotion and Tenure Standards are rather detailed for those seeking promotions on the tenure track, there is virtually no guidance for those seeking promotions on the lecturer track. The Council communicated this concern to Dean Testy, who created a committee to propose amendments to the Standards.

The Standards relevant to lecturers currently read as follows:

B. Promotion from Lecturer to Senior Lecturer

Promotion shall occur at the earliest after 3 years of consecutive meritorious service as a Lecturer in the School of Law. To merit promotion to Senior Lecturers, the faculty member shall demonstrate continued excellence in teaching and service, and have extensive training, competence, and experience in his or her discipline.

C. Promotion from Senior Lecturer to Principal Lecturer

Promotion shall occur at the earliest after 5 years of consecutive service to the law school. Persons seeking a promotion to Principal Lecturer must demonstrate superior accomplishment in teaching as recognized through appropriate awards, distinctions, or major contributions to their field.

Pages 2 through 5 of this memorandum contain proposed language to replace the above-quoted language.

B. Promotion from Lecturer to Senior Lecturer

The Faculty Code allows any faculty member to request consideration for promotion after any amount of time in the current rank. Correspondingly, the Promotion and Tenure Council is prepared to consider a case brought before it at any point in an individual's career. However, the Council considers that a three-year period of service as a full-time Lecturer (following a competitive search) is typically the minimum amount of time needed to develop a strong record of teaching and service.

To merit promotion to Senior Lecturer, the faculty member shall demonstrate continued excellence in teaching and service, and have extensive training, competence, and experience in his or her discipline. *See* UW Faculty Code § 24-34(B)(2). Although the production of scholarship is not required of those seeking promotion to the rank of Senior Lecturer, scholarly activity can manifest itself as "competence" or "experience" in one's discipline.

At the School of Law, lecturers often have blended portfolios that include experiential and doctrinal teaching. For purposes of applying this standard, the phrase "his or her discipline" includes all aspects of a lecturer's teaching portfolio, including pedagogy or subject matter of instruction. Once promoted, a Senior Lecturer should ordinarily receive a presumptively renewable five-year contract.

1. Teaching

- a. Level of Achievement: The University of Washington School of Law has a long-standing tradition of excellent teaching. To merit promotion to Senior Lecturer, the candidate is expected to demonstrate a consistently high level of excellence and effectiveness commensurate with the candidate's experience.

Some elements in assessing effective teaching include the ability to organize and conduct a course of study appropriate to the level of instruction and the nature of the subject matter; the consistency with which the teacher brings to the students the latest research findings and professional debates within the discipline; the ability to stimulate intellectual inquiry so that students develop the skills to examine and evaluate ideas and arguments; the extent to which the teacher encourages discussion and debate which enables the students to articulate the ideas they are exploring; the ability to recognize diverse perspectives while creating an inclusive environment; the availability of the teacher to the student beyond the classroom environment; and the regularity with which the teacher examines or reexamines the organization and readings for a course of study and explores new approaches to effective educational methods. A major activity related to teaching is the instructor's participation in academic advising and counseling, whether this takes the form of assisting students to select courses or discussing the students' long-range goals.

In evaluating the teaching of experiential courses, additional elements of effective teaching include the ability to create effective and challenging simulation assignments and in-class workshops; the ability to provide timely and appropriate supervision and feedback on student work; the ability to direct and mentor students individually and in small groups; the ability

and willingness to incorporate teaching on ethics and professionalism; and the ability to devise methods of assessing students' progress and achievement.

In addition, candidates are expected to contribute their fair share to institutional teaching responsibilities. Because the amount of one-on-one student involvement is more intense for those teaching experiential courses, the definition of "fair share" is calibrated accordingly.

- b. Evaluation of Teaching: Three principal sources of information are employed to evaluate the teaching of a faculty members seeking promotion to Senior Lecturer: peer teaching evaluations, the opinion of students, and the candidate's own statement of pedagogical goals and methodologies.

- i. *Peer teaching evaluations*: During the first year of the initial appointment of a Lecturer, a faculty member of higher rank will visit and evaluate a minimum of one of the faculty member's classes. Visitors should be faculty who teach in the same or related fields, when feasible. When relevant, the visiting faculty member should review material prepared for the class as well as examples of the instructor's feedback on student work product. Additionally, for clinical faculty, a faculty member of higher rank will visit and evaluate a minimum of one student supervision session, making sure to maintain requirements of confidentiality as required by the Rules of Professional Conduct.

After the first year of appointment, until the candidate is promoted to the rank of Senior Lecturer, class visits, and student supervision sessions for clinical faculty, will occur at a minimum of one visit per course, unless student evaluations are below a minimum threshold calculated by the Dean's office. In that event, class visits and supervision session visits will occur at a minimum of two visits per course. In no event, however, shall visits be required in more than three courses per year unless the faculty member requests such visits. The candidate may also request further visits.

Written reports of the visits should ordinarily indicate the techniques used, the nature of student response, the accuracy and clarity with which the material was presented, the relative time or importance assigned to particular ideas, how well the instructor responded to student questions, and the general effectiveness of the teaching. Reports shall be made utilizing a form to be developed by the Promotion & Tenure Council and made available, in advance, to faculty members whose class will be reviewed.

Class and supervision visits shall be scheduled with notice to the candidate. It is the expectation of the faculty that all faculty members who visit classes will share their draft written report with the person teaching the class before finalizing the document and are urged to do so in the collegial spirit of promoting faculty self-improvement.

- ii. *Student opinion* will be reflected in the regular course evaluations as well as from surveys designed to obtain representative feedback from former and current students.

iii. Candidate's statement of pedagogical goals and methodology will also be examined and evaluated as part of the total evaluation of the quality of a person's teaching.

iv. It is to be understood that in reaching beyond the minimum requirements of the Faculty Code, the collection of the foregoing sources of information for evaluating teaching is aspirational. The failure of the Council or the faculty to do the specified number of class visits or to collect the specified evidence of student opinion not required by the Faculty Code shall not be construed as creating either a right in the candidate to such collection, nor a penalty if the information is not collected as specified.

2. Professional and Institutional Service

Faculty members are expected to serve the Law School, the University, the greater community, the organized bar, and the several institutions which comprise the legal system, particularly in ways that use and develop the expertise of the faculty member.

i. Professional Service. Professional service may be rendered in a variety of ways. This includes participation in programs designed to improve the level of competence within the legal profession or to improve understanding of law and the legal system in the public at large; participation in professional and scholarly organizations which bring the faculty member in contact with other persons having related professional interests and which enhance the faculty member's scholarly and professional development; and participation in efforts to improve the effectiveness or fairness of the law, legal institutions, or the legal system as a whole.

ii. Institutional service. Faculty members are expected to work actively in maintaining and improving the Law School and the University as effective, intellectual institutions of higher learning. Such activities include participating in the work of committees and special programs, conducting studies, preparing reports, providing intellectual and collegial assistance (both within and without the Law School), and other similar activities. In addition, regular attendance at faculty meetings, committee meetings, and the like, are expected of all candidates. Faculty members are also expected to participate in alumni, community, state, and national affairs that promote understanding of and support for the University and the Law School.

C. Promotion from Senior Lecturer to Principal Lecturer

The Faculty Code allows any faculty member to request consideration for promotion after any amount of time in the current rank. Correspondingly, the Promotion and Tenure Council is prepared to consider a case brought before it at any point in an individual's career. However, the Council considers that a combined five-year period of service as a full-time Lecturer and Senior Lecturer (following a competitive search) is typically the minimum amount of time needed to develop a strong record of teaching and service.

Persons seeking a promotion to Principal Lecturer must demonstrate excellence in teaching as recognized through appropriate awards, distinctions, or major contributions to their field. *See* UW Faculty Code § 24-34(B)(3). Although the production of scholarship is not required of those

seeking promotion to the rank of Principal Lecturer, scholarly activity can manifest itself as “distinctions” or “major contributions to their field.”

At the School of Law, lecturers often have blended portfolios that include experiential and doctrinal teaching. For purposes of applying this standard, the phrase “their field” includes all aspects of a lecturer’s teaching portfolio, including pedagogy or subject matter of instruction. Once promoted, a Principal Lecturer should ordinarily receive a presumptively renewable five-year contract.

A faculty member seeking a promotion to Principal Lecturer can demonstrate recognition of teaching excellence in multiple ways. Evidence of teaching excellence includes:

- **Teaching awards** — This includes department-specific or university-wide teaching awards, as well as teaching awards from national law school organizations, such as the Association of American Law Schools (AALS), the Society of American Law Teachers (SALT), the Clinical Legal Education Association, the Association of Legal Writing Directors, and the Legal Writing Institute.
- **Teaching evaluations** — Numerical student teaching evaluations and student comments that place them consistently in the top tier of the law school’s faculty, reinforced by strong peer evaluations.
- **Teaching innovation** — Incorporating innovative pedagogical methods into their courses, particularly those that assist the School of Law in meeting expectations set forth by external accreditation organizations such as the American Bar Association.
- **Institutional Service** — Law school and university-wide committee service that is related to teaching, including service on committees related to curriculum and teaching innovation, as well as serving in leadership roles related to teaching, such as serving as the director of an academic program, or other roles that require oversight of curricular matters.
- **Discipline-Level Service** — Leadership roles or active involvement in national organizations or journals within the individual’s discipline.
- **Scholarship/Presentations** — Scholarship and presented research on pedagogy, learning theory, or the substantive subject matter of the faculty member’s field.