

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW

STATEMENT OF POLICIES AND PROCEDURES
GOVERNING THE FULL TIME CLINICAL FACULTY

These Policies and Procedures for the Full Time Clinical Faculty shall apply to each full-time member of the Temple Law School Faculty appointed to a non-tenure track faculty position whose primary teaching assignment is teaching clinical classes (“Full Time Clinical faculty member” or “FTC faculty member”).¹ The Dean, after consulting with the FTC Faculty and such other Faculty committees as may be appropriate, may issue additional policies and procedures regarding evaluation, promotion, and other related matters, consistent with these and other Faculty policies and procedures.

I. **EVALUATION OF FACULTY MEMBERS**

- A. Eligibility of FTC faculty members for appointments, promotions, reappointments and termination of appointments shall be determined by all applicable Temple University policies, as supplemented by provisions duly adopted by the Faculty of the School of Law.
- B. Evaluation of FTC faculty members shall be in accordance with applicable Temple University policies and the standards duly adopted by the School of Law regarding teaching, scholarship and service.
- C. The Dean, the Chair of the Tenurial Faculty, and the Chair of the Faculty Review Committee should insure that all FTC faculty members who are eligible for appointments, reappointments or promotions are made aware of any relevant Temple University regulations and guidelines.

II. **EVALUATION SCHEDULES**

- A. **FTC Faculty Members on Contracts of Less Than Three Years.**
 - 1. Except as provided in paragraph 2 below, the progress toward a three year contract and promotion of a FTC faculty member, regardless of rank, who

¹These standards do not apply to part-time clinical adjunct faculty.

holds an appointment on a contract of less than three years shall be evaluated for reappointment during every year, provided that during an Assistant Professor's first year of full-time teaching at the Law School, no evaluation shall be conducted until the Spring semester. The evaluation shall be conducted by a Review Panel in accordance with the procedures set forth in section III.B hereof.

2. In a year in which a FTC faculty member requests promotion or an initial five year contract, the FTC faculty member will be evaluated by the Faculty Review Committee in accordance with the procedures set forth in Section III.C hereof.

B. FTC Faculty Members on Three Year Contracts.

1. Except as provided in paragraph 2 below, an FTC faculty member, regardless of rank, who holds an appointment on a three year contract will be evaluated when:
 - a. She or he seeks promotion or appointment to an initial five year contract, or
 - b. She or he is in the final year of the three year contract, or
 - c. She or he requests such an evaluation, or
 - d. The Faculty Review Committee, after discussion with the FTC faculty member and the Dean, determines that an evaluation would be appropriate.
2. An FTC faculty member, regardless of rank, whose initial appointment at Temple is on a three year contract will be evaluated during every year of that initial contract.
3. Any evaluation which involves a request for promotion or appointment to an initial five year contract shall be conducted by the Faculty Review Committee in accordance with the procedures set forth in Section III.C hereof.
4. Any evaluation that takes place pursuant to paragraph 1.b., c., or d. or paragraph 2. hereof, and which does not involve a request for promotion or appointment to an initial five year contract, shall be conducted by a

Review Panel in accordance with the procedures set forth in section III.B. hereof.

C. FTC Faculty Members on Five Year Contracts.

1. Except as provided in paragraph 2 below, a FTC faculty member, regardless of rank, who holds an appointment on a five year contract will be evaluated when:
 - a. She or he seeks promotion, or
 - b. She or he requests such an evaluation, or
 - c. The Faculty Review Committee, after discussion with the **FTC** faculty member and the Dean, determines that such an evaluation would be appropriate.
2. During the Spring semester of the fourth year of the contract and at the latest by June 1 of that year, the FTC faculty member shall provide information requested by the Faculty Review Committee, and the Committee will decide, in consultation with the Dean, whether an evaluation shall be conducted during the fifth year of the contract.
3. Any evaluation which involves a request for promotion shall be conducted by the Faculty Review Committee in accordance with the procedures set forth in Section III.C hereof.
4. Any evaluation that takes place pursuant to paragraph 1.b., or c., or paragraph 2. hereof, and which does not involve a request for promotion, shall be conducted by a Review Panel in accordance with the procedures set forth in section III.B hereof or in such other manner as the Faculty Review Committee, in consultation with the Dean, determines is appropriate.

III. EVALUATION PROCEDURES

A.

1. During the Spring Semester and at the latest by June 1 of every academic year, the Chair of the Tenorial Faculty shall consult with those FTC faculty members who have not yet attained the rank of Professor of Law holding an appointment on a five year contract, and shall determine which of those

FTC faculty members intend to seek an initial five year contract or promotion during the upcoming academic year. The Chair of the Tenorial Faculty shall communicate the results of this determination to the Chair of the Faculty Review Committee and the Dean.

2. As to each FTC faculty member who will be seeking an initial five year contract or promotion during the upcoming academic year, the Faculty Review Committee and the FTC faculty member should begin any part of the review process that might take place before the start of the academic year, particularly the review of the FTC faculty member's scholarship and other credentials by independent external evaluators in accordance with section III.C.2.a. hereof.
 3. By July 1 of the academic year in which review is sought, FTC faculty members seeking initial five year contracts or promotion shall submit to the Chair of the Faculty Review Committee as much of the candidate portfolio (see III.C.1.) as is possible by that date and shall submit the remaining parts of the portfolio by September 1, including a copy of all scholarship on which the FTC faculty member intends to rely.
 4. Any FTC faculty member who has expressed the intent to seek an initial five year contract or promotion, may withdraw from consideration at any time without prejudice and no negative inference will be attached to a decision not to move forward.
- B. Except in exceptional circumstances, an annual review of an FTC faculty member's progress which does not involve a request for promotion or the award of an initial five year contract shall be conducted by a Review Panel, rather than by the Faculty Review Committee. The Panel shall be comprised of two tenured members of the Faculty appointed by the Chair of the Faculty Review Committee in consultation with the Chair of the Tenorial Faculty and the Dean. To the extent feasible, at least one of the members of the Faculty Review Committee shall have familiarity with clinical teaching and methodology. A member of the FTC Faculty holding an appointment on a five year contract may replace one tenured faculty member on a Panel. The members of the Panel shall each visit at least two (2) classes of the faculty member under review, and shall review any additional information pertinent to the evaluation of teaching. The members of the panel shall also read and evaluate the FTC faculty member's scholarship and scholarly agenda, and shall ascertain and evaluate the FTC faculty member's service. The Panel will evaluate the FTC faculty member's progress towards satisfaction of the standards for contract renewal and promotion contained in the Law School's Standards for Contract Renewal and Promotion of Full Time Clinical Faculty, consistent with the number of years the FTC faculty member has been a full-time

clinical teacher. The results of the Panel's evaluation shall be set forth in a report which shall be delivered by the Panel to the FTC faculty member being reviewed in accordance with the procedures set forth in section III.D.2. hereof. Thereafter, the report shall be circulated by the Chair of the Tenorial Faculty to all FTC faculty members who hold appointments on a five year contract and to the Tenorial Faculty in accordance with the procedures set forth in sections III.D. hereof. However, if two or more FTC faculty members are being evaluated in connection with the renewal of their five year contracts in the same year, they shall not take part in the process of evaluating each other.

- C. Evaluation of an FTC faculty member's satisfaction of the standards for an initial five year contract or promotion shall be conducted by the Faculty Review Committee.
1. The FTC faculty member seeking an initial five year contract or promotion shall submit to the Chair of the Faculty Review Committee a candidate portfolio which shall include a current curriculum vita, and to the extent not shown on the cv:
 - a. A list of all courses taught at Temple Law School (by year), the style or format of each class, and a description of his or her non-classroom teaching;
 - b. A list of all committee assignments while at Temple (by year);
 - c. A description of service activities within and outside of Temple University while at Temple (by year);
 - d. Information relevant to the assessment of delivery of high quality legal services;
 - e. A copy of all published work since joining the Temple Law School Faculty, whether in the category of teaching, scholarship or service (except that where an FTC Faculty Member seeks promotion to Full Professor, he or she should include only the work published since the last promotion review) and evidence of the influence that the published work has had on the profession and others;
 - f. Evidence of continuing scholarly commitment;
 - g. Current year's syllabi;

- h. If the clinical classes that the **FTC** faculty member has taught has included written pleadings, briefs, or other legal documents, three examples of writings completed by students the **FTC** faculty member has supervised;
 - i. Student evaluations for all courses taught at Temple Law School;
 - j. Prior progress and/or Faculty Review Committee reports; and
 - k. Any additional material about teaching, scholarship, and service that the **FTC** faculty member deems relevant.
2. Members of the Faculty Review Committee shall evaluate the teaching of each **FTC** faculty member under review (including visiting each **FTC** faculty member's classes), shall read and review the scholarship produced by each **FTC** faculty member and shall ascertain and evaluate the service provided by each **FTC** faculty member.
- a.
 - (1) Assessment of the credentials of the **FTC** faculty member for appointment to an initial five year contract or promotion shall include written letters of evaluation from individuals outside the Law School and the University who are qualified to assess the credentials of the **FTC** faculty member for such appointment or promotion. A preponderance of these letters shall be obtained from persons who are independent, meaning that they have not worked or collaborated with the **FTC** faculty member.
 - (2) The Faculty Review Committee and the **FTC** faculty member shall each separately submit lists to the Dean that contain the names and professional affiliations of persons whom they recommend to be external evaluators. After review of these recommendations, the Dean may, in his or her discretion, add additional evaluators to the lists. The Dean, after consultation with the Faculty Review Committee, shall select at least three external evaluators from the lists.
 - (3) The Dean or the Chair of the Faculty Review Committee shall solicit from each of the selected evaluators a written report that assesses the **FTC** faculty member's credentials for appointment to an initial five year contract or

promotion, and shall provide to the evaluators the FTC faculty member's curriculum vita, the published work and other materials to be evaluated, and a copy of the relevant contract or promotion standards. In particular, the external evaluators will be asked to discuss the quality of the FTC faculty member's scholarship, the extent to which it reflects substantive knowledge of the subject matter and makes a positive contribution to the field, the recognition the FTC faculty member has achieved in his or her field, the FTC faculty member's potential for continuing and greater achievements in scholarship in the future, whether the FTC faculty member meets the relevant standard for appointment to an initial five year contract or promotion, as well as such other information or commentary as the external evaluators deem relevant to the FTC faculty member's qualifications for appointment to an initial five year contract or promotion.

- (4) The FTC faculty member under review shall be entitled to see and to respond to any written report prepared by an external evaluator, provided that the report is redacted to preserve the evaluator's anonymity.
- b. Evaluation of a FTC faculty member's service should include consultation with the Chairs of any Law School Committees on which the FTC faculty member serves, as well as evaluation of the delivery of high quality legal services. In addition, evaluation should include consultation with individuals outside the law school who have personal knowledge of the FTC faculty member's professional, community, or University service.
 - c. At a minimum, at least three members of the Faculty Review Committee shall each visit at least two but no more than three classes taught by the FTC faculty member under review during the period under consideration.
 - (1) Members of the Faculty Review Committee shall provide at least 24 hours notice (excluding Saturdays and Sundays) of intent to visit the class of an FTC faculty member under review.
 - (2) To the extent that individual cases or clients are discussed, members of the Faculty Review Committee and the Clinical

Faculty Member will take all steps possible to protect the confidentiality of clients of the clinic and of students. Students will be made aware of the observation and that their comments in class will be held in strict confidence by members of the Faculty Review Committee and the Clinical Faculty Member.

- (3) Except where every class of the Faculty Review Committee member and the FTC faculty member under review conflict, class visits shall be in person. Where the reviewer's and candidate's class schedules conflict, electronic taping is permissible and the Faculty Review Committee member may rely on the tape. In other cases, the use of taping as a supplement to personal visits is permissible only with the consent of the candidate. If taping is used, the Faculty Review Committee member shall review the tape in the presence of, or in consultation with, the FTC faculty member under review.
 - (4) Before visiting the class of a FTC faculty member under review, each member of the Faculty Review Committee should meet with that FTC faculty member to discuss, in the context of the overall course, that teacher's plans for the class(es) the reviewer will observe. After each Committee member has completed the scheduled class visits, the Faculty Review Committee member shall discuss with the FTC faculty member under review the class(es) visited and the Committee member's observations concerning the class(es) visited.
3. The Faculty Review Committee shall write a report describing its observations and evaluation of the FTC faculty member, stating its findings and conclusions regarding the FTC faculty member's satisfaction of the relevant contract renewal or promotion standards, and setting forth its recommendation regarding the grant of an initial five year contract or promotion.
 - a. With respect to teaching, the report should discuss and assess the Committee's classroom visits, the FTC faculty member's student evaluations, non-classroom teaching, and any other information relevant to the FTC faculty member's teaching. The report shall also specify which classes were visited and by which members of the Faculty Review Committee. If any members of the Faculty

Review Committee viewed classes electronically, the report shall identify the Faculty Review Committee member(s) and shall specify the name and number of the classes viewed electronically. The report shall also discuss the supervision of the FTC faculty member as gleaned from their conversations with the FTC faculty member.

- b. As to scholarship, the report should discuss the Committee's and other peer evaluation of the FTC faculty member's written work, the external evaluations, and the influence of the FTC faculty member's scholarship.
- c. For service, the report should discuss and assess the FTC faculty member's service to the Law School, including the delivery of high quality legal services. The report should also discuss and assess the FTC faculty member's service to the University, legal education and the profession, and the community.

- 4. The Faculty Review Committee shall deliver the report to the FTC faculty member being reviewed in accordance with the procedures set forth in section III.D.2. thereof. Thereafter, the Chair of the Tenorial Faculty shall circulate the report to the relevant Faculty in accordance with the procedures set forth in sections III.D. thereof. In all cases where an FTC faculty member is seeking an initial five year contract, the relevant Faculty shall be the Tenorial Faculty and all FTC faculty members who hold appointments on a five year contract. In all cases where a FTC Faculty Member seeks promotion, the relevant Faculty shall be only those members of the Tenorial Faculty and those FTC faculty members on five year contracts who have attained the rank to which the FTC faculty member seeks to be promoted. If the FTC faculty member is seeking both an initial five year contract and promotion, the report shall be distributed to both relevant Faculties, but the portion of the meeting which deals with promotion shall be attended only by members of the relevant Promotions Faculty.

D. Timely Distribution of Reports and Supporting Documentation.

- 1. Any report regarding contract renewal or promotion or an FTC faculty member's progress shall be distributed to the relevant Faculty at least seven calendar days before the meeting of the relevant Faculty at which such report will be considered.

2. The FTC faculty member being reviewed shall have at least three calendar days to review the report before it is distributed to the relevant Faculty and shall have the opportunity to meet with the Committee or Panel that prepared the report before the report is distributed to the relevant Faculty. The FTC faculty member being reviewed shall also have the right to submit to the relevant Faculty a document commenting on or supplementing the report.
 3. Any writings upon which an FTC faculty member being reviewed is relying shall be distributed electronically to the relevant Faculty at least two weeks before the meeting at which the report on the FTC faculty member will be considered. In the case of FTC faculty members who have multiple writings, at least the last writing and one other writing selected by the FTC faculty member shall be distributed electronically. All of the FTC faculty member's writings shall be made available to the relevant Faculty in the Dean's Office.
 4. Compliance with any time requirement set forth in this subsection may be waived at the election of the FTC faculty member being reviewed.
- E. Any report that the Chair of the Faculty Review Committee, the Chair of the Tenorial Faculty or the Dean forwards outside the Law School to any University body or official regarding the contract renewal, promotion, or progress of any FTC faculty member evaluated pursuant to the procedures set forth herein, shall be distributed to the FTC faculty member at the time such report is forwarded outside the Law School, and shall be shown to any member of the relevant Faculty upon request. In any case where the Dean makes a negative recommendation regarding promotion or contract renewal, the Dean shall discuss that recommendation in advance with the FTC faculty member. If the Dean makes a recommendation that is in conflict with that of the Faculty, the Dean shall notify the relevant Faculty prior to making such a recommendation.
- F. The notice circulated to the Law School Community by the Chair of the Faculty Review Committee, as described in Section IV.E. of the Statement of Policies and Procedures of the Tenorial Faculty, shall include FTC faculty members who are being reviewed for progress, promotion or appointment to multi-year contracts.

IV. FACULTY REDUCTIONS CAUSED BY FINANCIAL OR EDUCATIONAL REASONS

Pursuant to University policy, the Law School reserves the right, for educational or financial reasons, to reduce or eliminate full-time positions in the FTC programs and, upon

twelve months' written notice, to terminate any multi-year contract of an affected FTC faculty member.