

CHAPTER ELEVEN

LOYOLA UNIVERSITY NEW ORLEANS LIBRARIES

This section augments and explains policies relating to those instances where the role and status of the library faculty differs from that of the teaching faculty.

A. *Head Librarians*

1. Dean of Libraries

The Dean of Libraries is the director of a major unit of the University which serves all colleges and departments. The Dean of Libraries is responsible to the Provost and Vice President for Academic Affairs and is a member of the Ordinary Faculty. The Dean of Libraries formulates the policies, rules, and regulations to secure the fullest use of the library by faculty and students. The Dean of Libraries serves as chief administrative officer to the library and discharges his or her duties in conformity with the highest principles of the profession.

2. Director of the Law Library

The Director of the Law Library is the director of the School of Law Library which is independent of the University Libraries and which serves the Law faculty, students, and alumni as well as the University population in their legal research needs. The Director is responsible to the Dean of the School of Law and is a member of the Ordinary Faculty of the School of Law. The Director of the Law Library, the Dean, and faculty of the School of Law formulate the policies, rules and regulations to secure the fullest use of the Law Library resources. The Director serves as chief administrative officer of the Law Library and discharges his or her duties in conformity with the highest principles of the profession.

B. *Appointment, Rank and Tenure*

Rank and salary are to be reviewed annually for librarians with rank below that of Professor. The salary of librarians with rank of Professor is to be reviewed annually. The following criteria for appointment and acquisition of rank and tenure by library faculty detail specific criteria and procedures applicable to library faculty. Except for conditions of this policy, conditions of appointment, contract renewal, promotion, and termination of library faculty are the same as for other members of the Ordinary Faculty.

The following criteria are proposed as a means of providing the Library faculty entitlement to rank, promotion, and tenure protected by due process.

1. Definition

The mission of the Loyola University New Orleans libraries is to support the instructional and research programs of the University. The library is primarily a teaching and research facility. As such, it is the primary means through which students and faculty gain access to organized knowledge. In providing such access, the library performs a unique and indispensable function in the educational process. The library faculty, therefore, is composed of educators who teach by developing and mobilizing the resources of the library. Loyola recognizes this fact by giving Ordinary Faculty status to professional librarians.

2. Norms for Appointment

Selection and appointment of all librarians shall follow the same procedures that have been established for Ordinary Faculty; i.e., there shall be an appointed committee, representative of the library faculty, which shall review all candidates for appointment to the library faculty and make recommendations to the Dean of Libraries for consideration and review. Appointments are made by the Provost and Vice President for Academic Affairs. In the case of the Law Library, the recommendations shall be made to the Director of the Law Library for consideration and review by the Dean and the Provost and Vice President for Academic Affairs.

Normally, any person appointed to the library faculty must have the appropriate professional degree, i.e., a master's degree from a library school accredited by the American Library Association. Possession of a graduate degree in a subject field, where such subject competence is of greater importance for the position concerned than formal training in librarianship, may substitute for the professional degree as long as there is acceptable competence in library techniques (e.g., an archivist, a bibliographer, a media specialist, or a legal research specialist).

3. Norms for Promotion in Academic Rank

Academic preparation for appointment to the library faculty is attested by an appropriate professional degree. The basic quality which must be evident for promotion in academic rank is the ability to perform at a high level in areas that contribute to the educational and research mission of the University, such as bibliographic organization and control, collection development or reference service. Evidence of a high level of performance is indicated by the following:

a. Contributions to the educational function of the University: teaching, not necessarily in a classroom situation; organization of workshops, institutes or similar meetings; public appearances in the interest of librarianship or information transfer.

b. Activities related to inquiry or research: publications in professional and scholarly journals as well as alternate forms of publications;¹ presentation of papers; review of books and other literature; consulting; service on a task force of experts, review committee or similar body; participation in continuing education.

c. Contributions to the advancement of the profession, by active participation in the professional and learned societies.

In addition to the above, evidence of a high level of performance may be adduced from the judgment of colleagues on the library staff, from members of the community outside the library, and/or from professional colleagues outside the academic institution.

The Library Rank and Tenure Committee will make recommendations for promotion and tenure for the professional staff to the Dean of Libraries, who will append his or her recommendations and forward these to the Provost and Vice President for Academic Affairs for final review.

The Law Library Rank and Tenure Committee will make recommendations for promotion and tenure for the professional staff to the Director of the Law Library, who will append his or her recommendations and forward these to the Dean of the Law School, who will append his or her recommendations and forward these to the Provost and Vice President for Academic Affairs for final review.

C. Criteria for Promotion to Specific Ranks

Promotion to the ranks of Assistant Professor, Associate Professor, and Professor requires a record of successful fulfillment of the norms for promotion in academic rank.

¹ It is understood here and throughout this chapter, when research and publication are spoken of, that certain alternate forms of publication may be more appropriate intellectual activity for library faculty than a book or an article in a learned journal. Some examples of alternate forms of publications might include annotated bibliographies, an extensive computer program designed to facilitate library operations, or an analysis of procedures within a department to facilitate improvements in service. This same provision, *mutatis mutandis*, is currently applied to faculty members in other fields such as art, business administration, law, and music.

1. Instructor

This is customarily the rank for one beginning a career in academic librarianship. The rank presupposes the following qualifications:

- a.* the possession of at least the master's degree in Library Science from an accredited school of librarianship;
- b.* the ability to perform basic library tasks calling for the application of modern library techniques; and
- b.* the ability to exercise responsible judgment in administering library routines.

The appointment is for one year and may not be renewed more than three times. Failure to qualify for promotion in the third year of service constitutes notice of termination. If promotion occurs during the fourth year of service, another contract will be offered.

2. Assistant Professor

Promotion or appointment to this rank ordinarily presumes these qualifications:

- a.* the possession of at least a master's degree in Library Science from an accredited school of librarianship;
- b.* evidence of professional experience appropriate to the position;
- c.* evidence of continuing professional growth and maturity;
- d.* ability to aid in the development of material and services to meet the instructional and research needs of the University; and
- e.* evidence of active involvement in University and/or community affairs.

3. Associate Professor

Promotion or appointment to this rank ordinarily presumes qualifications of the rank of Assistant Professor, and the following:

- a.* completion of two years of service at the rank of Assistant Professor;

- b.* evidence of professional experience appropriate to the position as manifested by knowledge and professional maturity, or, in the case of the Law Library, the possession of a Juris Doctor degree;
- c.* ability to assist in administration of major areas of library service as delegated by the Dean of Libraries, or in the case of the Law Library, the Director of the Law Library;
- d.* ability to contribute to the design and execution of effective library programs;
- e.* evidence of substantial contributions to the library and University as well as attainment of a high level of performance in bibliographical activities, in research and publication, or in other professional endeavors; and
- f.* evidence of substantive involvement in University and/or community affairs.

4. Professor

Promotion or appointment to this rank presumes the qualifications of the rank of Associate Professor, and the following:

- a.* the possession of a second master's degree or studies beyond the master's degree in Library Science in a discipline which would improve professional competence. These requirements might be satisfied by the completion of a Sixth-Year Program, or the possession of an earned doctorate;
- b.* ordinarily, a minimum experience of at least five years in the rank of Associate Professor at this University or one of equal standing;
- c.* distinguished fulfillment of the requirements of the lower academic ranks;
- d.* evidence of outstanding achievements in bibliographic activities, in research and publication, or in other important professional endeavors;
- e.* recognition as an outstanding member of the University community; and
- f.* recognition of outstanding involvement in the University and/or community affairs.

D. Tenure

A member of the library faculty who is a candidate for tenure shall be reviewed according to the procedures set down in Chapter 5, Section B of this *Handbook, mutatis mutandis*:

1. A faculty member joining the University without previous professional library experience must ordinarily serve a probationary period of seven years of service as a full-time librarian at the University before tenure can be granted.
2. A faculty member joining the University with experience as a professional librarian at other institutions of comparable standing may be awarded up to three years towards time required for tenure.
3. Years spent on leaves of absence will not normally be included as part of the probationary period. The years of the probationary period need not be consecutive. However, any interruptions of sequence must be officially approved by the University and must not involve terminations of service at Loyola University New Orleans.
4. Before the end of the penultimate year of his or her probationary period, a faculty member will be evaluated by the Library Committee on Rank and Tenure. On the basis of this evaluation, the Committee will recommend to the Dean of Libraries either that tenure be conferred or that the faculty member be issued a terminal contract. In the case of the Law Library, the evaluations will be conducted by the Law Library Rank and Tenure Committee which will make its recommendations to the Director of the Law Library.

Tenure may be conferred after the Provost and Vice President for Academic Affairs receives positive recommendations from the Dean of Libraries and the Library Committee on Rank and Tenure. If there is disagreement on awarding of tenure by one of the parties, namely, the Library Rank and Tenure Committee, the Dean of Libraries, or the Provost and Vice President for Academic Affairs after consultation with the President, tenure is denied. In the case of the Law Library, conferment of tenure by action of the Provost and Vice President for Academic Affairs requires positive recommendations from the Dean of the Law School, the Director of the Law Library and the Law Library Committee on Rank and Tenure. If there is disagreement by one of the parties, namely, the Law Library Rank and Tenure Committee, the Director of the Law Library, the Dean, or the Provost and Vice President for Academic Affairs after consultation with the President, tenure is denied. The faculty member may appeal his or her case to the University Rank and

Tenure Committee. This latter Committee forwards its recommendations to the President. If there is still disagreement, the President adjudicates the matter. He will state his reasons in writing to the University Rank and Tenure Committee whenever he does not accept its recommendation.

E. *Leave Policy*

Librarians, as members of the Ordinary Faculty, are eligible for sabbatical leave according to the criteria set forth in Chapter 6, Section E. They are also entitled to a leave of up to six weeks for approved professional development every third summer. The leave must be approved by the Dean of Libraries or the Director of the Law Library and the Provost and Vice President for Academic Affairs. The number of such leaves must not interfere with the good operation of the library.

CHAPTER ELEVEN A

LAW CLINIC FACULTY

A. Norms for Appointment and Advancement for the Non-Tenure-Track Faculty in the Law Clinic

The norms for appointment and advancement for faculty on the non-tenure-track in the Law Clinic fall into three general areas: teaching, scholarship, and community service. The determination of whether a particular applicant qualifies for appointment to the Clinic faculty, of the rank to be offered on first appointment, of whether a probationary contract shall be extended, and of whether an appointment shall be made under the terms of a fixed contract, not to exceed five years, will be made by the Clinic Hiring and Promotions Committee, and will be governed by the criteria listed in this statement of policy and procedures. The Clinic Hiring and Promotion Committee's determination shall in all cases be subject to approval by the Provost and Vice President for Academic Affairs. The Dean of the School of Law shall in all cases forward to the Provost and Vice President for Academic Affairs his or her independent opinion of the determination made by the Clinic Hiring and Promotions Committee.

1. Assistant Clinic Professor

A person being considered for appointment to the non-tenure-track rank of Assistant Clinic Professor, which ordinarily is the beginning rank, must be of good character, must be a member of the bar in good standing, must have a commitment to clinical teaching and University goals, and must have a record of experience or academic achievement indicative of a high probability that he or she will be able to meet the standards for promotion.

2. Associate Clinic Professor

A person being considered for promotion or appointment to the non-tenure-track rank of Associate Clinic Professor must be of good character and must have demonstrated a level of teaching proficiency, writing ability, and legal experience that provides clear and convincing promise that the candidate will eventually meet all of the standards for promotion to the non-tenure-track rank of Clinic Professor.

Ordinarily, an Assistant Clinic Professor who has completed two years of teaching in the Clinic merits consideration in the third year for promotion in the fourth year. Previous experience, either as a member of a law faculty or as a lawyer engaged in other significant activity, may be taken into account so as to shorten the period of service required for promotion, upon the

recommendation of the Clinic Hiring and Promotions Committee and with the approval of the Dean and the Provost and Vice President for Academic Affairs.

3. Clinic Professor

A member of the Law Clinic faculty who has rendered distinctive and outstanding service to clinical education and to the University may be considered for the non-tenure-track rank of Clinic Professor.

Ordinarily, an Associate Clinic Professor who has taught on a full-time basis for five years in clinical legal education merits consideration for promotion to the rank of Clinic Professor in the sixth year, to be effective as of the seventh year of service. Previous experience, either as a member of a law faculty or as a lawyer engaged in other significant activity, may be taken into account so as to shorten the period of service required for promotion, upon the recommendation of the Clinic Hiring and Promotions Committee and with the approval of the Dean and the Provost and Vice President for Academic Affairs.

B. Norms for Appointment to the Rank of Clinic Professor

Clinic faculty being considered for promotion to or initial hiring at the non-tenure-track rank of Clinic Professor shall be evaluated pursuant to the following criteria:

1. Teaching

Since the education of Loyola law students is the primary mission of the Law Clinic, it is essential that the Clinic faculty be effective teachers, demonstrating both the capacity and the commitment necessary to inspire and challenge their students.

It is not possible precisely to define each of the essential components of one's teaching ability. This is particularly true with respect to clinical teaching, since clinical methodologies are still evolving and being tested in a variety of classroom settings. It is, however, possible to enumerate factors by which clinical teaching can be evaluated. Clinic faculty should be judged for promotion to or hiring at the rank of Clinic Professor according to their demonstrated abilities and accomplishments in each of the following areas:

- a.* Innovation and imagination in the presentation of clinic skills materials;
- b.* Ability to utilize various methods for evaluating students' clinical performance and for providing effective guidance and feedback following such evaluation;

- c.* Ability to induce, stimulate, and require critical, thoughtful analysis of legal problems and implementation of courses of action to resolve problems within the parameters of appropriate client representation;
- d.* Ability to help students understand and deal with problems of professional responsibility which arise in clinical situations;
- e.* Ability to teach students how to evaluate their own work;
- f.* Maintenance of discipline and control of students in all clinical teaching situations;
- g.* Punctuality and consistence in all clinical teaching settings;
- h.* Knowledge of the substantive fields of law and the procedures applicable to the case load;
- i.* Ability to communicate clearly and effectively;
- j.* Enthusiasm for the goals of the clinic;
- k.* Ability to stimulate and maintain student interest in his or her assigned cases and in improving professional skills;
- l.* Ability to devise meaningful and fair student evaluation procedures;
- m.* Ability to relate and integrate practical and theoretical considerations;
- n.* Development of innovative teaching methodology;
- o.* Development of innovative research and writing techniques regarding teaching methods or other clinic-related skills;
- p.* Ability to train and supervise other faculty and professional staff in their teaching responsibilities.

2. Scholarship

Clinic faculty promoted to or hired at the rank of Clinic Professor are expected to have produced high quality written work, although the content and format of their work may differ from that produced by candidates for the tenure-track faculty. Publications may be in the form of briefs, memoranda, studies, statutory interpretations or proposals, regulations, teaching materials,

or reports, if such writings are appropriate to advancing either the state of the law in the area in which the clinician is working or the state of clinical teaching methodology. All such publications should reflect an active, inquiring, insightful, and open mind indicating that the clinician will continue to strive for personal and intellectual growth and development. While the traditional scholarship expected of tenure-track faculty is not a requirement for promotion for the non-tenure-track Clinic faculty, any such scholarship will be viewed positively in connection with consideration for promotion.

3. Community Service

As in the case of tenure-track faculty, clinic faculty are expected to devote full time to their Law School duties and commitments. In addition to the duties of teaching and writing, a clinic faculty member bears the responsibility of attending and participating in staff meetings and of being available to students to discuss their various needs. Activities outside the Law Clinic should include significant service to the community and the legal profession, which may be met by participation in professional organizations and governmental, charitable, or other community service activity.

4. Character, Integrity and Cooperativeness

These qualities, while essential, require no explanation. Clinic faculty are also expected to meet the professional responsibilities specified in Chapter Seven, Sections A and B, of the Loyola University New Orleans *Faculty Handbook*.

C. Grandparenting of Incumbent Clinicians

With respect to Clinic faculty now (November 1988) employed at the Law Clinic,

- 1.** Presently employed members of the Clinic faculty may elect, at any time, to be evaluated for appointment to an appropriate rank in accordance with the standards and procedures governing such appointments for the future hiring and promotion of full-time Clinic faculty;
- 2.** The following “appropriate ranks” shall be recognized:
 - a.** Clinic Professor, in the case of presently employed Clinic faculty who have served on a full-time basis for more than five years in clinical legal education;
 - b.** Associate Clinic Professor, in the case of those who have served for more than two but less than five years, provided, however, that

the Clinic Hiring and Promotions Committee be able to recommend the appointment to a more senior title than would be warranted by years of full-time service to the Law Clinic of someone who has had extensive legal experience prior to joining the Law Clinic.

D. *Arrangements for All Full-Time Clinic Faculty Who Are Appointed Under the Provisions of This Chapter*

1. Clinic faculty (except the Director) shall be considered as holding non-tenure-track positions. They shall be employed on the basis of probationary contracts (one-year, non-renewable, but subject to five one-year extensions, as determined by the Clinic Director, the Clinic Hiring and Promotions Committee, and the Dean) or fixed contracts (five years, non-renewable, but subject to extensions, in five-year increments, as determined by the Clinic Director, the Clinic Hiring and Promotions Committee, and the Dean).
2. Salaries shall be set by the Dean at levels he or she determines to be appropriate in light of all relevant factors, including the requirements of ABA Standard 405(e).
3. Clinic faculty will be eligible to apply for sabbatical leave on the same basis as the tenure-track faculty, and all such applications will be governed by the procedures and criteria set forth in Chapter Six, Section E, of the Loyola University New Orleans *Faculty Handbook*.
4. Clinic faculty will be eligible to apply for research assistants, research and writing grants, and reduced teaching time for research on the same basis and according to the same criteria as govern the tenure-track faculty.
5. Clinic faculty will be expected to serve on such University or Law School committees as the Dean, at his or her discretion, shall determine.
6. Clinic faculty may apply for authorization to teach any course in the Law School curriculum, and such requests may be granted to a member of the Clinic faculty upon approval of the tenure-track faculty and the Dean.
7. Members of the Clinic faculty may apply for appointment to the tenure-track faculty and will be evaluated according to the normal standards and procedures required of other candidates for such appointments.
8. The Clinic shall have a Hiring and Promotions Committee comprised of all Clinic faculty holding the rank of Associate Clinic Professor or Clinic Professor. The Director of the Clinic shall also be a

member of the Clinic Hiring and Promotions Committee. Recommendations concerning initial appointments and promotions of Clinic faculty shall require a majority vote of the Clinic Hiring and Promotions Committee.

E. *Annual Review of Clinic Faculty Members Serving Under One-Year Contracts*

Each member of the Clinic faculty serving under a one-year contract is considered to be on probation. Each shall receive an annual written evaluation from the Clinic Director. This evaluation shall cover the strengths and weaknesses of the Clinic faculty member regarding fulfillment of those professional responsibilities as outlined herein and in Chapter 7 of the Loyola University New Orleans *Faculty Handbook*.

F. *Procedures for Review of Non-renewals of Probationary Appointments*

Procedures for review of non-renewals of probationary appointments will be the same as outlined in Section C of Chapter 4 of the Loyola University New Orleans *Faculty Handbook*.