

APPENDIX A — LAW LIBRARY FACULTY MANUAL

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I. APPLICATION

This Manual Appendix applies to the law library faculty of the Washington College of Law. The Washington College of Law Faculty Manual Law Library Appendix conforms to the American University Faculty Manual and the Washington College of Law Faculty Manual except in instances when long-standing practices, criteria, or principles specific to law library faculty members result in different policies or procedures. The terms "dean" and "chair", used in this *Manual Appendix*, refer to the Dean of the Washington College of Law and to the Director of the Washington College of Law Library respectively, in connection with policies and procedures related to Washington College of Law Library faculty members. The terms "department," "teaching unit" and "College/School" refer to the Washington College of Law and the Washington College of Law Library in contexts pertaining to Washington College of Law Library faculty members.

II. WASHINGTON COLLEGE OF LAW LIBRARY GOVERNANCE

1. The Faculty of the Washington College of Law Library

The faculty of the Washington College of Law Library shall exercise substantial control over faculty appointments or changes in faculty status, such as reappointment, promotion, leaves of absence, and granting of tenure.

Faculty appointments in the Washington College of Law Library are not subject to review by the Faculty Senate's Committee on Faculty Actions.

2. Washington College of Law Library Committee on Rank and Tenure

The Law Library Committee on Rank and Tenure consists of all tenured law library faculty. The law library faculty has delegated to the Washington College of Law Library Committee on Rank and Tenure responsibility for making recommendations directly to the Dean of the Washington College of Law regarding all full-time faculty appointments and promotions above the rank of assistant professor/law librarian, and part-time faculty appointments and promotions above the rank of lecturer. The law library faculty also has delegated to the Law Library Committee on Rank and Tenure responsibility for recommending to the Dean all law library faculty reappointments and appointments with tenure, and approval or disapproval of sabbatical leaves and leaves without pay.

3. Washington College of Law Library Committee on Appointments

All tenure line and continuing appointment line law library faculty members serve as the Washington College of Law Library Committee on Appointments. This committee is responsible for the recruiting and screening of prospective law library faculty candidates and the recommendation of appointment actions to the Dean. The appointment of the Law Library Director is handled as a matter before the Washington College of Law Faculty and not by the Washington College of Law Library Committee on Appointments.

The Washington College of Law Library Committee on Appointments will have at least one full voting member on the search committee for the Law Library Director.

4. Washington College of Law Library Committee on Continuing Appointments

All members of the law library faculty who are either tenured or who have achieved continuing appointment serve as the Washington College of Law Library Committee on Continuing Appointments. This committee has jurisdiction over all continuing appointment matters before the law library faculty, including but not limited to appointment, reappointment, continuing appointment status, promotion, and termination of continuing appointment law library faculty members.

5. Law Library Faculty Participation in Washington College of Law Governance

Law library faculty members may serve on Washington College of Law committees other than the Washington College of Law Committee on Rank and Tenure and the Washington College of Law Committee on Appointments. The Washington College of Law faculty and the Washington College of Law Library faculty jointly elect the Washington College of Law representatives to the Faculty Senate and other University committees.

III. LAW LIBRARY FACULTY

1. General Criteria for Evaluation of Law Library Faculty

Every faculty action should serve to enhance the quality of the university. Tenure-line faculty members must demonstrate effective teaching/effectiveness in fulfilling primary responsibilities and significant scholarship, as well as a willingness to assume a fair share of service. Continuing appointment-line faculty members must demonstrate effectiveness in fulfilling primary responsibilities and in making appropriate professional contributions, as well as a willingness to assume a fair share of service. For all faculty, there must also be evidence of the ability and commitment to continued advancement in all areas. As members of the learned profession responsible for educating the future citizenry, the university expects faculty members to exhibit civility, collegiality, and respect for different points of view in the academic community.

To achieve these objectives, constituent faculty in each teaching unit or academic unit must establish guidelines that define the expectations for the overall contributions of each faculty member. Upon approval by the appropriate dean and the Provost, the academic unit will make these guidelines available to faculty.

A person appointed as a Washington College of Law Library faculty member must have earned a law degree or the recognized terminal degree in librarianship (a master's degree in library science or its equivalent) from an institution accredited by the American Bar Association or the American Library Association respectively and have the qualities and competencies that indicate the ability to contribute significantly toward the realization of the Washington College of Law Library's role in the educational programs of the university.

a. Primary Responsibilities

The quality of the performance of a law library faculty member in carrying out his/her primary responsibilities is the chief criterion for an evaluation.

Law library faculty support the educational mission of the university in many ways. All law library faculty are evaluated on the quality and effectiveness of their performance of primary responsibilities which vary according to their assignments. For example, law library faculty may provide any of the following services: research assistance for individuals, research assistance to university offices, information literacy instruction

for groups; teaching doctrinal and research courses; collection management for specific disciplines or formats; promotion of and communication about law library resources and services; application of information technology; incorporation of law library resources in the law school and university curricula; and acquiring, organizing and ensuring access to all law library materials. Some positions include an administrative component or require leadership for, or coordination of, a particular service. All law library faculty members must maintain a current awareness of research and technological advances relevant to their law library positions and a broad understanding of librarianship and related disciplines.

b. Creative, Scholarly, and Professional Development for Tenure-line Law Library Faculty

Faculty members' thorough understanding of and significant contribution to their field are essential to the mission of the university and to the advancement of knowledge. All teaching units or academic units must have criteria that require creative, scholarly, and professional achievements of the highest quality and with national or international impact. The university shall base its assessment of a faculty member's achievements on the aggregate productivity and impact of the work since degree completion, including evidence that the faculty member is productive at American University. The work should relate directly to the criteria established by the teaching unit or academic unit. An additional required assessment addresses the likelihood of continued successful achievements. The university and the Washington College of Law Library also recognize that professional activities may often constitute a contribution of importance similar to scholarly publication.

Evidence of professional development, scholarship, and creativity includes the publication of significant scholarly contributions; publication of teaching methodology and materials; public lectures; reviews of books and other materials; participation as a member of an editorial board, on an accreditation committee, or on a similar body of experts; or participation in responsible positions in regional or national professional organizations, and other professional activity that demonstrates concern with the advancement of the faculty member's discipline.

Scholarship is defined as consisting of original contributions to the author's field of knowledge such as would warrant recognition among scholars and educators in the same field. In applying this governing standard to law library research, it must be noted that law library scholars can find many outlets to pursue their areas of scholarship and research. Interests may range from the highly abstract to eminently practical contributions.

Law library scholars may seek to accomplish a wide range of purposes in their scholarship. Scholarship, in sum, is informed, reflective, analytical, and in some substantial part a personal statement. An excellent annotated bibliography of properly selected titles might be sufficient evidence of law library scholarship. Law library scholarship is typically reflected in publications in the fields of law or librarianship.

Quality of scholarship is not measurable in terms of pages or even numbers of pieces, but instead should be sufficient, in relation to the time spent at the Washington College of Law Library to demonstrate a devotion to intellectual inquiry and scholarly productivity through the person's professional life. Scholarly publications prior to coming to the Washington College of Law Library may be relevant insofar as they indicate that these qualities are not recently acquired.

c. Professional Contributions to the Profession of Law Librarianship for Continuing

Appointment-line Law Library Faculty

Faculty members' thorough understanding of and significant contribution to their field are essential to the mission of the university and to the advancement of knowledge. The law library must have criteria that require professional contributions of the highest quality in national or international venues. The university shall base its assessment of a faculty member's achievements on the aggregate productivity and impact of the work since degree completion, including evidence that the faculty member is productive at American University. The work should relate directly to the criteria established by the law library. An additional required assessment addresses the likelihood of continued successful achievements.

The university is committed to support and assist law library faculty who engage in professional activities that lead to contributions to law librarianship and related fields. The criteria for professional contributions for law library faculty are described in appropriate guidelines approved by the Dean of Faculty and typically include, but are not limited to, the following:

- Participation in responsible positions in local, regional, or national professional organizations.
- Presentations at conferences.
- Service on editorial boards, accreditation committees, or similar bodies of experts.
- Publication in peer-reviewed venues, regardless of format, including annotated bibliographies and reviews of books and other materials.
- Publication in law reviews or journals, regardless of format, including annotated bibliographies and reviews of books and other materials.
- Publication of shorter writings in newspapers, newsletters, websites, and similar publications.
- Other professional activities that advance the field of law librarianship.
- Creative production, performance, or publication and evidence of scholarship in areas other than law librarianship that serve to deepen a law library faculty member's knowledge and expertise in these subject areas, in support of their primary responsibilities.

d. Service

i. Service to the University

Engagement at American University is an essential component of faculty responsibility. Faculty members must demonstrate engagement in the university community, including a meaningful level of teaching unit, academic unit, or university service, as well as participation in major campus-wide events, such as commencement. Each teaching unit or academic unit must establish guidelines for evaluating service that include evidence of a willingness to carry an appropriate share of teaching unit or academic unit collegiate service obligations.

ii. Service beyond the University

Faculty often provide service to local, national, and/or international communities and governments as well as hold leadership positions in scholarly/professional associations. Such activities demonstrate an individual's acceptance of the responsibilities that come with being a member of the faculty in a university deeply committed to service to a wider community. This service must be clearly related to the teaching, scholarly/professional interests, and primary responsibilities of the law library faculty member and/or advance the academic reputation of the academic unit or university. Service beyond the university cannot substitute for a service contribution to the university, but may count toward faculty members' fulfilling their workload obligation. Each teaching unit or academic unit must establish guidelines for evaluating service beyond the university.

2. Principles, Structure, and Process for Faculty Actions

Faculty members are responsible for determining if a candidate's performance contributes significantly to the field and raises the academic quality of the university. Faculty participation in the process is essential. The seriousness of this responsibility must be apparent in the depth and thoroughness with which faculty members conduct reviews for appointments, reappointments, promotion, and tenure at every level.

At all stages of the process, reviewer recommendations should be objective, substantiated, and balanced, regardless of the conclusion. Any recommendation from the teaching unit chair or designated committees should:

- provide a thorough analysis of strengths and weaknesses rather than simply advocating a conclusion;
- anticipate and discuss questions that others may raise later in the process;
- when applicable, summarize the reasoning of both the majority and minority.

A negative recommendation from a teaching or academic unit will customarily result in the unit's retention of a tenure-line position. An exception in this instance must be in writing and provided to all parties involved; however, the allocation of all faculty lines remains under the authority and discretion of the Provost.

a. Confidentiality and Conflicts of Interest

Faculty participating in the process at any stage must respect its confidentiality and cannot reveal to anyone the votes, names or views of reviewers, contents of discussions, or contents of the file. Breaches of confidentiality may subject a faculty member to disciplinary action. Teaching units and academic units should take appropriate steps to maintain confidentiality. Broad electronic distribution of the file is unwise.

Faculty members should always avoid conflicts of interest involving the evaluation of individual faculty members for appointment, reappointment, tenure, or promotion. The university expects the Provost, deans, members of the Committee on Faculty Actions, teaching unit chairs, and all other internal faculty reviewers to acknowledge such conflicts openly and to abstain from participation whenever such conflicts arise.

In the interest of fairness, the principle is that no person shall have more than a single vote in the evaluation of a faculty member.

b. Access to Annual Reports and Files for Action

i. Annual Reports

The Office of Human Resources maintains official personnel records of all faculty. Faculty members are entitled to inspect those records and correct factual errors. The Office of the Provost, working with the Faculty Senate, determines procedures and practices for accessing, maintaining, and correcting annual reports and makes these procedures and practices available by the Office of the Dean of Faculty. The Faculty Senate will review these procedures and practices at least once every five years. Any faculty member may submit to the Faculty Senate a recommendation to change these procedures. The senate may then forward the recommendation to the appropriate committee. Changes to the procedures must be approved by the Provost.

ii. Files for Action

Upon completion of the process for internal review, the faculty member's File for Action will be retained under the direction of the Provost's Office. The file may be accessed following the processes in this *Manual's* section 17 ("Appeal Procedures for Denial of Reappointment, Tenure, or Promotion of Tenure-line Faculty and Certain Term Faculty").

After initial preparation of a file, candidates may add information to their file at any stage during the internal review process. Candidates shall not see the identity of the external letter writers per the section entitled "External Letters for Tenure and Promotion," and the candidate shall not see individual reviewers' votes per the section entitled "Internal Review." Candidates shall have one week to read and to respond to the following items:

- when applicable, external letters, in redacted form which are included with the candidate's response;
- teaching unit and/or academic unit faculty recommendation(s) with redacted references to the vote count;
- designated committee recommendation(s) with redacted references to the vote count;
- dean's recommendation.

The candidate may make a request in writing to the teaching unit chair or academic unit dean, as applicable, for additional time to respond.

c. External Letters for Tenure and Promotion

Following the guidelines for files for action posted by the Office of the Dean of Faculty, each academic unit should obtain qualified external reviewers before internal reviews begin. Consistent with these guidelines, the file should contain a minimum of five letters solicited by the chair, teaching unit/academic unit committee chair, or the dean. The external reviewers should be nationally or internationally respected individuals whose area of expertise qualifies them to speak with authority about the candidate and whose

professional and personal relationship with the candidate is such that the external reviewers can provide an objective review. Customarily, the majority of these letters must be from faculty members, typically full professors, who are affiliated with highly regarded institutions. The identity of external letter writers remains confidential before, during, and after the review process. External letters shown to candidates must be strictly redacted. A strictly redacted letter blocks the identity of the writer, letterhead, revealing statements about the writer's association with the candidate, and all other potentially self-identifying characteristics. An individual teaching unit or academic unit may, as a policy for faculty actions, keep external letters completely confidential if a majority of tenure-line faculty members in the unit vote in favor of doing so.

d. Internal Review

Each academic unit should provide written procedures for the internal review of candidates' files. With the exception of teaching unit chairs, all faculty members who vote in reviews for promotion of a tenure-line faculty member to the professor ranks or for tenure must be tenured and, preferably, hold a rank higher than that of the candidate. With the exception of teaching unit chairs, all faculty members who vote in reviews for promotion of a continuing appointment line faculty member to the professor ranks or for continuing appointment must be either tenured or hold a continuing appointment and, preferably, hold a rank higher than that of the candidate. The voting preference for same rank or higher may be set aside by academic units in their unit procedures. Academic unit procedures should specify the full-time faculty who are eligible to vote on term faculty appointments, reappointments, and promotion.

In all cases, eligible faculty are to vote on a candidate's file. Because the academic unit governance structures vary, the faculty of the teaching unit and/or academic unit needs to define clearly the process for voting and review. Voting must be by secret ballot. Each eligible faculty member will provide a separate positive, negative, or abstaining vote on each of the criteria of teaching/primary responsibilities, scholarship, and service, and on the overall recommendation. In all cases, the file must include the following elements:

- a vote count for each of the criteria;
- a written recommendation from the chair of the teaching unit;
- a written recommendation from the senior faculty of the teaching unit or academic unit, as appropriate and as the unit defines;
- a written recommendation from any other designated review committee at the teaching unit or academic unit, as appropriate and as the unit defines;
- a written recommendation from the academic unit dean.

e. Dean of the Academic Unit Review

Upon receipt of the candidate's file, the dean reviews faculty action procedures to ensure that they conform to the requirements of this *Manual* and to the criteria the teaching unit and academic unit specify. The dean may choose to request clarifying information from relevant persons or committees involved in the review at earlier stages. The dean may also request additional information and if needed return the file for additional external letters that will be reviewed at the previous levels. Such requests and any responses (or summaries thereof) must be included in the file.

f. Law Library Faculty Actions Not Reviewable by the Committee on Faculty Actions

Faculty personnel actions originating in the Washington College of Law Library are not subject to review by the Faculty Senate Committee on Faculty Actions.

g. Dean of Faculty and Provost Reviews

The Dean of Faculty will review files for reappointment before the tenure decision. For files concerning tenure or promotion, the Dean of Faculty will determine if the file is complete, thorough, and ready for review before submitting it to the Provost for a final decision.

The Provost, in consultation with the Dean of Faculty, will review the file and may request clarifying information from relevant persons or committees involved in the review at earlier stages. The Provost may also request additional information and if needed return the file for additional external letters that will be reviewed at the previous levels. In extraordinary circumstances additional external letters may be requested by the Provost. Such requests and any responses (or summaries thereof) must be included in the file.

If recommending promotion, tenure, or both, the Provost will inform the President of the recommendation and will forward the recommendation to the Board of Trustees for action. A decision by the Provost to deny promotion or tenure terminates the process. The faculty member can grieve the decision as discussed in “Appeal Procedures for Recommendations or Final Actions Involving Non-Renewal, Non-Promotion, or Denial of Tenure for Tenure-line Appointments.”

The Provost's final decision must be in writing, and, if the Provost's decision differs from that of earlier recommendations in the file, the Provost should explain the bases for the faculty action. The final written decision must be transmitted to the dean of the applicable academic unit, the committee(s), and the candidate.

h. The Board of Trustees

The candidate is awarded tenure or promotion only upon the approval of the Board of Trustees.

IV. TENURE-LINE FACULTY

1. Professional Obligations of Tenure-line Faculty

a. Professional Obligations

Tenure-line law library faculty members must meet the criteria for high-quality performance of primary responsibilities, scholarship, and service as described in “General Criteria for Evaluation of Law Library Faculty” in this *Manual Appendix*.

Beyond these responsibilities, faculty members are encouraged to participate in major campus-wide events, such as opening convocation and graduation, and service roles when law library faculty members are not engaged in primary responsibilities. These roles may include, for example, recruitment or orientation activities, faculty hiring committees, or other university business or committee work that must be conducted outside of the time required for primary responsibilities. Such service makes a critical contribution to the well-being of the academic community. However, choosing to engage in such service is wholly left to the discretion of the individual faculty member and is not a contractual obligation.

b. Primary Responsibilities, Scholarship, and Service

Law library faculty members need to coordinate and collaborate when planning how to sustain library operations and services, working in a collegial atmosphere that fosters scholarship and creativity. Because individual faculty members play diverse roles, the law library must establish and maintain procedures for determining an appropriate and equitable allocation of faculty obligations in primary responsibilities, scholarship, and service. In balancing the three—primary responsibilities, scholarship, and service—the law library may use as a baseline the standards of peer law libraries at other major universities. Within the framework of these general policies, law library faculty members will recommend appropriate individual primary responsibility assignments based on the mission of the law library, the faculty member's contributions to that mission, and the faculty member's involvement in scholarship, primary responsibilities, and university service. Significant changes in primary responsibilities, especially reassignments or transfers to different or new positions, should be made through a collegial process that includes the law library faculty member concerned and the Law Library faculty.

The allocation of each full-time law library faculty member's professional obligations is predicated on the assumption that the faculty member is actively engaged in primary responsibilities, scholarship, and service and is based on the following parameters:

- The university expects all full-time tenure-line law library faculty members to have a workload divided among primary responsibilities, scholarship, and service. Law library faculty members may develop adjustments at the academic unit level and recommend them to the dean for approval. The university recognizes the multiplicity of faculty roles and responsibilities, and therefore subscribes to the practice of workload based on an assessment of the balance between an individual law library faculty member's primary responsibilities, scholarship, and service.
- As part of their responsibilities, tenure-line law library faculty members maintain a campus presence that reflects a commitment to connecting with students and to the university community.
- Workload assignment includes, but is not limited to, the following: the scope of the primary responsibilities, evidence of an active scholarly agenda and productivity; supervision of full and part-time employees; and significant contributions to service at the department, school, university, and beyond. External service must be related to the primary responsibilities or scholarly interests of the faculty member and/or advance the academic reputation of the academic unit or university.

2. Academic Ranks and Qualifications for Tenure-line Faculty

A teaching unit, academic unit, or other appropriate administrative unit must recommend all full-time tenure-track appointments and appointments with tenure to the faculty of the recommending unit. Two or more faculties of the university (with the concurrence of the appropriate deans) must act jointly to recommend individuals for joint appointments at any rank to more than one academic unit. An individual with a joint appointment must have the same rank within each academic unit. In academic units that are organized by teaching units, all faculty appointments are specific to a teaching unit within the academic unit.

In addition to fulfilling the general criteria for the evaluation of faculty members described in the following section, faculty must meet specific requirements for each rank to be appointed to or promoted to that rank. A statement of these qualifications follows.

The Washington College of Law Library is a central element in the educational structure of the university, and its activities support and promote the work of the Washington College of Law as well as that of all the other teaching units of the university. Therefore, its full-time faculty members are evaluated for excellence, are offered the protection of academic freedom, and enjoy privileges, such as tenure and the opportunity for leaves, that are given to other full-time faculty members.

a. Tenure-line Faculty Ranks and Titles

i. Acting Assistant Professor/Law Librarian

The university will designate a newly hired tenure-line faculty member whose highest degree has not been certified before the beginning of the initial contract as an acting assistant professor/law librarian, with promotion to the rank of assistant professor/law librarian occurring immediately upon receipt of certification from the degree-granting institution. The university usually grants this rank for a maximum of one year. The university usually will not reappoint for subsequent years of service a tenure-line faculty member who does not receive certification by June 30 during the first year of service. For tenure-line law library faculty, the university will not reappoint for subsequent years of service a tenure-line law library faculty member who does not receive certification during the first year of service.

ii. Assistant Professor/Law Librarian

In most circumstances, an appointee to this rank holds an earned doctorate or the highest degree customary in the field. In extraordinary circumstances, an appointee may have professional experience equivalent to the highest degree in the field. In all cases, the appointee demonstrates the potential to achieve excellence in performance of primary responsibilities and scholarly activities and demonstrates the promise of future professional growth in the field. An appointee also has the potential to participate in internal and external service and, where appropriate, to mentor and advise students.

iii. Associate Professor/Law Librarian

In addition to meeting the criteria for the rank of assistant professor/law librarian, the faculty member demonstrates high quality in the performance of primary responsibilities; significant scholarly accomplishments appropriate to the field; professional recognition and growth; and potential for a career of sustained scholarly distinction and/or prominent accomplishments. Customarily, the faculty member has a significant proven record of performance of primary responsibilities, of participating in internal and external service, and, where appropriate, of mentoring and advising students.

One promoted to this rank will have mastered the skills and techniques of law librarianship. In addition, an associate professor/law librarian must make significant contributions to the university, the law school, the law library, and professional communities. Some evidence of a growing professional reputation in the extra-university community should be provided, such as being asked to deliver a paper, actively participating in a law library or related professional association, editing or compiling a catalog or list for use beyond the law library, law school, or university, or publishing articles or books.

iv. Professor/Law Librarian

In addition to meeting the criteria for the rank of associate professor/law librarian, the faculty member demonstrates continuing excellent scholarship and/or prominent accomplishments in the field, high-quality performance of primary responsibilities, where appropriate continuing active engagement with students in

and outside the classroom, continuing relevant and effective internal and external service, and evidence of the potential to sustain excellence in all of these areas.

v. University Professor

This rank has been discontinued as of May 2012. All faculty who are currently at this rank may retain the rank through the remainder of their tenure at the University.

vi. Distinguished Professor/Law Librarian

General Description: The rank of distinguished professor/law librarian honors American University faculty who have produced extraordinary and exceptional scholarship that has earned national and international renown. Faculty must hold the rank of professor/law librarian to be nominated for distinguished professor/law librarian. The rank of distinguished professor/law librarian is awarded on a highly selective basis; it is not a routine promotion for faculty who have already achieved the rank of professor/law librarian.

Procedures for Nomination and Review: To be considered for this rank, faculty must be nominated by at least two of the following individuals: deans of the academic units and the Vice Provost for Research. Self-nominations are not accepted. Nominations must include a current curriculum vitae and supporting discussion and documentation of the candidate's qualifications for the rank. Nominations may be made from the beginning of each academic year through March 1. Nominations should be sent to the Dean of Faculty who will then convene the Review Committee on Distinguished Professor Appointments. Based on an initial review of the nomination materials, the committee may decline further review or move the file forward. The committee may also request additional relevant information at any point in the review process. The committee customarily forwards its final recommendation to the Provost during the fall semester of the academic year following the nomination. If approved by the Provost, the recommendation requires final approval by the Board of Trustees for the award of the rank.

Appointment of Faculty when Hired at the Rank of Distinguished Professor/Law Librarian:

Faculty may also be appointed to a position at American University at the rank of distinguished professor/law librarian. Such a nomination requires the approval of the teaching unit chair and dean of the candidate's home academic unit and of the Provost. Candidates must meet the same criteria as internal candidates and the review will necessarily be expedited to fit the appointment schedule of the candidate.

vii. Designation of Special Titles Other than Regular Tenure-line Faculty Ranks

There are circumstances under which a faculty member may receive a special title. For example, an endowment fund may allow for the naming of a chair or a professorship in an academic unit for an indefinite period or for a fixed term. A designated committee from the appropriate teaching or academic unit and the dean provide recommendations to the Provost. The Provost makes the final decision to award such a designation to a faculty member.

b. Emeriti and Emeritae Faculty

Emeritus or emerita status is an honor generally conferred on retiring tenured faculty members after active service of eight years or more. Usually a designated committee or faculty member from the candidate's teaching unit or academic unit initiates the process with a brief letter of commendation to the Dean of

Faculty. The faculty member's chair and dean may add letters before the Provost makes a decision. Faculty who are designated as emeriti or emeritae are entitled to reasonable use of the facilities of the university consistent with the needs of the institution and with past custom and practice and specified in the retirement agreement. Emeriti and emeritae faculty have a voice on all issues coming before their academic and teaching units, but have a vote only on the Committee on Academic Budget and Benefits on issues pertaining to personnel benefits. They may serve on committees and perform such other occasional services as are in keeping with their desires and capabilities and with the needs of the university. Faculty emeriti and emeritae who teach for the university after retirement shall be accorded the title of emeritus or emerita in residence.

c. Affiliate Faculty

An affiliate faculty appointment recognizes a formal arrangement between a faculty member and a teaching unit outside the faculty member's primary appointment. Affiliate faculty appointments are appropriate when there is mutual agreement about the potential for future contributions to the unit's mission. Ordinarily, only tenured faculty members are eligible for such an appointment. The university encourages individual faculty members to initiate informal discussions regarding a possible cross-unit affiliation with the heads of both the primary and proposed affiliation units.

An affiliate faculty appointment must include a written affiliation agreement that describes the responsibilities and benefits of the arrangement as well as its resource implications, if any. The agreement must specify the extent to which the faculty member will participate in the governance of the affiliate academic unit. The head of the faculty member's primary teaching unit, its rank and tenure committee, its academic unit dean, and the proposed affiliate unit's head, rank and tenure committee, and dean must approve an affiliate faculty appointment and the related affiliation agreement. The Dean of Faculty has final approval of an affiliate faculty appointment.

Review criteria for affiliate faculty appointments include the faculty member's past and/or envisaged future contributions to scholarship, teaching, and/or service in the unit where affiliation is sought. The term of an affiliate appointment may vary from one to three years and may be renewed. An affiliate faculty member will retain the academic rank held in the faculty member's primary field and may, for example, use a title such as "associate professor of history and affiliate associate professor of government."

d. Joint Faculty Appointments

Joint appointments of faculty across teaching and/or academic units are important means to achieve strategic academic initiatives.

These appointments are made by two teaching units in one or more schools/colleges. One of the two teaching/academic units will be designated as "primary" and will serve as the "academic home" unit for the faculty member. In the case of tenure-line faculty members, the primary unit will serve also as the "tenure home." The other hiring unit is secondary with responsibilities and rights as outlined in the sample agreement. Joint appointments must be a minimum of 25% in the secondary unit. Appointments that are "half-time," must be designated as 49% in the secondary unit and as 51% in the primary unit or, if applicable, "tenure home." Faculty members may not hold different ranks in the two units. Customarily, American University's joint appointments are held by tenured faculty. However, all full-time faculty are eligible for joint appointments. Joint appointments are reviewed every five years to ensure their viability.

A faculty member who already occupies a line may seek to have a joint appointment based on her/his scholarly and teaching expertise and the needs of the unit(s) in question. In this case, the particular faculty member holds a joint appointment on her/his line, but that line, unless differentiated in the MOA (see below), will revert back to a single unit once it becomes vacant or following a regular appointment review.

Each joint appointment, regardless of whether it is for a “permanent” line or for a specific faculty member, is defined by a memorandum of agreement (MOA). The MOA must be developed in accordance with the Dean of Faculty and signed by the chairs/directors and the dean(s) of both hiring units. The MOA will delineate the jointly-appointed faculty member's appointment specifics, division of privileges, duties, and responsibilities. All of the terms in the MOA must also be described in the letter of appointment to the faculty member.

3. Provisions for Faculty Appointments in Tenure-line Positions

American University is deeply committed to a diverse faculty. All tenure-line appointments must be consistent with the university's commitment to affirmative action, equal opportunity, and nondiscrimination. Teaching units and academic units must demonstrate that they have vigorously taken steps to fulfill those commitments.

Teaching units or academic units may request authorization from the Provost for searches to hire tenure-line faculty members at the assistant, associate, full, or distinguished professor/law librarian rank. For all tenure-line appointments, the teaching unit or academic unit must demonstrate that it has conducted a full and careful search, including evidence that the candidate has the strong support of the faculty members of the unit for a specified rank, along with concurrent support from the dean and any other review bodies of the unit, as well as the potential for sustained significant contributions in the areas of teaching/primary responsibilities, scholarship, and service. While all faculty members who vote on tenure-line hires must be tenure-line faculty members, academic unit procedures should specify whether such faculty should be tenured or at a rank higher than that of the candidate.

Once appointed, faculty will customarily receive tenure in one of three ways:

- (1) An appointment that includes tenure,
- (2) A successful tenure review in the sixth year of tenure-line service at American University, or
- (3) A successful tenure review in the sixth year of service at American University that may include:
 - (i) credit for prior service at another institution before coming to American University, or
 - (ii) credit for prior service at American University in a non-tenure line position.

In rare instances a faculty member with an exceptional record may apply for a tenure review prior to the sixth year review period. Each of these categories is covered in the sections that follow.

a. Appointments of Faculty with Tenure

If a teaching unit or academic unit completes its full search process and seeks to recommend appointing a faculty member with tenure, the unit must undertake additional due diligence to ensure that the candidate will meet the standards expected of a tenured faculty member in terms of teaching/primary responsibilities, scholarship, and service at American University and be an effective colleague in assisting the overall development of the academic unit. Hiring at this level demands more than a demonstration of

achievements commensurate with the rank; it also requires evidence that the individual possesses qualities that positively distinguish her or his career and that hold additional promise for American University. In such cases, the academic unit presents its report to the Office of the Provost, which then undertakes a review.

The Provost and the Dean of Faculty will review the documentation and interview the candidate. If an offer is to be made, it will include determination of tenure status and rank.

Should circumstances require unusual action outside normal procedures, the Provost should, to the extent possible, consult with the faculty of the teaching unit, the academic unit, and appropriate administrators. Under such circumstances, the Provost will provide a written explanation to all parties involved.

b. Tenure Review Schedule for Faculty Following the Standard Six-year Tenure-line Track at American University

The majority of faculty will seek tenure during the final year of the standard six-year pre-tenure period. Pre-tenure faculty on the standard six year track are reviewed at the university level during the third and sixth years of service by the Dean of the College or School and the Dean of Faculty. The third year review, called the pre-tenure review, is an important step in determining if the faculty member is making sufficient progress toward tenure. The sixth year review, called the tenure and promotion review, assesses the candidate's record so that a final recommendation regarding promotion and tenure can be made to the Provost. The final decision to promote or to grant tenure rests with the Board of Trustees on the recommendation of the Provost.

i. Delay of Tenure

A pre-tenure faculty member may request a one year extension of time for tenure consideration based on personal or professional circumstances that substantially impede his or her expected professional development as defined by the *Faculty Manual* and specific unit guidelines for tenure and promotion. The university may grant a maximum of 2 one-year extensions, customarily only if each relates to a different initiating event or set of circumstances.

Sample list of professional circumstances that might support a delay of tenure consideration follows:

- Unforeseeable disruptions to major scholarly efforts that are beyond the control of the faculty member, for example, political unrest at a research site.
- Death or acute illness of a doctoral advisor (for Acting Assistant Professors) or co-author.
- Major loss of research facilities or scholarship itself due to acts of Nature (force majeure)-including floods, fire, earthquake, etc.

Sample list of personal circumstances that might support a delay of tenure consideration follows:

- Military service;
- Illness or injury to the faculty member;

- Faculty member's primary caregiver role in the following examples of acute family responsibilities (Note: family members include domestic partners):
 - Childbirth or Adoption;
 - Care of ill or injured family member;
 - Death of a family member.

Requests for delay of tenure should be submitted to the chair and the dean within 6 months of the qualifying event. Within 10 business days thereafter, the recommendations of the chair and the dean should be submitted to the Dean of Faculty for decision. Unless the Dean of Faculty determines that extraordinary circumstances are presented, the "tenure clock" may not be stopped in the sixth year (or the year of the tenure review).

c. Pre-Tenure Credit for Prior Service

Qualified candidates may be offered the opportunity to elect to take up to two years of prior service towards tenure at American University. Academic units may also consider recommending appointments with up to four years of prior service under special circumstances. Extensions of credit for prior service beyond two years must be approved by the Dean of Faculty in consultation with the academic unit, teaching unit or other appropriate administrative unit, and the appropriate dean. This service credit may be based on experience at another institution, generally one of higher learning, but may include service at other types of appropriate institutions. Faculty who the university converts from non-tenure to tenure-line positions are also eligible for service credits. Candidates given credit for prior service shall be required while at American University to maintain at least the level of scholarly work for which credit was awarded.

The academic unit and university reviews for faculty with credit for prior service normally follow the schedule below.

Review Schedule for Faculty with Credit Claimed for Prior Service at Initial Appointment at American University				
	Type of Review			
	One Year Prior Service	Two Years Prior Service	Three Years Prior Service	Four Years Prior Service
Prior to initial appointment	Standard search review and due diligence	Standard search review and due diligence	Standard search review and due diligence	Standard search review and due diligence
Beginning of second actual year at AU	University pre-tenure review (File for Action)	University pre-tenure review (File for Action)		University tenure review (File for Action)
Beginning of third actual year at AU			University tenure review (File for Action)	
Beginning of fourth actual year at AU		University tenure review (File for Action)		
Beginning of fifth actual year at AU	University tenure review (File for Action)			

Faculty who negotiate a service credit in their initial contract may waive the entire credit or reduce the amount of the credit within one month after receiving their first annual review. Changes in credits must be in writing and filed with the Dean of Faculty. This waiver of prior credit has the effect of extending the pre-tenure period for the faculty member who originally claimed credit for prior service at the time of appointment to American University. Thereafter, pre-tenure faculty may not reclaim or waive additional time credited toward tenure except in the most unusual circumstances. Faculty who waive all credit will revert to the standard six-year review schedule. Faculty who waive partial credit will revert to the review schedule in the appropriate column in the table above.

d. Faculty Seeking an Early Tenure Review

Faculty with an exceptional record may apply for tenure prior to completing the entire sixth- year review period. In such instances, the faculty member must have the support of their Teaching Unit Chair, their unit's Rank and Tenure Committee or comparable unit-level review committee, and their unit's Dean. Customarily, such a request would not be made prior to the completion of the third year pre-tenure review. Faculty who file for an early tenure review go through the standard review described in this *Manual*. As in other instances, the tenure decision is final, and the candidate cannot reapply for tenure again.

Adjusted University Review Schedule Based on Changes to Credit for Prior Service Originally Claimed at Initial Appointment to American University		
Number of years of prior service originally claimed at initial appointment at AU	Number of those years of prior service waived	Adjusted university review(s) schedule
1	1	Beginning of 3rd and 6th years at AU
2	1	Beginning of 2nd and 5th years at AU
	2	Beginning of 3rd and 6th years at AU
3	1	*Beginning of 2nd and 4th years at AU
	2	Beginning of 2nd and 5th years at AU
	3	Beginning of 3rd and 6th years at AU
4	1	Beginning of 3rd year at AU
	2	*Beginning of 2nd and 4th years at AU
	3	Beginning of 2nd and 5th years at AU
	4	Beginning of 3rd and 6th years at AU
<i>*Review required in this case, because maximum time between pre-tenure reviews is 3 years.</i>		

e. Extension of Time for Tenure Consideration

See section IV.3.b.i., Delay of Tenure.

f. Contractual Terms of Service

Payment for service for Washington College of Law Library faculty is in twelve monthly installments, from September through August.

i. Initial Appointments

Initial appointments for pre-tenure faculty are usually for three years. In instances when the performance of a faculty member under an initial contract is substantially less than satisfactory, the teaching unit or academic unit will provide guidance and support so that the faculty member has an opportunity to improve. In these instances, the chair will notify the faculty member in writing of such concerns. In extraordinary circumstances, upon the recommendation of the chair, appropriate designated committee(s) in the unit, and the dean, the Provost may, before the three-year contract expires, dismiss a tenure-line faculty member who, despite guidance and support, persists in unsatisfactory performance. This unusual

action would normally, but not always, be related to performance of their primary responsibilities. A faculty member dismissed for unsatisfactory performance during the initial appointment term is not entitled to the process outlined in “Disciplinary Actions, Investigations, and the Formal Hearing Process” in this *Manual*. However, the faculty member dismissed under such circumstances has the right to contest the termination decision, using the university’s grievance procedure for faculty.

ii. Reappointments

Reappointments prior to the granting of tenure are usually for three years. However, the teaching unit may recommend reappointments of less than three years, including one-year terminal appointments, which would then proceed through the usual reappointment process for approval. Reappointments are contingent upon the satisfaction of the general criteria for the evaluation of faculty members contained in the “General Criteria for Evaluation of Faculty” section of this *Manual Appendix*, the specific criteria set by the individual teaching unit, and the criteria for particular ranks outlined in the tenure-line “Academic Ranks and Qualifications” section of this *Manual Appendix*.

The reappointment of a tenure-track faculty member to a seventh year of service must indicate whether the reappointment conveys tenure or is a terminal contract.

g. Schedule of Notice for Appointment or Termination

Each teaching unit or academic unit will state the precise terms and conditions of all appointments in writing for each appointee. The letter of appointment will include a specific reference to this *Manual*, which is available online at the Office of the Dean of Faculty web site.

Appointments to the tenure-track faculty for the first six years of pre-tenure service are generally for a specified term or duration. This means that these appointments naturally expire on the end date of the term, unless the appointments are terminated earlier as provided by the *Manual*, without further university action. Nevertheless, it is the intention of the university that all tenure-track faculty members be advised by letter as early as possible in the academic year of service in which their appointment expires whether they will be reappointed, and in cases of reappointment, the terms and conditions thereof.

A faculty member who has entered the final year of pre-tenure service without being earlier notified of a decision on the granting of tenure will be entitled to at least a terminal year's contract for the ensuing year, in the event that tenure is not awarded.

Final notification of termination will be given in writing to the faculty member reasonably soon after the decision to terminate is made.

Only the Dean of Faculty may reappoint tenure-track faculty for a succeeding term, and does so in writing. Failure to receive notice does not imply reappointment or the award of tenure. If a faculty member has not received notice of renewal or grant of tenure, it is the faculty member’s responsibility to inquire of the Dean of Faculty, through the chair, who will respond with a status report.

h. Resignations

A law library faculty member may resign from the Washington College of Law Library by giving written notice to the director of the Washington College of Law Library preferably 60 days but not fewer than 30 days before the last day of employment. A faculty member who wishes to resign from the university while

under contract must submit a written request to the teaching unit chair or academic unit dean. The request shall then be tendered to the Dean of Faculty, who will notify the faculty member whether the resignation is accepted and any related conditions, including effective date of resignation.

i. Death While on Active Service

Upon the death of a full-time faculty member with ten years or more of continuous full-time service to the university (including time on approved leave or disability), the university will pay a lump sum equal to twenty percent of the faculty member's base annual salary to the representatives of the decedent's estate.

V. CONTINUING APPOINTMENT-LINE FACULTY

The law library will use continuing appointment lines to:

- Attract and retain the best law library faculty to support the mission and goals of American University.
- Provide those law library faculty who choose a continuing appointment with the opportunity to contribute to the profession of law librarianship in the context of their twelve-month appointments and a focus on primary responsibilities.
- Give law librarians who choose a continuing appointment the opportunity for long-term appointments within a system that ensures continued excellence of law library faculty.
- Provide a streamlined administrative process for law library faculty reappointments for those who choose the continuing appointment track.

Continuing appointment may be earned by law library faculty who have chosen this track usually after a six year probationary period. This probationary period is usually spread over two contract periods. Continuing appointment is granted to law library faculty members based on their performance and potential. Once continuing appointment status has been achieved, such appointments are subject to periodic internal reviews and may be terminated for substantially unsatisfactory performance (in accordance with the continuing appointment periodic internal review process), misconduct, or as permitted under other applicable university policies.

1. Professional Obligations of Continuing Appointment-line Faculty

a. Professional Obligations

Law library faculty members must meet the criteria for high-quality performance of primary responsibilities, contributions to the field of law librarianship (hereafter referred to as professional contributions), and service as described in section III.1. ("General Criteria for Evaluation of Law Library Faculty") in this *Manual Appendix*.

Beyond these responsibilities, faculty members are encouraged to participate in major campus-wide events, such as opening convocation and graduation, and service roles when law library faculty members are not engaged in primary responsibilities. These roles may include, for example, recruitment or orientation activities, faculty hiring committees, or other university business or committee work that must be conducted outside of the time required for primary responsibilities. Such service makes a critical

contribution to the well-being of the academic community. However, choosing to engage in such service is wholly left to the discretion of the individual faculty member and is not a contractual obligation.

b. Primary Responsibilities, Professional Contributions, and Service

Law library faculty members need to coordinate and collaborate when planning how to sustain law library operations and services, working in a collegial atmosphere that fosters high-quality performance of primary responsibilities, professional contributions, and service.

As part of their responsibilities, continuing appointment-line law library faculty members should maintain a campus presence that reflects a commitment to connecting with students and to the university community.

2. Academic Ranks and Qualifications for Continuing Appointment-line Faculty

This section parallels that of the section on “Academic Ranks and Qualifications for Tenure-line Faculty.” See *Manual Appendix* section IV.2.

3. Provisions for Faculty Appointments in Continuing Appointment-line Positions

American University is deeply committed to a diverse faculty. All appointments must be consistent with the university’s commitment to affirmative action, equal opportunity, and nondiscrimination. The library must demonstrate that it has vigorously taken steps to fulfill those commitments.

The law library may request authorization from the Provost for searches to hire faculty members at the assistant professor/law librarian, associate professor/law librarian, professor/law librarian, or Distinguished professor/law librarian rank. For all appointments, the law library must demonstrate that it has conducted a full and careful search, including evidence that the candidate has the strong support of the law library faculty members for a specified rank, along with concurrent support from the Washington College of Law Dean and any other law library review bodies, and the potential for sustained significant contributions in the areas of primary responsibilities, professional contributions, and service. All faculty members who vote on continuing appointment line hires must be tenure line or continuing appointment line faculty members at the rank of assistant professor/law librarian or higher.

Once appointed, faculty will customarily receive continuing appointment in one of three ways:

- (1) An appointment that includes continuing appointment at the time of hire,
- (2) A successful continuing appointment review in the sixth year of pre-continuing appointment service at American University, or
- (3) A successful continuing appointment review in the sixth year of service at American University that may include: (i) credit for prior service at another institution before coming to American University, or (ii) credit for prior service at American University in a non-continuing appointment line position.

In rare instances a faculty member with an exceptional record may apply for a continuing appointment review prior to the sixth year of pre-continuing appointment service. Each of these categories is covered in the sections that follow.

a. Appointments of Faculty with Continuing Appointment

If the law library completes its full search process and recommends hiring a faculty member with continuing appointment status, the unit must undertake additional due diligence to ensure that the candidate will meet the standards expected of a law library faculty member in terms of primary responsibilities, professional contributions, and service at American University and that candidate will be an effective colleague in assisting the overall development of the law library. Hiring at this level demands more than a demonstration of achievements commensurate with the rank; it also requires evidence that the individual possesses qualities that positively distinguish her or his career and that hold additional promise for American University.

The Provost and the Dean of Faculty will review the documentation and may interview the candidate. If an offer is to be made, it will include determination of status and rank.

Should circumstances require unusual action outside normal procedures, the Provost should, to the extent possible, consult with the law library faculty and appropriate administrators. Under such circumstances, the Provost will provide a written explanation to all parties involved.

b. Pre-Continuing Appointment Faculty Review Schedule Following the Standard Six-year Continuing Appointment-line Track at American University

Customarily, law library faculty will seek continuing appointment during the final year of the standard six-year pre-continuing appointment period. Pre-continuing appointment faculty on the standard six-year track are reviewed at the university level during the third and sixth years of service by the Washington College of Law Dean, the Washington College of Law Library Committee on Continuing Appointments, and the Dean of Faculty (who will make the decision on whether to reappoint and related terms). The third year review is an important step in determining if the faculty member is making sufficient progress toward continuing appointment. The sixth year review assesses the candidate's record so that a final recommendation regarding promotion and continuing appointment can be made to the Provost. The final decision to promote or to grant continuing appointment rests with the Provost. The continuing appointment decision is final, and the candidate cannot reapply for continuing appointment.

c. Pre-Continuing Appointment Credit for Prior Service

Qualified candidates may elect to take up to two years of prior service towards continuing appointment at American University. The typical service credit is for one to two years, but the law library may also consider recommending appointments with up to four years of prior service under special circumstances. Extension of credit for prior service beyond the two years must be approved by the Dean of Faculty in consultations with the Law Library Director and the Washington College of Law Dean. This service credit may be based on experience at another institution, generally one of higher learning, but may include service at other types of appropriate institutions. Faculty who the university converts from non-continuing appointment line to continuing appointment line positions are also eligible for service credits.

The law library and university reviews for faculty with credit for prior service normally follow the schedule below.

Review Schedule for Faculty with Credit Claimed for Prior Service at Initial Appointment at American University*		
	Type of Review	
	1-2 years prior service	3-4 years prior service
Beginning of last year of initial contract	Pre-Continuing Appointment review for reappointment	Review for a Continuing Appointment contract
Beginning of last year of second contract	Review for a Continuing Appointment contract	N/A
*Law library faculty receiving appointments during an academic year (hired after September 1) receive their first review during the fall semester of the second full academic year of their appointments.		

Faculty who negotiate a service credit in their initial contract may waive the entire credit or reduce the amount of the credit within one month after receiving their first annual review. Changes in credits must be in writing and filed with the Dean of Faculty. This waiver of prior credit has the effect of extending the pre-continuing appointment period for the faculty member who originally claimed credit for prior service at the time of appointment to American University. Thereafter, pre-continuing appointment faculty may not reclaim or waive additional time credited toward continuing appointment except in the most unusual circumstances. Faculty who waive all credit will revert to the standard six-year review schedule. Faculty who waive partial credit will revert to the review schedule in the appropriate column in the table below.

Adjusted University Review Schedule** Based on Changes to Credit for Prior Service Originally Claimed at Initial Appointment to American University		
Number of years of prior service originally claimed at initial appointment to AU	Number of those years of prior service waived	Adjusted university review(s) schedule
1	1	Beginning of 3rd and 6th years at AU
2	1	Beginning of 2nd and 5th years at AU
	2	Beginning of 3rd and 6th years at AU
3	1	*Beginning of 2nd and 4th years at AU
	2	Beginning of 2nd and 5th years at AU
	3	Beginning of 3rd and 6th years at AU
4	1	Beginning of 3rd year at AU
	2	*Beginning of 2nd and 4th years at AU
	3	Beginning of 2nd and 5th years at AU
	4	Beginning of 3rd and 6th years at AU
<i>*Review required in this case, because maximum time between pre-continuing appointment reviews is 3 years. **For law library faculty members who receive an initial appointment during an academic year (after September 1), this schedule will be appropriately modified.</i>		

d. Faculty Seeking an Early Continuing Appointment Review

Law library faculty with an exceptional record may apply for continuing appointment prior to completing the entire sixth-year probationary period. In such instances, the faculty member must have the support of the Law Library Director, Washington College of Law Library Committee on Continuing Appointments, and the Washington College of Law Dean. Customarily, such a request would not be made prior to the completion of the third year pre-continuing appointment review for a second contract. Law library faculty who file for an early continuing appointment review go through the standard review described in this *Manual Appendix*.

e. Extension of Time for Continuing Appointment Consideration

This section parallels that of the section on “Delay of Tenure” for tenure-line faculty. See *Manual Appendix* section IV.3.b.i.

f. Periodic Law Library Reviews for Law Library Faculty with Continuing

Appointment

Once continuing appointment is granted, the faculty member's performance is evaluated periodically in a law library review.

The periodic law library review process for law library faculty members with a continuing appointment is part administrative and part peer review. The former is conducted by the law library administration. The latter is conducted by the Washington College of Law Library Committee on Continuing Appointments. The evaluation is based on the general criteria for the evaluation of faculty members contained in the General Criteria for Evaluation of Law Library Faculty section of this *Manual Appendix*, the specific criteria set by the law library, and the criteria for particular ranks outlined in the "Academic Ranks and Qualifications for Continuing Appointment-line Faculty" and "Academic Ranks and Qualifications for Tenure-line Faculty" sections.

Each faculty member with continuing appointment must submit an annual report documenting their accomplishments and activities in their primary responsibilities, professional contributions, and service according to procedures developed for such reviews.

In the event that a law library faculty member on a continuing appointment contract receives a substantially unsatisfactory review as specified in the periodic review guidelines, particularly in the area of primary responsibilities, the Law Library Director and the law library faculty member will develop a plan for improvement. A faculty member who, despite guidance and support, persists in substantially unsatisfactory performance following the conclusion of the plan for improvement, may be dismissed by the Provost. Dismissal of continuing appointment faculty under this process is not subject to the process under section 19 ("Disciplinary Actions, Investigations, and Formal Faculty Hearings") or section 17 ("Appeal Procedures for Denial of Reappointment, Tenure, or Promotion of Tenure-line Faculty and Certain Term Faculty") of the *Washington College of Law Manual*. However, continuing appointment faculty may grieve the dismissal under the faculty grievance procedures.

Upon recommendation of the Washington College of Law Dean, these procedures may be postponed if there are extenuating circumstances, such as use of permitted leave unrelated to research.

g. Contractual Terms of Service

i. Initial Appointment

Initial appointments for pre-continuing appointment faculty are usually for three years; the maximum appointment is three years.

In the last year of the initial contract, the law library faculty member may submit a request and a file for action for reappointment to a second probationary term.

ii. Reappointment

Reappointments prior to the granting of continuing appointment are usually for three years. However, the law library may recommend reappointments of less than three years, including one-year terminal appointments, which would then proceed through the usual reappointment process for approval. Reappointments are contingent upon the satisfaction of the general criteria for the evaluation of faculty members contained in the section III.1. ("General Criteria for Evaluation of Law Library Faculty") of this

Manual Appendix, the specific criteria set by the law library, and the criteria for particular ranks outlined in the continuing appointment-line “Academic Ranks and Qualifications” section of this *Manual Appendix*.

The reappointment of a faculty member to a seventh year of service must indicate whether the reappointment conveys continuing appointment or is a terminal contract.

iii. Dismissal of Pre-Continuing Appointment Law Library Faculty

In instances when the performance of a faculty member during the pre-continuing appointment period is substantially less than satisfactory, the law library will provide guidance and support so that the faculty member has an opportunity to improve. In these instances, the Law Library Director will notify the faculty member in writing of such concerns. In extraordinary circumstances, upon the recommendation of the Law Library Director, appropriate designated committee(s) in the law library, the Washington College of Law Dean, and the Law Library Continuing Appointment Review Committee, the Provost or designee may, before the current contract expires, dismiss a faculty member who, despite guidance and support, persists in unsatisfactory performance. This unusual action would normally, but not always, be related to performance of primary responsibilities. A faculty member dismissed for unsatisfactory performance during the pre-continuing appointment period is not entitled to the process outlined in “Disciplinary Actions, Investigations, and Formal Faculty Hearings” or the “Appeal Procedures for Denial of Reappointment, Tenure, or Promotion of Tenure-line Faculty and Certain Term Faculty.” However, the pre-continuing appointment faculty may grieve the dismissal under the faculty grievance procedures.

h. Schedule of Notice for Appointment or Termination

This section parallels that of the section on “Schedule of Notice for Appointment or Termination” for tenure-line faculty. See *Manual Appendix* section IV.3.g.

i. Resignations

This section parallels that of the section on “Resignations” for tenure-line faculty. See *Manual Appendix* section IV.3.h.

j. Death While on Active Service

This section parallels that of the section on “Death While on Active Service” for tenure-line faculty. See *Manual Appendix* section IV.3.i.

VI. TERM FACULTY

The university should use term appointments primarily:

- To retain a cadre of effective and committed law librarians who can provide continuity of law library services;
- To maintain flexibility in allocating its resources for faculty positions;
- To bring in outstanding individuals who will enrich the learning experience through their professional qualifications and experiences from careers outside academia;

- To provide additional time for scholarly pursuits of the tenure-line faculty or professional contributions of the continuing-appointment line law library faculty;
- To deal with exigent circumstances, such as replacing faculty on leave, filling vacancies that occur too late to conduct an appropriate search for a tenure-track faculty appointment, filling a vacancy resulting from an unsuccessful search for a tenure-track or a continuing-appointment track faculty member, or staffing an experimental program.

The Dean of Faculty will report to the Faculty Senate at the beginning of each academic year on the status of all full-time faculty appointments—pre-tenure, tenured, pre-continuing appointment, continuing appointment, and term faculty; ratios of pre-tenure appointments and appointments with tenure to term faculty appointments by academic units and teaching units; and any other pertinent information concerning faculty appointments. Academic unit deans shall report the same information to their respective faculties.

1. Professional Obligations of Term Faculty

Each term faculty member’s professional obligation is based on the following parameters:

- In each academic year, the university expects all term faculty members to have a workload that consists mainly of primary responsibilities developed at the teaching or academic unit level and recommended to the dean for approval. The term faculty member's workload will also include an appropriate level of service and in some instances scholarship or professional contributions.
- As part of their teaching responsibilities or primary responsibilities, full-time term faculty members maintain a campus presence that reflects a commitment to connecting with students and to the university community. Each teaching or academic unit shall determine the details of this obligation.

For law library term faculty, when recommending a faculty member’s workload assignment to the Washington College of Law Dean for an academic year, the Law Library Director, in consultation with the full-time law library faculty, may consider but is not limited to: the scope of the primary responsibilities, supervision of full and part-time employees; significant contributions to service (such as major committee assignments) at the university and beyond, and evidence of an active agenda relating to professional contributions and productivity; if applicable to the position.

2. Academic Ranks and Qualifications for Term Faculty

a. Full-time Faculty Ranks for Term Faculty

This section parallels that of the section on “Academic Ranks and Qualifications for Tenure-line Faculty.” See *Manual Appendix* section IV.2.

b. Additional Types of Term Faculty Appointments

i. Research Faculty

The university may grant a person engaged primarily in scholarship or professional activities relevant to the work of the university an appointment to the research faculty. Following the same review procedures as term faculty appointments, a teaching unit or academic unit may recommend the rank of research assistant professor, research associate professor, or research professor provided that the research faculty member

possesses the educational and scholarship qualifications appropriate to the particular rank. The teaching unit or academic unit will clearly express the nature and extent of the duties of persons appointed with such titles. The university will provide the description of duties in a letter of appointment. Such an appointment does not confer membership in the faculty. The teaching unit and academic unit recommend research faculty appointments and reappointments, subject to the Provost's approval according to procedures the Provost has established. A research faculty appointment expires at the end of the appointment period unless it is renewed according to the procedures the Provost sets out. Members of the research faculty should not expect employment beyond the contract period. These appointments carry no implications of or credit towards academic tenure. Research appointments may be either part-time or full-time.

Persons having such an appointment will normally have sources outside the university fund their salary. Exceptions will require the Provost's written approval upon recommendation of the teaching unit and/or academic unit. Research faculty members are entitled to specific resources and access to specific facilities of the university as the dean of the academic unit or director of center or institute to which they have been appointed determines.

ii. Visiting Law Library Faculty

The university may appoint a person who is on leave from the full-time faculty of an accredited college or university or from a comparable educational, scholarship, or policy institution as a full-time term faculty member at the rank of visiting assistant professor/law librarian, visiting associate professor/law librarian, or visiting professor/law librarian. A visiting law library faculty member cannot be appointed to a senior administrative position in the law library. The qualifications for each rank are the same as for initial appointments of a tenure-line faculty member. The university may make or renew visiting appointments using the criteria and guidelines for term faculty.

Visiting faculty members are entitled to specific resources and access to specific facilities of the university as the dean of the academic unit to which they have been appointed determines. The conditions and prerequisites of employment for visiting faculty are not the same as those of tenure-line faculty; the rules, policies, and procedures for term faculty apply.

iii. Law Library Faculty Fellows

Occasionally faculty members or scholars from another institution may wish to have a short-term affiliation with the university for the purpose of pursuing scholarship or participating in other scholarly, creative, or professional activities. A visiting law library faculty member cannot be appointed to a senior administrative position in the law library. These individuals receive no compensation from American University but may participate in campus activities that are of mutual benefit to the individual and the university. The university may grant the title of faculty fellow to such individuals with the understanding that they may receive privileges consistent with university policies, as determined by the dean of the academic unit or director of a center or institute.

iv. In-Residence Law Library Faculty

An in-residence faculty appointment allows for flexibility when there is a desire to provide for the presence of a distinguished and prominent individual at the university. The positions that are given in-residence designation include, but are not limited to, writer, artist, diplomat, poet, scholar, lecturer, librarian, information architect, executive, journalist, emeritus, and emerita. In-residence faculty members who are reappointed may be awarded the rank of senior writer in-residence, senior poet in-residence, or other

appropriate designation, following the unit's criteria for the term faculty rank of senior professorial lecturer. In limited circumstances, an in-residence appointment may be made on a less than full-time basis. An in-residence law library faculty member cannot be appointed to a senior administrative position in the law library.

c. Emeriti and Emeritae Term Faculty

Emeritus and emerita status is an honor generally conferred on retiring faculty members after active service of approximately ten years or more. Usually a designated committee or faculty member from the candidate's teaching unit or academic unit initiates the process with a brief letter of commendation to the Dean of Faculty. The faculty member's chair and dean may add letters before the Provost makes a decision. Faculty who are designated as emeriti or emeritae are entitled to reasonable use of the facilities of the university consistent with the needs of the institution and with past custom and practice and specified in the retirement agreement. Emeriti and emeritae faculty have a voice on all issues before their academic and teaching units, but have a vote only on the Committee on Academic Budget and Benefits on issues pertaining to personnel benefits. They may serve on committees and perform such other occasional services as are in keeping with their desires and capabilities and with the needs of the university. Faculty emeriti and emeritae who teach for the university after retirement shall be accorded the title of emeritus or emerita in residence.

3. Term Faculty Appointments and Reappointments

a. Faculty Action Procedures for Term Faculty

In recommending term faculty appointments or reappointments, the teaching unit must specify in writing the duties of the term faculty member and the means for evaluating the faculty member's performance. Each teaching unit or academic unit will establish the process for appointing and reappointing term faculty. The process should provide a means for recommending whether to reappoint a term faculty member beyond the initial one- or two-year period. If the teaching or academic unit approves reappointment beyond the initial period, it must also determine the length of the reappointment period, which can be from one to five years. The academic unit dean and the Dean of Faculty must approve all decisions to appoint and reappoint term faculty. If there is a disagreement between a teaching unit and its dean, the dean will send the file to the Dean of Faculty for a final decision.

If a term faculty member is subsequently appointed to a tenure-track or continuing appointment-track position, the faculty member may waive all or part of prior American University service in accordance with either the subsection "Pre-Tenure Credit for Prior Service," contained in "Provisions for Faculty Appointments in Tenure-line Positions", or with the subsection "Pre-Continuing Appointment Credit for Prior Service" contained in "Provisions for Faculty Appointments in Continuing-Appointment Line Positions" elsewhere in this *Manual Appendix*.

b. Contractual Terms of Service

i. Initial Appointments

The university customarily makes initial term faculty appointments for one or two years. When the performance of a term faculty member under an initial contract is substantially less than satisfactory, as determined by the dean in consultation with the chair, the Provost may dismiss the faculty member before the contract expires. This unusual action would normally, but not always, be related to teaching/primary responsibilities. A term faculty member dismissed for unsatisfactory performance during the initial

appointment term is not entitled to the process outlined in “Disciplinary Actions, Investigations, and the Formal Hearing Process” in this *Manual*. However, the term faculty member dismissed under such circumstances has the right to contest the termination decision, using the university’s grievance procedure for faculty.

ii. Reappointments

The university may reappoint term faculty for periods of from one to five years. There is no limit on the number of such reappointments.

Reappointments are contingent upon the satisfaction of the general criteria for the evaluation of faculty members contained in “General Criteria for Evaluation of Law Library Faculty” section of this *Manual Appendix*, the specific criteria the individual teaching unit sets, and the criteria for particular ranks outlined in the “Academic Ranks and Qualifications for Term Faculty” section of this *Manual Appendix*.

c. Notice for Appointment, Reappointment, or Termination

The university shall state the precise terms and conditions of all appointments in writing to the appointee. The letter of appointment will include a specific reference to this *Faculty Manual*, which is available on the Office of the Dean of Faculty web site. Term faculty appointments are for a specified term or duration. This means that these appointments naturally expire on the end date of the term without further action from the university. Term faculty should not expect employment beyond the appointment period. However, it is the intention of the university that it will advise individually by letter as early as possible in the academic year all full-time members of the teaching faculty (except those in a visiting status and those with temporary or emergency appointments) whether the university will reappoint them, and in cases of reappointment, the terms and conditions thereof.

The university may reappoint members of the term faculty to a succeeding academic year only by notice from the Dean of Faculty. If a term faculty member does not receive notice, it is the faculty member’s responsibility to inquire of the Dean of Faculty, through the teaching unit chair, who will respond with a status report. Notwithstanding the university’s intention to provide notice of reappointment, the lack of notice is not to be construed as reappointment.

d. Resignations

A faculty member who wishes to resign from the university while under contract must submit a written request to the teaching unit chair or academic unit dean. The request shall then be tendered to the Dean of Faculty, who will notify the faculty member whether the resignation is accepted and any related conditions, including effective date of resignation.

e. Death While on Active Service

When a full-time term faculty member with ten years or more of continuous full-time service to the university dies while on the active rolls of the university, the university will pay a lump sum equal to twenty percent of the member’s base annual salary to the representatives of the decedent’s estate.

VII. OTHER FACULTY

1. Designation of Special Titles

There are circumstances under which a faculty member may receive a special title. For example, an endowment fund may allow for the naming of a chair or a professorship in an academic unit for an indefinite period or for a fixed term. A faculty member who receives such a designation from the university must have the recommendation of the unit's designated committee and the dean before the Provost takes action.

2. Adjunct Faculty

a. Adjunct Faculty Ranks

An adjunct faculty appointment allows an individual to contribute to the instructional program of an academic unit, teaching unit, center, or institute on a part-time basis. The university makes adjunct faculty appointments at the rank of adjunct instructor, adjunct professorial lecturer, senior adjunct professorial lecturer, Hurst adjunct professorial lecturer, adjunct assistant professor, adjunct associate professor, and adjunct professor. Adjunct faculty ranks also include faculty fellows and in-residence faculty. Qualifications for these ranks include those comparable to term faculty ranks. In the absence of a doctoral degree, the candidate must have relevant professional responsibility and achievement. An academic unit may award the rank of distinguished adjunct professor to a candidate whose qualifications correspond with the rank of adjunct professor and who has demonstrated distinguished service in the professional field and outstanding teaching performance. Persons may serve as adjunct faculty without limit of time through successive reappointment. These appointments carry no implications of or credit towards academic tenure. Adjunct faculty have access to specific facilities that support their teaching, as provided by the academic unit to which they have been appointed.

b. Faculty Action Procedures for Adjunct Faculty

The teaching unit and academic unit recommend adjunct faculty appointments and reappointments according to procedures the Dean of Faculty establishes, and subject to approval by the Dean of Faculty.

Adjunct faculty receive compensation only for those sessions during which they receive a contract to teach ("contract period"); and they should not expect employment outside the contract period even if they have a current appointment. The terms and conditions of employment for adjunct faculty covered by the Collective Bargaining Agreement between American University and the Service Employees International Union, Local 500, will be governed by that agreement.

3. Administrative Officers and Staff Members with Faculty Rank

The assignment to a university administrative or professional staff position and the conferring of faculty rank represent separate and distinct actions. A member of the faculty whom the university appoints to an administrative or staff position must understand clearly the dual nature of the relationship with the university. An individual holding both an administrative or staff position and faculty rank is subject to the rules and regulations for both appointments.

Staff policies will govern administrative and staff actions, and faculty policies will govern faculty actions.

The term “senior administrators” refers to those who are designated as members of the Executive Staff and who report directly to the Office of the Provost. Senior faculty members who have gone through a full search process for a senior administrative appointment, as specified by university policies for senior academic administrative hires, will customarily have a full background check prior to the offering of an appointment. If the university seeks to appoint a senior administrator to a faculty position in a teaching unit, that teaching unit and any other designated review committee as defined by the academic unit will submit a written recommendation regarding tenure and rank directly to the Provost for action, without further steps of internal evaluation and review.

When the university appoints full-time members of the faculty to administrative or staff positions, the university expects that they will retain faculty status and be entitled to consideration for promotion in rank or an appointment with tenure on the same basis as other full-time faculty members. Administrators are encouraged to teach or otherwise participate in classroom or other education activities.

VIII. FACULTY PROCESSES

1. Policy on Termination of Faculty Positions as a Result of Financial Exigency and Review Procedures.

For law library faculty members, Washington College of Law Faculty Manual section 20.a.i. (Establishing a Retrenchment Plan) will have the following added to the list of principles the Retrenchment Plan will take into account:

- A faculty member with continuing appointment will not be terminated in favor of retaining a pre-continuing appointment faculty member. For exceptions to this policy, the Provost will provide an explanation in writing to all parties involved.

For law library faculty members, in Washington College of Law Faculty Manual section 21 (Financial Exigency Review Procedures), the right to a formal hearing shall be before a hearing panel selected by the Law Library Faculty Rank and Tenure Committee from among the members of the Rank and Tenure Committees of both the Law Library Faculty and the Law Faculty.

IX. FACULTY BENEFITS AND OPTIONS

1. Leaves of Absence

a. Justification for Leave

The university endeavors, to the extent possible and practicable, to allow full-time faculty members to be released temporarily from their assigned duties for such reasons as

- research and writing, scholarly, and creative activities;
- postdoctoral or other studies beyond the normal terminal degree in the faculty member’s discipline or a related discipline;
- teaching or library service as a visiting member of the faculty of another college or university;

- service in government and other public or private agencies if such service is clearly related to the assignment or research interests of the faculty member;
- military service and essential national defense activities;
- temporary residence in another area for a spouse's or domestic partner's employment;
- recuperation of health, pursuant to the Family Medical Leave Act (FMLA);
- annual leave for law library faculty;
- sick leave for law library faculty.

Generally, leave requests must be supported with appropriate documentation, including an application for leave of absence, demonstrating why the request should be granted. Leave requests based on medical or family need will be processed in coordination with Human Resources to ensure compliance with the university's family and medical leave policy and legal requirements. Otherwise, a leave of absence is granted on a case-by-case basis and must depend on the ability of the academic unit and teaching unit concerned to organize the unit's work to permit the leave without significant additional expense to the university and without detriment to the unit's programs. Faculty members with administrative assignments at all levels must understand that their absence on any type of leave may so adversely affect the ongoing operations of the university that the university may deny otherwise laudable requests for leave on administrative grounds.

All leaves and the related terms must have the prior written approval of the university (timely requests must be made to the Dean of Faculty). When a leave of absence is granted, a full-time faculty contract will set forth the terms of the leave. The faculty member's name and position may continue to appear in faculty listings in catalogs and other official publications during the period of the leave of absence.

b. Limitations and Conditions

The university cannot permit any members of the full-time faculty to be away from their duties on any type of leave (or combination of types of leave) for more than two successive years, unless the Provost grants an exception in extraordinary circumstances, or the university is legally obligated to permit leave for reasons such as, but not limited to, extended illness or required active military duty. Ordinarily, faculty members who choose to extend a leave beyond two years without authorization will forfeit their positions at the university, even if they have not submitted a formal letter of resignation. The university will endeavor to notify the faculty member in advance of the forfeiture, but such forfeiture shall be final regardless of whether prior notification has been received.

c. Types of Leave

A leave of absence may be designated in one of the following ways:

- leave without pay or leave with partial pay;
- research leave;
- sabbatical leave;

- family and medical leave;
- annual leave for law library faculty;
- sick leave for law library faculty.

i. Leave without Pay

A full-time faculty member who has completed at least one academic year of service may apply for a complete or partial leave of absence without pay by written request to the teaching unit chair or academic unit dean, describing in detail the purposes and duration of the leave and the activities in which the faculty member will be engaged. Leave without pay applications and extensions should be submitted by the established deadline and will be processed in the same manner as all faculty personnel actions. If a grant application is unresolved by the deadline for requesting a leave without pay, the Dean of Faculty will accept a statement from a faculty member of intent to apply for leave if the grant is forthcoming. The statement of intent must be filed by the announced deadline.

The university does not make contributions to employee benefit programs for a faculty member on leave without pay. However, the faculty member may continue group insurance benefits by paying the full cost. Retirement plan contributions cannot be made on a tax-deferred basis for a faculty member for whom no salary is being paid by the university. Human Resources notifies each faculty member planning a leave without pay of the options available. The university continues tuition privileges. Exceptions to this general policy must be clearly expressed in writing and approved by the Dean of Faculty.

A leave without pay is not included as part of pre-tenure service, unless written approval is obtained from the Dean of Faculty prior to the leave. A leave without pay may carry with it accrual of sabbatical leave if the leave includes a regular workload of scholarly activities. The Dean of Faculty will grant or deny approval, or grant approval with specific conditions, based on his or her determination of the best interests of the university.

ii. Research Leave

Faculty members are sometimes presented with a significant scholarly development opportunity funded by a prestigious award or other notable source outside the university. In such cases, they may be eligible to apply for a research leave. The university strives to support faculty who earn these awards. If the outside funding does not fully recompense a faculty member's salary, he or she can negotiate with the academic unit dean and with the Dean of Faculty for additional compensation as long as the requested amount combined with the outside funding does not exceed the faculty member's salary. Application for research leave requires approval by the teaching unit and dean before submission to the Dean of Faculty for final action. The application must include information about the significance of the opportunity and its potential to advance the scholarly endeavors of the faculty member.

A research leave carries with it accrual of eligibility for tenure and promotions in rank. A faculty member on research leave will continue to accrue up to two years eligibility toward the next sabbatical leave. Exceptions must be approved in advance by the Dean of Faculty. During the period of a research leave, the university will continue its contribution to the faculty member's retirement program and provide other employee benefits, subject to contributions from the faculty member. Faculty on research leave and receiving university compensation during the leave must return to the university after the research leave for one year or as specified in advance by the Dean of Faculty at the time of the research leave request. If the

faculty member does not return to the university for the specified period, he or she must reimburse the university for compensation and benefits paid during the leave period.

Law library faculty members on a continuing appointment line may apply for research leave to pursue opportunities relating to professional contributions. This research leave carries with it accrual of eligibility for continuing appointment and promotions in rank. Exceptions must be approved in advance by the Dean of Faculty. Application for research leave for these faculty requires approval by the Washington College of Law Dean for leave requests of 4 weeks or less, and approval of both the Washington College of Law Dean and the Dean of Faculty for requests greater than 4 weeks up to 12 months. The application must include information about the significance of the opportunity and its potential to advance the professional contribution endeavors of the faculty member. Payment must be negotiated ahead of time with the Washington College of Law Dean and/or Dean of Faculty, depending on the nature of the research leave.

iii. Sabbatical Leave

A tenured faculty member who has accrued the equivalent of six years of a full-time workload described in section IV.1, "Professional Obligations of Tenure-line Faculty," in this *Manual Appendix* is eligible for sabbatical leave. A faculty member may apply for sabbatical leave by submitting a written request to the teaching unit head and academic unit dean and by completing the application for leave of absence. The application must outline in detail the scholarly program of work which the applicant agrees to follow. This program must be approved by the appropriate teaching unit and academic unit committees and the Dean of Faculty.

A sabbatical leave is granted for a period of one or two regular semesters or summer semesters, as appropriate for faculty who have full-time responsibilities in the summer. A sabbatical leave is granted for law library faculty either for five or ten months. Faculty members will be paid their full budgeted salary during a sabbatical leave of one academic session/five month period or one-half of the budgeted salary during a sabbatical leave of two semesters/ten month period. While on sabbatical leave, faculty members accrue time towards promotion. Sabbatical leave is not granted for the purpose of taking remunerative employment of any sort, without specific justification of such employment as a research-related endeavor and approval in advance of the leave by the relevant teaching unit, academic unit dean, and the Dean of Faculty.

The fact that a faculty member has fulfilled the stated requirements for a sabbatical leave or that the applicant is strongly supported does not guarantee that the leave can be scheduled at the time preferred by the applicant. The needs of the university as well as budgetary and administrative considerations are important factors in the final determination.

A sabbatical leave cannot be extended beyond the period for which it was originally granted. A faculty member on sabbatical leave who wishes to extend the leave may, however, apply for leave without pay. If that is granted, the faculty member will be subject to all conditions governing such leaves.

Faculty members who accept a grant of sabbatical leave are obligated not only to pursue the scholarly program for which the sabbatical was granted but also to return to a full-time workload at the university for at least one academic year following the sabbatical, unless the university agrees in writing to other arrangements. If the faculty member does not return to the university for the specified period, he or she must reimburse the university for compensation and benefits paid during the leave period.

Faculty members must submit a sabbatical leave report to the teaching unit chair, academic unit dean, and Dean of Faculty by the fall semester of the next academic year. The specific due date of the report is posted by the Dean of Faculty.

After a sabbatical leave, a faculty member is eligible to apply for another sabbatical after completing a subsequent period of six years on a full-time workload. Any faculty member who defers a sabbatical for the benefit of the university or to take advantage of a research opportunity is eligible to apply immediately after the reason for the deferral (administrative responsibilities, for example) has ended. In such cases, the faculty member does not lose any years and may count them as part of an accrual for a subsequent sabbatical. All such exceptions require approval in advance by the academic unit dean and by the Dean of Faculty. To define clearly the university's position and to protect the interests of faculty members who are asked to defer a sabbatical leave, the Dean of Faculty must approve and confirm agreements for deferral of a sabbatical leave for the convenience of the university. Requests should be directed to the Dean of Faculty with documentation, including a statement of the sabbatical leave project of the faculty member and a statement by the appropriate academic unit dean of the reason for deferral.

Regardless of the total number of years of service, faculty members who elect not to take sabbatical leaves are at no time entitled to other types of leaves or payments in lieu thereof.

iv. Family and Medical Leave

Please refer to the *Family and Medical Leave* and *Parental Leave* policies for details on this type of leave.

v. Annual Leave for Law Library Faculty

A law library faculty member earns twenty-one days (day is equivalent to 7 hours) of leave with pay during each year of service. Leaves must be approved in advance, and they must be taken when they will not interfere with the ongoing work of the law library.

After five years of continuous service as a law library faculty member at the American University, annual leave is earned at the rate of twenty-four days of leave with pay during each year of service.

Up to 15 days' worth of leave (or 105 hours) may be carried forward from one fiscal term to the next. Any extra leave not used by the first day of May is subject to loss.

Annual leave is not accrued while a law library faculty member is on Leave Without Pay or Short-Term Disability.

vi. Sick Leave for Law Library Faculty

A law library faculty member accrues sick leave at the rate of twelve days (day is equivalent to 7 hours) per year.

X. PROFESSIONAL STANDARDS

1. Professional Guidelines

Instead of the language in section 24.c.i. (Conflict of Commitment, Full-time Faculty Outside Appointments and Teaching), substitute this language for law library faculty members:

A tenure-line faculty member may not hold a tenure-line position on the faculty of another higher education institution. Exceptions to this policy will require the written approval of the Provost, following recommendation of the teaching or academic unit and the academic unit dean.

Library service at another higher education institution at any time requires advance written approval of the college dean and the provost. This does not apply to consulting activities referred to in Section 24.c.ii of this *Manual*.

Law Library faculty members may accept paid positions as part-time teaching faculty with American University with prior approval from the Washington College of Law Dean and the Dean of Faculty.

Teaching courses for another college or university at any time requires advance written approval from the Washington College of Law Dean and the Dean of Faculty.

2. Miscellaneous Provisions

a. Graduate Study by Faculty

Washington College of Law Library faculty are not prohibited from taking courses in or seeking a degree from the Washington College of Law.