

UNM School of Law
Faculty Meeting
April 9, 1973, 4:00 p.m.
Conference Room

MINUTES

Present: Dean Hart; Associate Dean Desiderio, Assistant Dean Geer;
Professors Bingaman, Daniels, Ellis, Fink, Flickinger,
Goldberg, MacPherson, Maxfield, Muir, Parnall, Reynoso,
Utton, Walden, Walker; Student Myers; Norwood

Associate Dean Desiderio called the meeting to order and attention was given to the following:

1. Minutes of the meeting of March 26, 1973, were approved.
2. The faculty will consider adoption of the revised Policy Statement on Tenure, Promotion and Reappointment upon receipt of the final draft.
3. Dean Hart reported on new budget developments.
4. Associate Dean Desiderio introduced a proposal on grading; the faculty voted to table discussion until the next meeting.
5. In view of the University's policy on smoking in the classroom, Assistant Dean Geer moved that, at the discretion of the professor, a student may be asked to leave the room either for the remainder of the class period or until he has finished smoking. The motion carried.

The meeting was adjourned.

Respectfully submitted,

Louise R. Camp

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Secretary

4/23/93

UNIVERSITY OF NEW MEXICO SCHOOL OF LAW

Policy Statement on Tenure,
Promotion, and Reappointment

I. In General

1. The precise terms and conditions of every new appointment to the faculty, including the length of the probationary period, shall be stated in writing and given to the new faculty member before the appointment is made.

2. A copy of this policy statement and of the University statements entitled "Appointment and Promotion Policy" and "Policy on Academic Freedom" shall be given to the new faculty member at the time of appointment.

3. All matters not specifically covered in this statement relating to tenure, promotion, and reappointment shall be governed by the Faculty Handbook.

II. Committee on Tenure, Promotion, and Reappointment

1. The Committee on Tenure, Promotion, and Reappointment shall consist of the Dean of the School of Law as Chairman without vote and all members of the faculty entitled to vote at faculty meetings other than the faculty member being considered for tenure, promotion, or reappointment.

2. The Committee on Tenure, Promotion, and Reappointment shall have jurisdiction over all matters relating to tenure, promotion, and reappointment in the School of Law.

III. Tenure

1. The following criteria will be employed in determining whether tenure should be granted:

- a. Teaching
- b. Scholarship, research, or other creative work
- c. Service
- d. Personal characteristics

However, primary emphasis will be placed on "a" and "b" above.

2. The progress toward permanent tenure of each faculty member on probationary status shall be reviewed annually by the Committee. The Dean shall notify a faculty member on probationary status, in writing, if his or her services are found to be unsatisfactory in any way. Unless he or she has been so notified, a faculty member on probationary status can assume that his or her services have been satisfactory.

3. Midway through the probationary period, the Dean will meet with the faculty member to discuss his or her progress toward permanent tenure; if desired by the faculty member, the comments of the Dean shall be made part of his or her permanent record.

4. The decision regarding the granting of tenure shall first be brought before the Committee. The faculty member shall have an opportunity to appear before the Committee and present relevant evidence before the Committee reaches a decision.

5. The Committee shall submit its decision in writing to the Dean. The decision shall recommend either tenure, denial of tenure, or that, with the consent of the faculty member, the probationary period be extended. The Committee's recommendation shall be accompanied by a written statement of reasons supporting the recommendation. The faculty member shall be given a copy of the decision and the statement of reasons.

6. Upon the written request of the faculty member submitted to the Chairman within seven calendar days after the faculty member receives a copy of the Committee's decision and statement of reasons, the Committee shall conduct a rehearing within seven days after receipt of the written request.

7. The Dean, in his or her capacity as Dean of the School of Law, shall make a written recommendation to the Academic Vice President as to whether tenure should be granted. In making his or her recommendation, the Dean shall consider the recommendation of the Committee. The faculty member shall have an opportunity to appear before the Dean and present relevant evidence before the Dean reaches a decision. The Dean's recommendation shall be accompanied by a written statement of reasons supporting the recommendation. The faculty member and members of the Committee shall be given a copy of the Dean's recommendation and statement of reasons.

8. If the Dean's recommendation or statement of reasons differs from that of the Committee, the Dean shall send the Academic Vice President a copy of the Committee's recommendation and statement of reasons.

9. If either the Dean's recommendation or the Committee's recommendation is adverse to tenure, the faculty member shall have an opportunity to present relevant evidence to the Academic Vice President before the Vice President reaches a decision.

IV. Promotion

1. A faculty member may be promoted at any time. Ordinarily, except for instructors, the first promotion decision will be made at the time a favorable tenure decision is made.

In the cases of (1) instructors; (2) faculty who have been once promoted; and (3) those hired with tenure: Promotion decisions will be made during his/her second year in rank and biannually thereafter.

2. The following criteria will be employed in determining whether a faculty member should be promoted:

- a. Teaching
- b. Scholarship, research, or other creative work
- c. Service
- d. Personal characteristics

However, primary emphasis will be placed on "a" and "b" above.

3. The decision regarding promotion shall first be brought before the Committee. The faculty member shall have an opportunity to appear before the Committee and present relevant evidence before the Committee reaches a decision.

4. The Committee shall submit its decision in writing to the Dean. The decision shall recommend either promotion, promotion upon the fulfillment of certain conditions, denial of promotion, or that the decision be deferred to a specific date. The Committee's recommendation shall be accompanied by a written statement of reasons supporting the recommendation. The faculty member shall be given a copy of the decision and the statement of reasons.

5. Upon the written request of the faculty member submitted to the Chairman within seven calendar days after the faculty member receives a copy of the Committee's decision and statement of reasons, the Committee shall conduct a rehearing within seven days after receipt of the written request.

6. The Dean, in his or her capacity as Dean of the School of Law, may make a written recommendation to the Academic Vice President that the faculty member be promoted. In deciding whether to make such a recommendation, the Dean shall consider the recommendation of the Committee. The faculty member shall have an opportunity to appear before the Dean and present relevant evidence before the Dean reaches a decision. The Dean's recommendation shall be accompanied by a written statement of reasons supporting the recommendation. The faculty member and the members of the Committee shall be given a copy of the Dean's recommendation and statement of reasons.

7. In the event the Dean recommends promotion contrary to the recommendation of the Committee, the Dean shall send the Academic Vice President a copy of the Committee's recommendation and statement of reasons.

In the event the Dean fails to recommend promotion contrary to the recommendation of the committee, the Dean, on the request of the faculty member, shall give the faculty member a written statement of the Dean's reasons for failing to recommend promotion.

8. In the event the Dean fails to recommend promotion or if the Dean recommends promotion after the Committee failed to recommend promotion, the faculty member may have an opportunity to offer relevant evidence to the Academic Vice President before the Vice President reaches a decision.

V. Reappointment

1. Probationary appointments shall normally lead to permanent tenure.

2. A person on probationary status shall be reappointed to continue on probationary status unless there is a showing of good cause for non-reappointment. Good cause includes but is not limited to a demonstration of one of the following:

- a. The Law School faculty has adopted a change in curriculum emphasis, and the faculty member is either unwilling or unqualified to teach in the area or areas of new emphasis.
- b. The Law School is suffering financial exigency which requires a reduction in the size of the faculty.
- c. Obvious inability of the faculty member on probationary status to meet the conditions required for tenure by the end of the probationary period.
- d. A faculty member is not performing the duties of his/her position.

3. When the Dean or three members of the faculty at any time believe there is a question as to the reappointment of a faculty member, the Dean shall request the Committee to make a decision. The faculty member shall have an opportunity to appear before the Committee and present relevant evidence before the Committee arrives at a decision.

4. The Committee shall submit its decision in writing to the Dean. The decision shall recommend either reappointment, reappointment upon the fulfillment of certain conditions, or non-reappointment. The Committee's recommendation shall be accompanied by a written statement of reasons supporting the recommendation. The faculty member shall be given a copy of the decision and statement of reasons.

5. Upon the written request of the faculty member submitted to the Chairman within seven calendar days after the faculty member receives a copy of the Committee's decision and statement of reasons, the Committee shall grant a rehearing.

6. The Dean, in his or her capacity as Dean of the School of Law, shall make a written recommendation to the Academic Vice President as to whether the faculty member should be reappointed. In making his or her recommendation, the Dean shall consider the recommendation of the Committee if one has been made. However, the faculty member shall then have an opportunity to appear before the Dean and present relevant evidence before the Dean reaches a decision. Whenever a decision of the Committee has been considered by the Dean, the Dean's recommendation shall be accompanied by a written statement of reasons supporting the recommendation.

7. If the Dean's recommendation differs from that of the Committee, the Dean shall send the Academic Vice President a copy of the Committee's recommendation and statement of reasons.

8. If either the Dean or the Committee recommends non-reappointment, the faculty member shall have an opportunity to present relevant evidence to the Academic Vice President before the Vice President reaches a decision.

PROPOSAL BY SPECIAL COMMITTEE ON GRADING

(1) Each semester a law student may elect to take one course on a credit/no-entry basis.

(2) Notwithstanding paragraph (1), a student may not elect to take any course required for graduation on a credit/no-entry basis. (Thus, first-year students may take a non-required course(s) on a "credit/no-entry" basis.)

(3) A student may elect to take an additional course each semester on a "credit/no-entry basis" even if he or she is taking one or more courses in which the entire class is graded on a "pass/fail," credit/D/fail" or a similar basis.

(4) An election under paragraph (1) shall be made by the last day of classes for each semester. (Normally this should occur when examination numbers are picked up.)

(5) A professor is to grade all examination books on a "A/B/C/D/F" basis (except those books which are late and which the professor must grade on a "credit/D/F" basis). The secretary of the law school will then indicate which books should receive a "credit/no-entry" classification.