

# UF LAW

## Faculty Policy Manual



(Updated 6/16/04)



UNIVERSITY OF  
**FLORIDA**

Fredric G. Levin College of Law

# Academic Calendar

All dates subject to change due to construction. Contact Student Affairs for updated information.

## 2003 Fall Semester

Aug. 13-15	Introduction to Law School & the Profession for Fall 2003 class
Aug. 19	Fall classes begin
Sept. 1	Labor Day Holiday, classes canceled
Oct. 27-	
Nov. 21	Advanced registration for Spring 2004 Semester
Nov. 11	Veterans Day Holiday, classes canceled
Nov. 26	Fall classes end
Nov. 27-28	Thanksgiving Holidays
Dec. 1	Reading/final exam period begins
Dec. 12	Reading/final exam period ends
Dec. 19	Graduation

## 2004 Spring Semester

Jan. 5-7	Introduction to Law School & the Profession for Spring 2004 class
Jan. 8-14	Drop/Add using ISIS ( <a href="http://www.isis.ufl.edu">www.isis.ufl.edu</a> )
Jan. 9	Spring classes begin
Jan. 14	Class rolls fixed; fee liability attaches
Jan. 16	Fees due (1:30 p.m. at law school, 3:30 p.m. at University Financial Services)
Jan. 19	Martin Luther King Jr. Day Holiday, classes canceled
Jan. 23	Monday classes meet, Friday classes canceled
Jan. 30	Deadline to withdraw from UF with 25% refund of course fees
Feb. 16	Florida Board of Bar Examiners "180 day" registration deadline for Fall 2003 entering class
Mar. 2	Florida Board of Examiners "195 day" registration deadline for Fall 2003 entering class
Mar. 8-12	Spring Break
Mar. 22	Deadline for student-initiated Summer 2004 externships
Mar. 29-	
Apr. 15	Advanced registration for Summer and Fall 2004
Apr. 9	Last day to withdraw from course by petition without failing grade
Apr. 23	Spring classes end
Apr. 26	Reading/final exam period begins; Florida Board of Bar Examiners "250 day" registration deadline for Fall 2003 entering class
May 7	Reading/final exam period ends
May 14	Graduation

## 2004 Summer Term

May 19-21	Drop/Add using ISIS ( <a href="http://www.isis.ufl.edu">www.isis.ufl.edu</a> )
May 20	Summer classes begin
May 21	Class rolls fixed, fee liability attaches
May 28	Deadline to withdraw from UF with 25% refund of course fees
May 31	Memorial Day Holiday, classes canceled
June 3	Monday classes meet, Thursday classes canceled
July 5	Independence Day Holiday, classes canceled
July 6	Florida Board of Examiners "180 day" registration deadline for Spring 2004 entering class
July 9	Friday classes canceled, Monday classes meet; Last day to withdraw from course by petition without failing grade; Summer classes end
July 12	Reading/final exam period begins
July 16	Reading/final exam period ends
July 21	Florida Board of Examiners "195 day" registration deadline for Spring 2004 entering class
July 23	Graduation (no ceremony)
Sept. 14	Florida Board of Examiners "250 day" registration deadline for Spring 2004 entering class

Dates subject to change due to construction.

	2004-05	2005-06
<b>Fall Semester</b>		
"Intro. to Law School & the Profession" begins	Aug. 18	Aug. 10
Classes begin	Aug. 24	Aug. 16
Classes end	Dec. 3	Nov. 23
Exam/reading period begins	Dec. 4	Nov. 28
Exam/reading period ends	Dec. 16	Dec. 9
Graduation	Dec. 17	Dec. 16

## \*Spring Semester

Intro. to Law School & the Profession begins	Jan. 3	Jan. 3
Classes begin	Jan. 7	Jan. 6
Classes end	Apr. 22	Apr. 21
Exam/reading period begins	Apr. 23	Apr. 24
Exam/reading period ends	May 6	May 5
Graduation	May 13	May 12

## Summer Term

Classes begin	May 19	May 18
Classes end	July 8	July 7
Exam/reading period begins	July 9	July 10
Exam/reading period ends	July 15	July 14
Graduation (no ceremony)	July 22	July 21

\* Elimination of future spring classes: College of Law faculty have approved the concept of phasing out spring (January) admissions. Classes prior to Spring 2005 will not be affected. A final decision will follow review of a timing and feasibility study.

All rules, policies, and procedures contained in this manual must be consistent with federal, state and local laws. In addition, all rules, policies and procedures contained in this manual must be consistent with university rules unless otherwise approved by the Office of the Provost. For current rules, policies and procedures of the University of Florida go to: [www.ir.ufl.edu/fac\\_handbook/sources.htm](http://www.ir.ufl.edu/fac_handbook/sources.htm)

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# Faculty

## Appointments

(5/13/77; 5/18/79; 1/21/83; 9/18/03)

### General Criteria for Appointments

The criteria for original appointment of faculty members, which should be considered by the dean, the Appointments Committee, and the faculty, are:

1. Teaching ability.
2. Creative research ability.
3. Intellectual strength and interests, including dedication to teaching students and research.
4. Areas of special interest or specialization, and the college's needs as to courses and programs.
5. Educational qualifications, including graduate degrees in law and related fields.
6. Institution from which graduated, standing in law school class and standing in graduate study.
7. Experience in law practice, business, and teaching experience in other disciplines.
8. Recommendations from teachers, colleagues, practitioners and others.
9. Awareness of the relationship between academic freedom and academic responsibility, such as is indicated in the October 31, 1970, statement of the Council of the American Association of University Professors entitled "Freedom and Responsibility."
10. The University of Florida Levin College of Law is committed to non-discrimination with respect to race, creed, color, religion, age, disability, gender, marital status, sexual orientation, national origin, political opinions or affiliations, and veteran status. (04/26/01)

### Appointments Committee

1. The Appointments Committee is charged generally, working in conjunction with the dean, with identifying personnel needs, establishing priorities of needs, locating prospective faculty members, evaluating candidates, and making recommendations to the faculty.
2. As the first order of business after its designation by the dean, the chairperson of the Appointments Committee will be elected by the voting members of the committee, to serve at the pleasure of its voting members.
3. The membership of the Appointments and Curriculum Committees should be announced by the dean early

enough for the committees to assume formal authority by September 1st. The time of announcement is thought to be best by the end of classes in the Spring Term.

4. There will be two non-voting student members of the Appointments Committee, one of whom will also be chairperson of the Student Interviewing Committee.
5. All matters concerning appointment of faculty members shall be referred to the committee except that instructors in the legal writing program who do not serve for more than four quarters may be appointed administratively without reference to the committee or to the faculty. As to all prospective appointees, the committee shall prepare and make available to the faculty a written report containing recommendations, including rank, duration of appointment and tenure status. Tenure status on an original appointment can be granted only upon vote of the tenured faculty. Each member of the faculty is to be encouraged to submit to the committee the names of candidates he believes deserve serious consideration. The committee shall make every effort to keep the faculty apprised of persons who are under consideration for possible appointments. Visits are to be encouraged when feasible from the standpoint of economics or time.

*COMMENT: The Appointments Committee is responsible to the whole faculty regarding the performance of its duties. It is required to report in writing to the faculty and to keep the faculty informed of its activities in the area of appointments. If the original appointment is ultimately recommended to be with tenure, tenure status is to be determined separately in accordance with procedures for recommending tenure. While visits of prospective appointees are desirable, they cannot be made mandatory in view of limitations as to finances and time.*

6. The Appointments Committee is the chief arm of the faculty in the identification and recommendation to the faculty of personnel needs. However, the Curriculum Committee will annually and at other appropriate times assess the curriculum and its implementation by the faculty and administration, and that committee will provide its considered evaluations to the faculty and to the Appointments Committee in a joint meeting with that committee in such time as to be of aid in the recommending and decisional functions of those bodies. Based on such Curriculum Committee evaluation, counsel from the dean, goals of affirmative action, needs for balance in educational perspectives, input from individual members of the faculty and from the student body, and other relevant inquiries, the Appointments Committee will at the earliest feasible time in the Fall

Term transmit to the faculty its recommendations on hiring policy for the year. All faculty entitled to vote on appointments will be eligible to vote to affirm, modify, or reject such recommendations, and such vote will be binding on the committee unless modified by subsequent faculty action. The Appointments Committee may at any time propose to the faculty for its review and vote changes in the hiring policy as previously adopted by the faculty. However, if the change recommended by the committee is authorization to search for one or more additional visiting faculty appointees, notice to all members of the faculty will suffice to authorize such search.

## Meetings and Balloting

1. The dean shall schedule a meeting of those faculty members eligible to vote to receive recommendations of the committee. This meeting shall be a discussion meeting and shall not be convened until at least three days after the committee's report has been distributed to the faculty. During the meeting, any voting member may move that any candidate for a faculty position that has been interviewed on campus by the faculty in connection with positions currently open be placed on the ballot along with those candidates recommended by the committee. A simple majority of those voting shall carry the issue.

*COMMENT: The purpose of the discussion meeting is to allow faculty members to express their opinions, to take any action other than final balloting on the nominee, and to receive any additional information pertinent to the issue. The reason for this minimum time period is to make certain that faculty members have had time to consider the committee report.*

2. Whenever the Appointments Committee reviews the status of a visiting faculty member in residence with regard to a permanent appointment it will report its action to the faculty at an appointments discussion meeting.

3. Persons not interviewed on campus may not be added to the ballot at an appointments meeting. If any person has a complaint about the committee's failure to interview specified persons, he shall ask the dean to place the matter on the agenda of the faculty meeting next ensuing after the complaint is made and it shall be done. If a two-thirds majority of the faculty voting votes to extend an invitation to visit to the particular candidate, the committee will do so. The consideration of other persons for appointment shall not be held up in accommodating this process, unless a complaint is made to the dean within one week from the time the committee gives notice of its intention to invite the first of any

other candidates whom the committee intends to invite to visit.

4. Balloting on appointments shall occur on the first working day after the appointments meeting unless a later date is agreed upon at that meeting. A secret ballot shall be taken, but an eligible voter may cast his vote by telephone. All faculty members eligible to vote at faculty meetings are eligible to vote on appointments. Faculty members on leave are eligible to vote if in the opinion of the dean the committee's report and a summary of the discussion at the meeting may be supplied to them and their ballots obtained without undue delay. An approving vote by a majority of the faculty members eligible to vote is necessary before a recommendation for appointment can be forwarded. If a faculty member eligible to vote does not vote, or votes to abstain, his vote or failure to vote will not be considered in determining a majority if he is a faculty member on leave, or not on duty, or not physically present.

*COMMENT: Balloting is delayed until the first working day after the appointments discussion meeting to permit a reflective judgment to be formed. While the balloting is secret, the secrecy is for the benefit of the voter. To an extent secrecy is waived if the voter utilizes the telephone. In such a case the party taking his vote would know how he voted. The mechanics of taking the ballots of faculty members on leave would pose little problem if they have not left the city. Faculty members on leave abroad are another matter. Besides the delay that might be involved, prompt resolution of an appointments issue is desirable. The dean will have to try to make a realistic and practicable judgment here. Regarding the necessity of an approving vote by a majority of the faculty members eligible to vote, the sentence providing that votes to abstain and failures to vote by faculty members on leave, or not on duty, or not physically present are not to be counted in determining a majority, is intended to facilitate obtaining a majority. Votes of "yes" or "no" by faculty members in any of these three categories will be counted determining the majority. Faculty members determined by the dean not to be eligible to vote because undue delay would be encountered in obtaining their votes are not to be considered in determining a majority.*

5. For rules on proxy voting, see "Proxy Voting," page 33.

6. Faculty vote on visiting appointments will be in accordance with existing procedures except that in unusual circumstances the faculty discussion meeting may be held on twenty-four hours' notice.

7. No invitation to join the faculty shall be extended if there is opposition on the faculty of sufficient importance that, in the judgment of the dean after consultation with the committee, the appointment would not be in the best interest of the College of Law. In any such case, however, the dean shall evidence his decision in a writing submitted to the faculty members voting on the appointment and give detailed reasons in that writing as to why he elects not to forward the recommendation.

**COMMENT:** *The initial appointments procedure should be the most crucial procedure, more so than promotions and tenure. Consequently, a veto power is furnished to the dean. Prior to using this power, the dean must consult with the Appointments Committee. If it is used, the dean must explain to the faculty, in writing, why he elects not to forward the faculty's recommendation.*

## Administrative Appointments

The dean shall appoint persons to subordinate administrative positions, but if the appointee will be engaged in teaching and research, the appointments procedure applicable to faculty members shall be followed.

**COMMENT:** *Subordinate administrative appointments are the prerogative of the dean. He or she must be free to appoint to these positions persons in whom he or she has confidence and with whom he or she can effectively work. A safeguard is provided to the faculty where such appointments are new and would, in part, involve teaching and research.*

## Term of Deanship

It is the sense of the faculty that the dean should not serve more than five years unless, upon favorable review by the faculty, he or she is requested to serve for an additional period not to exceed five years. The review process will be conducted early in the fifth year of the dean's service by a special committee of five faculty members elected by the faculty as a whole. Initiation of the election process of the special committee is the responsibility of the Promotion and Tenure Committee.

This statement shall be forwarded to the president of the university and be communicated to all candidates for the office of dean of the College of Law. It shall also be published in the *Policy Manual* of the college. (8/8/80)

## Filling Endowed Professorships

(11/9/84)

The power to select and fill endowed professorships from the ranks of the existing faculty be exercised by the dean, and in the selection process the dean is empowered to apply all criteria which best serve the interests of the College of Law.

**COMMENT:** *From discussions of an ad hoc faculty committee appointed by Dean Read with many faculty members, it would appear that a sizeable majority of the faculty expressing an opinion favor decanal selection for a variety of reasons. Some felt that it would be too divisive to have the ultimate power rest with the faculty (or a committee thereof); others believed that the dean would be more likely to reflect centrist values, better balancing competing interests within the college than a faculty committee or other entity. While virtually no support was voiced for selection by faculty or faculty committee, a few colleagues did advocate vesting the power of selection in an outside committee, consisting either solely of distinguished teachers at other institutions or those academics acting in conjunction with distinguished practitioners. Overall however, all members of the committee and a significant number of the faculty indicated a preference for the practice which most other schools apparently follow — decanal selection.*

*There was more support for the faculty's adoption of criteria for selection than for faculty involvement in a particular selection. While the majority of the committee and probably most of the faculty expressing an opinion would leave this, too, to the dean's discretion, certain faculty favored the adoption of a list of factors. A majority of those who would also establish priorities would appear to favor scholarship and national reputation over outstanding teaching and perhaps service and seniority as well. From discussions with members of other law school faculties, it would appear that here, too, the dean is typically given the necessary discretion to take into account the overall needs of the institution and is not bound by a limiting set of criteria. As the number of endowed professorships increases at the institution, seniority would appear to acquire increased significance.*

*A final issue directly related to appointments to endowed professorships concerns the use of advisors by the decision maker. Either outsiders (such as outstanding teachers at other schools or distinguished alumni) or a committee of the faculty could be formally struc-*

tured into the selection process, advising and consenting to the selection or providing other assistance in evaluating the records of candidates. No significant support for so structured a system was apparent on the faculty, and it would appear that at other schools the dean typically is free to obtain whatever informal counsel he or she desires from colleagues and those outside the law school.

In discussions with College of Law faculty and members of other law school faculties, the committee heard expressions of concern over the risk that endowed professorships contribute to disparities in status and income, which are not justifiable on the basis of accomplishments. In so far as differences in pay are concerned, it would appear that many law schools maintain proportion by using the income from the endowment for the appointee's summer salary or for travel, research assistance and the like. One school apparently resolves the issue by directing the income from all endowments into a pool used to benefit the faculty as a whole. Differences in pay attributable to endowed professorships appear to be nominal in many schools. As some disparities in pay and allowances are justifiable, and as the dean should be best informed on how to limit additional compensation from endowments to amounts commensurate with accomplishments, the committee has determined that again discretionary power should rest with the dean.

## Promotion & Tenure

### Eligibility

#### TIME IN SERVICE REQUIRED FOR TENURE

Eligibility for tenure shall normally begin after six years of service in a tenure-accruing position. A decision to nominate a faculty member for tenure shall normally be made during the sixth year.

**Comment:** In the 1997-98 academic year, University of Florida rules were amended to provide that faculty members be recommended for tenure by the end of six years of academic service. F.A.C. 6C1-7.019(2)(a)(6). This change is effective prospectively, applicable only to faculty members hired to join this faculty in the 1998-99 academic year. Previously, law faculty members had been ordinarily considered for tenure in the fifth year, with the election to postpone consideration until the sixth year with the concurrence of the dean. Law faculty members hired prior to the

1998-99 academic year retain that flexibility.

1. A faculty member may be eligible for tenure at an earlier time by virtue of prior tenure-eligible service credited at the time of appointment. The number of years of previous tenure-accruing service or the equivalent in tenure-eligible service which the president may agree to recommend as credit toward a faculty member's eligibility for tenure shall be agreed upon in writing at the time of employment, subject to the following restrictions, for service at other institutions or in a tenure-ineligible position at this institution: the president may approve credit for not more than two years of tenure-eligible service for a faculty member hired as an assistant professor, not more than three years for a faculty member hired as an associate professor, and not more than four years for a faculty member hired as a professor.
2. Under special circumstances the Board of Regents upon the recommendation of the president at the time of initial appointment or earlier than specified above may grant tenure.
3. Time spent by a faculty member under joint appointment or exchange within or without the State University System, on a duly established personnel exchange program of the university or on a special assignment for the benefit of the parent institution or for the University System, shall be counted toward the fulfillment of eligibility for tenure.
4. By the end of six (6) years of full-time service in a tenure-accruing position at the university, including time credited as tenure-eligible service at the time of the appointment, a faculty member shall either be recommended for tenure or given notice that further employment will not be offered.

**Comment:** It has been the tradition at this university that a faculty member who is denied tenure will normally be retained for one year following the notice of termination.

#### TIME IN SERVICE REQUIRED FOR PROMOTION

There is no specific time-in-service requirement for promotion.

**Comment:** Ordinarily, a person hired at the level of assistant professor will be eligible for promotion to the level of associate professor after the third year of service and eligible for promotion to the level of professor after the sixth full year of service.

**RELATIONSHIP BETWEEN PROMOTION AND TENURE.**

There is no policy requiring the linking of promotion and tenure. (4/3/87, amended 4/23/98) (Governing Authority F.A.C. 6C1-7.019)

**Substantive Standards**

There are three broad categories of performance upon which promotion and tenure are based: instruction, research and creative activity, and service. Promotion and tenure require distinction in two out of three of these categories. Superior contributions in one area do not compensate for lack of contribution in another.

*Comment: F.A.C. 6C1-7.019 (3) (b) states that “distinction” means appreciably better than the usual college faculty member of the candidate’s present rank. The law faculty has not attempted to clarify this definition.*

**1. Instruction**

Instruction includes regular classroom teaching and all preparation for this work, including study to keep abreast of one’s field.

*Comment: The faculty has not attempted to define the performance standard more precisely than the state-imposed requirement of distinction.*

**2. Research and Creative Activity**

The College of Law adopts a broad view of suitable legal scholarship in accordance with particular research interests of individual faculty members. For example, legal research embraces the following activities:

- a. Production of material such as books, articles, graduate theses, and teaching materials involving original writing; or
- b. Any other published expression of creative law-related thought where the authorship is identifiable.

**3. Scholarship Standard**

- a. To be eligible for promotion to associate professor, an assistant professor must produce in published or publishable form at least one substantial article or other work that demonstrates satisfactory progress toward tenure.
- b. To be eligible for promotion to full professor or for the grant of tenure, a faculty member must demonstrate a capacity for and a commitment to scholarship of high quality.

*Comment: Paragraph (2) (a) reflects the practice of considering only published or publishable work. In this context, publishable work means manuscripts accompanied by a letter of commitment for*

*publication. Promotion to associate professor is, in effect, a recognition of accomplishment, indicating a capacity for and progression toward tenure-quality scholarship. By framing the standard for promotion to associate professor explicitly in terms of “satisfactory progress toward tenure,” the candidate and the faculty will be more likely to consider the factors that are important measures of a faculty member’s future scholarly productivity and contribution to the discipline.*

*The purpose of the standards for promotion to full professor and tenure is to test a candidate, as best the faculty can, for competence in teaching, legal research and writing, and public service, and for genuine commitment to a productive career in pursuit of these endeavors as a tenured faculty member. The criteria of satisfactory performance include a consideration of both the quantity and quality of a candidate’s published products of scholarship. Among the factors to be considered are ascending flow of productivity during the pre-tenure years, the amount of effort expended, the difficulty of the undertaking, the relevance of the undertaking to legal scholarship considered broadly, the novelty of the undertaking or of the ideas, the literary quality of the writing, and the form and locus of the publication, the candidate’s standing in his or her field, invitations to participate in conferences, workshops, and other scholarly events, citations to the candidate’s work by other scholars, and recognition of the candidate or the candidate’s work by prestigious professional or governmental organizations. Because the faculty’s decision as to whether a candidate qualifies for tenure is ultimately judgmental, and also because acceptable scholarship may be demonstrated in many forms, no fixed standards for quantity and form are prescribed in paragraph (b). Examples of the kinds of writings that will ordinarily be considered include: law review articles, legal treatises, legal casebooks, books about law, reviews of books about law, empirical studies about legal matters, and other worthy publications of scholarly legal import. Although a single additional exceptional work may be sufficient to satisfy the standards for promotion to full professor or tenure, the faculty anticipates that most candidates will submit more than one substantial work article or its equivalent for consideration. Co-authored works will be given apportioned credit to the extent that credit can be attributed to the candidate.*



*Although the standards for tenure and for promotion to full professor are not differentiated, the faculty reserves the discretion to recommend one and not the other as it has done in the past.*

#### 4. Service

Service includes public, professional, or university service. Public service means either professional or community activities in the public interest.

The faculty recognizes that both the degree and the sophistication of the commitment to service that can reasonably be expected of a colleague during the first few years of membership on this faculty are less than might be expected of more experienced members.

*Comment: Substantial confusion has existed as to what “service” means and how much of it is truly required. The faculty has not attempted to resolve either of these uncertainties, but thinks these guidelines eliminate some of the confusion. They state explicitly that public service need not be professionally related, and recognize that the more substantial contributions to public service tend understandably to come from the more experienced members of the faculty. Accordingly, it is only in the most extraordinary cases that distinction in service will satisfy in part the university requirement of distinction in two of the three, teaching, scholarship and service. In virtually all ordinary cases, distinction in both teaching and scholarship are required. F.S. 240.245 requires that service in a professional capacity to public schools is to be treated as a major factor in determining promotion and tenure. (4/3/87; amended 11/19/93, 4/23/98) (Governing Authority F.A.C. 6C1-7.019)*

## Procedure for Recommending Promotion and Tenure

### INITIATION OF THE PROCESS

1. Appointment of Promotion and Tenure Committee Members: Appointment of Promotion and Tenure Committee members should occur in the spring of each year.
2. The dean shall refer to the Promotion and Tenure committee the names of all faculty members who by reason of time in service are eligible for promotion or tenure. Consideration for promotion may be deferred with the concurrence of the faculty member.
3. The dean shall forward to the committee the promotion and tenure file for each candidate referred. Each candi-

date for promotion or tenure shall be permitted to review the Promotion and Tenure File at any reasonable time and shall be requested to review it in the spring before the fall term of the academic year in which a promotion or tenure decision is to be made. At that time and at any later time the candidate may submit additional relevant material. The fact that the candidate has been given an opportunity for pre-consideration review shall be noted in the file.

### COMMITTEE REPORT

1. After receiving a referral for consideration for promotion or tenure, the committee shall prepare a written report concerning the candidacy. This report shall assemble all information and evaluations pertinent to the application of criteria for promotion or tenure. The committee report should also include a copy of the Dean’s Annual Report to the candidate for each year since hiring or the candidate’s last promotion. The committee report should also include (1) a copy of the Dean’s Annual Report to the candidate for each year since hiring or the candidate’s last promotion, and (2) a written statement from the candidate concerning whether he or she waives the right to learn the identity of the outside reviewers and the content of their reviews. A meeting of faculty members eligible to vote on an issue of promotion or tenure shall be convened no sooner than seven calendar days after the committee’s report has been made available to eligible voters.

*Comment: The role of the committee is to gather the information to be included in the report. The purpose of the report is to provide information to the faculty that will assist it in evaluating the performance of the candidate. The burden of full preparation to discuss and vote on individual candidacies rests with each voting faculty member. To facilitate faculty preparation, the committee will distribute copies of articles, teaching evaluations, evaluations of scholarship and the like as soon as these materials are available. The committee may distribute notebooks or binders early in the fall semester to help faculty members organize materials as they are distributed.*

2. In evaluating the scholarly work of a candidate for promotion or tenure, the faculty will consider only published works and manuscripts accompanied by a letter of commitment for publication received prior to the faculty discussion meeting. Publication in a journal sponsored by a non-ABA accredited law school will not suffice. For the purpose of promotion to associate profes-

sor, scholarly works that were in progress when the candidate joined this faculty will be evaluated and considered only if a substantial portion of the work is completed after joining this faculty. For the purpose of promotion to full professor or the grant of tenure, quality, quantity, and timing of all scholarly work, whenever produced, will be considered.

*Comment: Because promotion to associate professor is, in effect, a recognition of accomplishment while a member of this faculty, only the work completed while a member is to be considered. At the time of hiring, an understanding between the dean and the faculty member should be reached in writing as to the treatment of works in progress. Because promotion to full professor and the grant of tenure are based on a projection of the candidate's lifelong productivity, all prior scholarly work is relevant.*

3. The primary responsibility for evaluating scholarly work rests with the dean and with this faculty. To that end members of the faculty selected by the committee will prepare written evaluations. In addition, the dean and faculty will consider written evaluations prepared by at least three qualified persons who are not members of this faculty. The committee will select persons from whom evaluations will be solicited in accord with Section C, below, the Protocol For Assembling Promotion Files, Selection of Reviewers, and Preparation of Reports.
4. Unless delayed by material interfering circumstances or factors, the committee shall make its report and recommendations to the faculty by the end of the first full week in November and the faculty shall make its decision in the last week of November, or the first full week in December.

**PROTOCOL FOR PROMOTION FILES:  
ASSEMBLY OF FILES, SELECTION OF  
REVIEWERS, AND PREPARATION OF REPORTS**

The following protocol is to be followed by the Promotion and Tenure Committee in the process of assembling promotion files, selecting reviewers of scholarship, and preparing reports. Reference here to the dean means the dean, the dean's delegate, or associate dean.

**IN YEARS OTHER THAN A YEAR OF  
CANDIDACY FOR PROMOTION OR TENURE,  
THE FOLLOWING PROTOCOL WILL BE  
FOLLOWED:**

In order that publications may be reviewed when they are published, all faculty members who are not

tenured full professors should submit copies of published articles and other published materials chosen by them to be considered as a basis for promotion and tenure decisions to the committee as soon as they are available. They should submit three copies of such publications to the chair of the Promotion and Tenure Committee, who should distribute them as indicated in subsection 2(b), below. They should also suggest potential external reviewers as provided in subsection 2(c), below. If the faculty member is not scheduled to be a candidate for promotion or tenure in the near future, the chair of the Promotion and Tenure Committee will then make the decision whether to arrange for outside reviewers and internal reviewers during Fall or Spring Semester and arrange for reviewers as soon as practicable. These reviews will be taken into account in the Annual Committee Report, and will become part of the Promotion and Tenure file.

**IN A YEAR OF CANDIDACY FOR  
PROMOTION OR TENURE, THE FOLLOWING  
PROTOCOL WILL BE FOLLOWED:**

In May or June, once the University Memorandum Regarding Promotion and Tenure is received, the chair of the Promotion and Tenure Committee should send out a memorandum to faculty members who are eligible for promotion or tenure during the next academic year. The memorandum should, among other things, outline the procedure to be followed by the committee and the administration, inform the candidates as to the information required by the university, highlight dates when manuscripts are due, information is required, or action is to be taken by the candidate; and, in particular, stress the importance of compliance with the announced schedule. The memorandum should also advise the candidates that except where excused by the dean due to truly extraordinary circumstances: no manuscripts or publications submitted after the August 15th deadline will be considered part of the promotion and tenure file or reviewed externally or internally; revisions to manuscripts or revised manuscripts will not be accepted for external or internal review after the August 15th deadline; and reviewers will be asked to evaluate manuscripts as "manuscripts submitted for publication," i.e. without qualifiers such as "work in progress" or a "draft."

On August 15th, the candidates will provide the chair of the Promotion and Tenure Committee with three copies of any and all manuscripts and published works chosen by the candidate for review and not previously given to the committee to be part of the promo-

tion and tenure file and to be reviewed internally and externally. One copy of any manuscript submitted will be placed in the candidate's file; another will be given to the dean; and the other will be used by the chair of the Promotion and Tenure Committee to make copies of the manuscript for distribution to the committee and the faculty. Distribution of articles should occur as soon as possible after they are ready.

On August 15th candidates should provide the committee with a list of up to five proposed external reviewers for each manuscript or article submitted. As to each reviewer, they should indicate whether the reviewers have any personal or professional relationship with them and whether the reviewers have seen a copy of the manuscript or a prior draft. With the assistance of the Legal Information Center staff, the candidates should submit a list of each reviewer's relevant publications and any other information relevant to their qualifications to review the candidate's manuscript. Candidates may also submit at this time the names of any potential reviewers they do not want to be selected and the reasons for their objections. Candidates should at this time inform the committee as to whether they elect to waive either or both of (1) the right to know the identity of outside reviewers selected to review their work or (2) the right to see the reviews. Candidates also should make sure to sign and date the written waiver/non-waiver statement required by the university, which forms part of their university promotion or tenure packets, at this same time.

On September 1st, the candidates, with the assistance of the dean's secretary, will provide the chair of the Promotion and Tenure Committee with the information required by the university in the form required by the university, to the extent the information is within the province of the candidates.

Committee members should spend the week after they receive copies of the manuscripts selecting potential external and internal reviewers. Committee members may consult with other members of the faculty for their suggestions. The names they have selected should be distributed to all members of the committee in advance of the next meeting. The goal in selecting outside reviewers is to identify individuals who are prominent scholars whose scholarship is in the area of the candidate's manuscript topic. The fact that outside reviewers have previously reviewed versions of manuscripts or drafts does not disqualify them from selection as outside reviewers. They must, however, disclose the nature and extent of their

involvement in reviewing previous manuscripts or drafts. Generally, only those holding the rank of professor should be preferred. The committee member suggesting a name should distribute to the committee a list of that reviewer's publications and any other information relevant to his or her qualifications to review the candidate's manuscript.

During the third week of August, the committee should consider the qualifications of all potential reviewers suggested by committee members and the candidates and formulate its recommendations. The candidates shall have no additional input regarding selection of outside reviewers. The candidates may, of course, prepare written comments to be included in the file regarding the recommendations of the committee.

The list of all reviewers considered will then be forwarded to the dean along with the committee's recommendations as to which are the most appropriate. Where an individual work is part of a coherent body of work or shows progression in a field, the committee may recommend that reviewers should be so informed, that a body of works should be reviewed together, or that work reviewed at a previous stage should be reviewed again. The committee may recommend, with the concurrence of the candidate, that certain works not be formally reviewed.

The dean will determine the amount of money to be paid to external reviewers. The dean will make telephone or e-mail contact with external reviewers and determine their availability. If reviewers agree to review the manuscript, the dean will send a copy to them with a standard form cover letter.

Thereafter, the dean will meet with the committee as is necessary to obtain the names of additional potential outside reviewers. The dean should keep a written record of telephone calls and correspondence with the external reviewers concerning their reviews. In soliciting the review, the dean should make certain that the reviewer is willing to provide a candid review, whether positive, negative, or mixed, and will not later decline to provide a review without good cause, such as substantial unfamiliarity with the field. Reviewers who later call to express unwillingness to go forward with reviews because their evaluations are negative should be encouraged to provide their honest and full appraisal, as set forth in the cover letter.

When the dean receives the external review, copies should immediately be distributed to the candidate and members of the committee.

Internal reviewers will be recommended to the dean by the committee in September as soon as practicable after the list of external reviewers for all candidates has been sent to the dean. Candidates should not participate in the selection of internal reviewers. A candidate's mentor ordinarily should not be chosen as an internal reviewer. The fact that faculty members have previously reviewed versions of manuscripts or drafts does not disqualify them from selection as internal reviewers. They must, however, disclose the nature and extent of their involvement in reviewing the manuscripts or assisting in their preparation in the written internal review.

The report prepared by the committee and distributed to the faculty should include a CV, including a list of publications for each external reviewer.

## PROMOTION AND TENURE FILE

A Promotion and Tenure File shall be maintained for each regular faculty member until the rank of full professor and tenure has been attained.

## ANNUAL RECORD

The dean shall assure that the following materials are inserted into each active Promotion and Tenure File by the end of each academic year.

1. Courses taught each semester and size of enrollment.
2. Law school committee assignments and any record of performance as indicated in the Promotion and Tenure committee's annual report to the dean.
3. University committee assignments and any available information as to performance.
4. A copy of the teacher's annual activity report submitted to the dean including citations to writings published during the year and the repository of unpublished writings that the teacher wishes to have available for review.
5. A copy of the dean's annual review letter to the faculty member pertaining to performance in matters covered by promotion and tenure criteria.
6. A copy of all student evaluation reports (or peer evaluation reports, if performed) accumulated during the academic year. The forms themselves may be stored separately but the place of storage and identification of courses evaluated should be noted in the file.
7. A copy of the report from the committee to the dean pertaining to the review of the current state of the record.
8. A statement from the dean of all opportunities for research and writing offered to the candidate, including compensated leave, research grants, reduced course or committee assignments, and paid research assistance.
9. A dated, signed statement signifying that the candidate has been permitted to review the file.

## DISCUSSION MEETING, VOTING, AND CONFIDENTIALITY

1. A promotion or tenure meeting shall be a discussion meeting. Balloting on promotion or tenure issues shall occur on the first working day after the meeting unless a later date is agreed upon at the meeting. A secret ballot shall be taken, but in any case an eligible voter may vote by telephone. All full-time faculty members eligible to vote at faculty meetings and holding higher rank than the candidate are eligible to vote on promotion. All tenured faculty members are eligible to vote on tenure. [University of Florida rules allow faculty members in the Phased Retirement Program to vote on promotion, but not tenure.] Faculty members on leave are eligible to vote if, in the opinion of the dean, the committee's report and a summary of the discussion at the meeting may be supplied to them and their votes obtained without undue delay. **Comment:** *Provision is made for a promotion or tenure meeting to allow debate and discussion and to receive any additional pertinent information. Balloting is delayed until the first working day after the discussion meeting to ensure a reflective judgment. It is the general policy that all full-time faculty members holding the rank of associate professor, or professor should be eligible to vote on promotion and tenure matters. Time in service is rejected as a criterion of eligibility on the ground that it undermines this policy. Faculty members on leave are generally permitted to vote. The dean is given broad discretion in obtaining these votes, giving due weight to the faculty policy of permitting the vote and taking into consideration delays that may result in some instances. For example, although obtaining the ballots of faculty members on leave who remain in the vicinity of the law school is not difficult, obtaining the ballots of faculty members on leave abroad may be.*
2. All candidates who have not withdrawn will be forwarded regardless of the vote. If a faculty member eligible to vote does not vote or votes to abstain, this normally will be counted as a no vote. However, if such a faculty member is on leave, not on duty, or not physically present, the failure to vote will not be considered in determining a majority. The dean shall promptly notify the candidate of the outcome of the ballot.

**Comment.** *The sentence providing that failures to vote by faculty members on leave, or not on duty, or not physically present shall not be counted in deter-*

*mining a majority is intended to facilitate obtaining a majority. Votes of yes, no, or abstain by faculty members in any of these three categories will, of course, be counted in determining a majority. But faculty members determined by the dean not to be eligible to vote because undue delay would be encountered in obtaining their votes are not to be considered in determining a majority.*

3. For rules on Proxy Voting, see page 33.
4. Confidentiality. The materials assembled for decisions of promotion or tenure and the various discussions concerning them shall be regarded as confidential and shall be made known only to those who are eligible to participate in the recommending or making of the decisions.
5. Reports and Appeals. The dean shall notify the candidate in writing immediately or as soon as possible of the final action taken on the nomination for tenure or promotion. If the candidate is denied tenure or promotion the notice shall include a statement of the reasons for the denial.

A faculty member who has been denied tenure or promotion may notify the dean in writing that he/she intends to appeal and submit further information and argument supporting the appeal to the dean and, if necessary, to superior administrators.

A faculty member may elect to use one of the formal procedures outlined in F.A.C. 6C1-7.041. (4/3/87, amended 4/23/98) (Governing Authority F.A.C. 6C1-7.019, 6C1-7.041)

## Annual Reports/ Promotion and Tenure

### ANNUAL REPORT ON FACULTY MEMBERS WHO ARE NOT TENURED FULL PROFESSORS

The Dean's Annual Interview and Letter. The dean shall have an annual interview with each faculty member who is not a tenured full professor for the purpose of discussing progress toward satisfying promotion and tenure criteria. Particular attention will be given to opportunities for progress that have been available and the need for future opportunities for progress in areas of weakness. Each faculty member shall be permitted to review the Promotion and Tenure File and to submit material to augment or explain matters touched upon therein. After the interview, the dean shall write a letter, commenting as appropriate upon the apparent progress or lack of it toward satisfying the criteria for promotion and tenure.

### ANNUAL REPORT BY THE PROMOTION AND TENURE COMMITTEE

The Promotion and Tenure Committee shall review the annual activity of each faculty member who is not a tenured full professor and report to the dean as to that activity, including scholarly activity, and the results of student recommendations and classroom visits.

**Classroom visits.** As a part of the Promotion and Tenure Committee's annual report, at least two members of the committee will each visit at least two class hours of the colleague being evaluated. Each visitor will arrange visits on adequate notice at a specified time that is mutually convenient, will review the class materials to be covered prior to the visits, and will follow the visits with a personal discussion of impressions and suggestions. Each visitor will write a brief report to the committee with a copy to the colleague. These individual reports will become part of the committee's annual report to the dean.

The visits may take place at any time during the academic year. Where a colleague is formally evaluated in the fall for promotion or tenure, the class visits will occur at that time and additional class visits will normally not be made in the spring.

*Comment. The objectives here are twofold: first, to identify deficiencies and provide assistance in time for improvement to occur, and second, to build a substantial backlog of information on the candidate's teaching, so as to minimize the likelihood of evaluation error. In its discretion, the committee may arrange for more than two committee members to visit a colleague and may enlist the assistance of non-committee members where appropriate.*

*As seems appropriate to the dean, the substance of this report may be incorporated into the dean's annual letter and used in making teaching and research assignments in the ensuing year. (4/3/87, amended 4/23/98)*

## Mentoring and Support Committees

### A. MENTORING COMMITTEE

1. A new committee, to be known as the Mentoring Committee, will be formed for each untenured tenure-track faculty member for the purposes described below.

**COMMENT:** *This policy implements a policy adopted by the University of Florida, effective May 2004: XII. Policy on Mentoring: The chair of the depart-*

ment will initially select a mentor or mentors for an untenured faculty member. At the end of the untenured faculty member's first year, the faculty member and the chair should discuss the relationship with the mentor(s) and whether a new mentor or mentors might be more appropriate. Where appropriate, the chair should give strong consideration to the preference of the untenured faculty member. The mentor(s) will write an annual assessment to the untenured faculty member describing his/her progress toward tenure and that letter will be shared with the chair. This assessment should be provided orally to the untenured faculty member initially, and he/she should be given opportunity to respond and for the assessment to be modified as a result of this meeting if appropriate. The chair and the mentor (or mentoring committee) should also meet to discuss the progress of the untenured faculty member on an annual basis.

2. At the beginning of the first semester of the untenured faculty member's service, the Dean will select two mentors for each such untenured faculty member. At the end of that faculty member's first year and at subsequent times should the need arise, the faculty member and the Dean should discuss the relationship with the mentors and whether replacing the mentors with one or more new mentors might be more appropriate. In making appointment to this committee, the Dean should, where appropriate, give strong consideration to the preference of the untenured faculty member. Mentors should recuse themselves from any Promotion and Tenure committee work with respect to a faculty member whom they have mentored, unless the candidate waives this rule.
3. The Mentors will discuss the candidate's research agenda with the candidate. The mentors should also read drafts of articles and help the candidate identify Law School colleagues or persons outside the Law School who will read drafts of articles. Generally, Mentors should provide guidance and feedback both before and after summer writing periods. Based on these discussions and this information, the Mentors will provide an Annual Assessment each spring describing the candidate's progress toward tenure. The written assessment should be provided in draft to the untenured faculty member initially, and he/she should be given opportunity to respond and for the assessment to be modified or expanded as a result of this meeting if appropriate. The assessment will then be shared with the Dean. The Dean should also meet with the Mentoring Committee to discuss the progress of the untenured faculty member on an annual basis.
4. Neither the Mentoring Committee nor the Dean will

distribute the Annual Assessment to anyone else, or disclose its contents, absent consent on the part of untenured faculty member under consideration; and these documents will not become a part of any faculty member's promotion or tenure file, unless the candidate specifically requests after the discussion and assessment are completed that the assessment be included in his or her file. Tenure-track but untenured faculty members are encouraged to share these documents with their individual support committee members but are not required to do so.

## B. SUPPORT COMMITTEE

1. A new committee, to be known as the Support Committee, will be formed for each untenured tenure-track faculty member for the purposes described below.
 

*COMMENT: This committee will replace the pre-2004 untenured tenure-track faculty mentoring system.*
2. As soon as possible after the appointment of an untenured faculty member, and after conferring with the new faculty member, the Dean shall appoint two faculty members to serve as the untenured faculty member's Support Committee. The committee shall serve for at least one year but may continue to serve longer at the untenured faculty member's option. At the end of the first year, the faculty member and the chair should discuss the relationship with the Support Committee and should determine whether the committee will continue and whether either or both committee members should be replaced by others.
3. The function of the Support Committee is to give advice to the new faculty member in his or her transition into the UF community. The Support Committee should meet with the faculty member in an informal setting as soon as possible after his/her arrival on campus and make regular efforts to foster collegial contacts. The Support Committee should provide advice and feedback on questions about scholarship and teaching, and assist the new faculty member in understanding the general rules and operations of the College of Law. It is expected that members of the Support Committee will offer to visit the untenured faculty member's classes at least once during each academic year, not for the purpose of promotional review, but rather for the purpose of offering helpful advice about teaching. The committee should also inform the new faculty member that it welcomes the opportunity to review and comment on any drafts of scholarly papers written by the new faculty member, or to help the faculty member find appropriate readers for such work, but the committee should also stress to the new faculty member that they are not

required to share drafts with the Support Committee as a requirement for promotion or tenure. In general, the committee should bear in mind that its exclusive function is advisory and supportive, and not evaluative.

COMMENT: Both the Dean, in his discussion with the new faculty members, and the members of the committee in their relations with the new members, must be sensitive to the limitations of the Support Committee's responsibility and to the possibility that the Committee may become too intrusive or too passive. The Support Committee has a special responsibility to provide encouragement and support and to foster collegial contacts between the new faculty member and his/her colleagues. However, appointment of the Committee is not intended to foreclose consultation by the untenured member with other members of the faculty, or the solicitation of the views and assistance of others.

## Sabbaticals, Research Program, Leaves and Exchanges

### Sabbatical Program

(04/30/02)

(The Faculty Support Committee recommended changes to the Sabbatical Program, but the faculty voted to not adopt the changes; policy remained the same. 9/11/98. Several changes made to policy on 4/30/02).

#### ELIGIBILITY

Any tenure-track faculty member who will have achieved twelve regular semesters (spring or all) of eligible service at the start of the academic year for which the sabbatical has been granted shall be eligible to apply for a sabbatical. An individual who expects to be tenured at the time the sabbatical is taken may apply prior to being awarded tenure; any award by the dean of a sabbatical to an untenured individual shall be conditional upon such individual's receiving tenure prior to the taking of the sabbatical.

The twelve regular semesters of required eligible service must include at least ten semesters of full-time service on this faculty or as a participant in a formal faculty exchange program of this law school. An additional two semesters of eligible service may be earned, while on approved leave of absence, for a full-time visit

as a teacher or scholar-in-residence on the faculty of any other accredited law school or university, or for full-time employment in a law-related job that advances the professional development of the faculty member. This may include a law-related position in any government agency, foreign institution, foundation, public interest group or private law firm while on approved leave of absence from this institution. Eligible service includes leaves granted pursuant to university regulations governing sick leave, parental leave, family medical leave, and military leave, including leaves taken for those purposes and funded by annual leave.

Once an individual has received a sabbatical, eligible service credit towards a subsequent sabbatical shall begin accruing at the start of the academic year following the sabbatical. Eligible service can be earned only after a person commences service as a tenured or tenure-track faculty at the College of Law.

#### PURPOSES

Sabbatical leaves shall be granted for the purpose of enabling the applicant to pursue professional activities, undisturbed by teaching, governance or administrative duties at the University of Florida.

#### APPLICATION PROCEDURE

The dean shall request faculty members to indicate that they wish to be considered for a sabbatical during the fall semester preceding the academic year in which the sabbatical is to be taken. Applications submitted at that time shall be given priority; late applications may be considered as funding and teaching needs permit.

#### CONSIDERATION OF APPLICATIONS

The dean shall consider each proposal submitted and shall grant or deny each request prior to the conclusion of the fall semester in the order specified below. If the dean is unable to grant all requests from eligible individuals, the dean shall determine their priority based on the number of semesters of eligible service of each individual. In the event of a tie, priority shall be based on seniority on this faculty. If the tie persists, the dean shall make the decision taking into account the best interests of the institution.

#### COMPENSATION

A faculty member shall be compensated at a rate of: (1) one-half of the normal rate of pay for a sabbatical of two semesters; or (2) at full pay for a sabbatical

of one semester. Compensation shall also include the full contribution normally made by the university to retirement and insurance programs, as well as the individual's full Faculty Enrichment Fund allotment.

### RECORD OF ACTIVITIES

No tangible research product is required of a person who receives a sabbatical. On returning from sabbatical, however, the individual shall submit a written report to the dean describing activities undertaken during the leave.

### SERVICE FOLLOWING SABBATICAL

A faculty member is expected to return to the College of Law on a full-time basis for two semesters following a sabbatical leave, or to return to the university the salary received during the leave.

### NUMBER AND TIMING OF SABBATICALS

The dean should make every reasonable effort to provide sabbatical leaves in each academic year to all eligible faculty. The dean and the faculty member awarded a sabbatical shall agree on the semester during which the leave shall be taken, taking into account the faculty member's preferences and the teaching needs of the institution.

*Comments from 04/30/02): Use of "semesters." The change "six years" to twelve "regular semesters (Spring or Fall)," makes clear that: (1) a person may gain credit through an appointment that covers only one semester in the academic year and (2) sabbatical eligibility does not depend on, and is not related to, teaching in the summer.*

*Paragraph 11 of FAC 6C1-1.201 (see Appendix A), in setting forth the prerequisites for a Professional Development leave, initially speaks in paragraph (a) of "six years of continuous full-time University of Florida service" and then in paragraph (e)(7) of "six years of full-time service." The committee concluded that it did not have to resolve this inconsistency with respect to the word "continuous," since the university permits a program to be more generous than the program it has "prescribed" (but does not fund) (see Appendix B).*

*Our program is in many ways similar to the "Professional Development Leave." It provides: (1) a similar compensation scheme (full pay for one semester or one-half pay for two semesters); (2) a similar agreement to return for at least one academic year; (3) a similar requirement of a report upon return; (4) and a*

*similar purpose of professional development through "professional activities" (this language in paragraph b is intended, as we understand it, to provide basically what 6C1-1.201(11) is designed to provide - "a period of time for the purposes of professional renewal, planned travel, study, formal education, research, writing, or other experience of professional value"). However, our program gives eligibility credit for two terms teaching at other schools (or employment in law-related jobs) and does not require continuous service (as evidenced by those exceptions). It also has no provision relating to grants-in-aid, fellowships, or financial assistance from other sources (although we assume that the dean would ordinarily impose similar restrictions). While our policy statement also includes no provision on employment unrelated to professional development, that difference does not appear to be material, as the university's general employment activity/conflict of interest provision would automatically be applicable.*

*Substitution of "full-time service." The committee substitutes "full-time service" for "full-time teaching" in paragraph (a) in recognition of the broader obligations of the tenured and tenure-track faculty member. Such faculty serve pursuant to an appointment requiring that they discharge a variety of duties. These include, as reflected in the university rules, classroom teaching, scholarly production, and community service, including service at college and university levels as well as service to broader communities such as service to academic and legal communities at local, state, nation or global levels. Thus an assignment that does not include teaching in a particular semester (or includes only a reduced teaching load) should not constitute an "uncounted" leave if full-time service is being otherwise delivered to the institution.*

**Credit for visits and other law-related employment.** *The current provision relating to visits is altered in several respects. All accredited law schools are included (as opposed to AALS members); recognition is given to the possibility that a person may visit in a department other than a law school; the visit must be full time, but need not require full-time teaching (some prestigious visiting positions involve reduced teaching, and some simply involve being a scholar-in-residence). Changes are also made as to the alternative law-related activity. It has been described initially in general terms as that which advances professional development. The current language is then used to provide illustrations. The committee was divided as to the wisdom of this*



provision, but concluded that there was no need to revisit the issue at this point. However, since law-related activity could include service not covered by our current provisions (e.g., work with in-house counsel, or some consulting firm), it was thought best to use the current language as a list of illustrations. Finally, we move to the start of the paragraph the overall prerequisite of an approved leave.

**Special leaves.** Paragraph D(3) of the Faculty Policy Manual refers to sick leaves, parental leaves, and family medical leaves; FAC 6C1-1.201(7) also refers to Military Leave. We have added a provision stating that all of these leaves count for sabbatical purposes. We impose no limit as to how such leaves are funded or not funded. However, to avoid confusion as to leaves for such purpose that are funded in whole or in part by Annual Leave (available to 12-month faculty members), we refer specifically to that source. For most faculty (i.e., 9-month faculty), the leaves are funded by accrued sick leave. See FAC 6C1-1.201(6)(g).

**Tie breakers.** Our current provision on tie breakers uses (1) number of years of eligible service, (2) greatest number of semesters of eligible service that consist of full-time teaching, and (3) seniority at the school. We have eliminated the 2nd tie-breaker; it is inconsistent with paragraph (g) of the Research Leave Program, and contrary to the concept of full-time service we have proposed.

**Start of the counting period.** The committee considered adding a starting point provision, but viewed that as unnecessary. The provision on eligibility starting with service at the university has been changed to refer to a tenured or tenure-track professor at this school. This is consistent with the current interpretation. We saw no need to state that a leave of absence does not start the clock running again, even if the leave is for a purpose that does not qualify as eligible service (e.g., a leave for a law-related activity that extends beyond two semesters). There is nothing in our current provision, nor this provision, which suggests the 12 semesters must be earned in consecutive semesters, and the commentary clearly indicates otherwise.

**Retroactivity.** There is no need for a retroactivity provision because this proposal is consistent with past interpretation. It may well be that the sabbatical leave was originally seen as a product of a joint effort of those who had carried a full-time teaching load for six years, therefore limiting eligibility to such persons. However, it has not been so interpreted for a substantial number of years (at least the last seven), and for reasons stated

above, we believe it should not be so interpreted in the future.

## Research Grant Program

(2/25/82; 1/21/83; 10/28/83)

- Eligibility:** All tenured and tenure-track faculty members at the University of Florida College of Law.
- Research Requirement:** A definitive project leading to publication of an article, paper, book or other written material intended for distribution beyond the University of Florida College of Law.
- Remuneration:** Two-thirds of salary otherwise payable if the grantee were to teach for the summer or the semester, as the case may be. All fringe benefits are to be continued. The grant may be used by the faculty member to supplement outside funding that may be obtained.
- Number:** A minimum of three each academic year, including the summer term. Grants would be awarded for either summer or semester research leaves.
- Selection Process:** Selections will be made solely by the dean of the College of Law. There will be no ranking of applicants or consideration of proposals by any faculty committee. If an excess of applicants exists, priority should be given to applicants who have not received research leaves under this program in the previous three years. If an excess of applicants still exists, factors to be considered by the dean shall include (but not be limited to) date of most recent paid leave (preference to those who have not had recent leaves), total assigned work load, prior publication record and whether publication is intended for remunerative or non-remunerative purposes.
- Application:** Applications are due in the Dean's Office by the Friday of the third full week in October, for the following summer, fall and spring semesters. These applications will be considered as funds and teaching needs permit.
- Relationship to Other Programs:** Both this and the Sabbatical Programs are to have equal priority for selection and funding purposes. If a faculty member receives a funded research grant, that would in no way affect his or her eligibility or priority for a subsequent sabbatical.

## Leave

Faculty members with questions about leave should contact Academic Personnel at 392-1251, SC 622-1251.

## Faculty Exchanges

### LEIDEN UNIVERSITY

This exchange program was adopted in 1975. It provides for a faculty exchange each year; every other year the College of Law visitor will be from the tax area. Each university will pay the salaries of its own faculty members. (7/18/75; amended 12/16/76)

### MONASH UNIVERSITY

Begun in 1980, this program contemplated exchanges once every three years. The faculty member nominated by Monash to visit the College of Law was accepted without action by the college faculty. The Florida faculty member to visit Monash was appointed by the dean with the acquiescence of the appointee. Prior to determining the identity of the Florida nominee, the dean asked faculty members to express an interest in visiting Monash University. (2/29/80) This program is not active.

### BRIGHAM YOUNG UNIVERSITY

The dean was authorized to implement this exchange in the same manner as the Monash Exchange. (11/9/84) This program is not active.

### UNIVERSITY OF UTAH

The dean was authorized to set up an exchange program along the lines adopted for the Monash Exchange. (11/9/84) This program is not active.

### FRANKFURT UNIVERSITY

The dean was authorized to set up this exchange in the same manner as the BYU and Utah exchanges. The exchange is to take place in alternate years, with the College of Law faculty member visiting during alternate summers. (3/1/85)

### UNIVERSITY OF BRITISH COLUMBIA

The dean was authorized to implement this exchange along the lines of the Leiden and Monash Exchanges, as a one-semester visit every other year. (5/22/87)

### HASTINGS COLLEGE OF THE LAW (UNIVERSITY OF CALIFORNIA)

The dean was authorized to set up this exchange along the lines of the Monash exchange. (1/20/89)

### FACULTÉ DE DROIT DE MONTPELLIER

The dean was authorized to set up an exchange program patterned after other College of Law faculty exchanges. (5/16/95)

### STELLENBOSCH UNIVERSITY

This exchange program operates in alternate years. The College of Law receives a faculty member from Stellenbosch as a teacher in a foreign enrichment or comparative law course. A College of Law faculty member visits in the summer at Stellenbosch, from approximately mid July to mid August. The College of Law faculty member will also have a teaching assignment at Stellenbosch. The program informally began in 1994, and formally in 1995-56. (12/5/95)

### MONASH, AUSTRALIA

The dean was authorized to set up a faculty exchange program patterned after other College of Law faculty exchange Programs. (01/24/02).

### PUC-RIO

The dean was authorized to set up a faculty exchange program patterned after other College of Law faculty exchange Programs. (01/24/02).

## Non-Tenure Track Teaching Faculty

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### Legal Skills Teaching Faculty

(02/24/00) (08/23/01)

#### DEFINITION

Legal Skills Teaching Faculty include those eligible full-time employees who teach in the area of the College of Law's Clinics, Legal Writing & Drafting programs. (8/23/01)

Simulation-based skills courses are part of the clinical program and therefore full-time non-tenure-track faculty hired to teach simulation-based skills courses are covered by the policies adopted by the faculty with respect to opportunities for job security and other benefits provided to full-time non-tenure-track faculty. (01/24/02)

## Length of Contract

### FOR NEWLY HIRED

A new full-time non-tenure-track legal skills faculty member shall receive a one-year appointment, renewable annually for up to four years.

### AFTER THREE YEARS OF TEACHING

In his or her third year of teaching, a non-tenure-track legal skills faculty member shall be subject to a performance review.

If the performance review is deemed satisfactory, the non-tenure-track legal skills faculty member shall be provided with the opportunity to sign a three-year contract with the College of Law, to begin at the start of the individual's fourth year of teaching.

Accompanying that opportunity shall be a percentage salary increase commensurate with that provide to tenure-track assistant professors who are promoted to associate professor.

If performance is deemed not satisfactory, the non-tenure-track legal skills faculty member shall have the opportunity to remain in place for one more academic year, that is, for his or her fourth academic year. Upon the completion of that fourth academic year, the contract shall not be renewed.

### AFTER SIX YEARS OF TEACHING

In the sixth year of teaching (and thus the last year of his or her three-year contract), a non-tenure-track legal skills faculty member shall be subject to a performance review.

If the performance review is deemed satisfactory, the non-tenure-track legal skills faculty member shall be provided with the opportunity to sign a 5-year contract with the College of Law, to begin at the start of the individual's seventh year of teaching.

Accompanying that opportunity shall be a percentage salary increase commensurate with that provide to tenure-track associate professors who are promoted to professor.

If performance is deemed not satisfactory, the non-tenure-track legal skills faculty member shall have the opportunity to remain in place for one more academic year, that is, for his or her seventh academic year. Upon the completion of that fourth academic year, the contract shall not be renewed.

### AFTER ELEVENTH YEARS OF TEACHING

In the eleventh year of teaching (and thus the last

year of his or her five-year contract) and at the expiration of any five-year contract thereafter, so long as performance is satisfactory, a non-tenure-track legal skills faculty member shall be eligible for an additional five-year contract. There shall be no limit to the number of five-year contracts a non-tenure-track legal skills faculty member may sign.

### CAUSE FOR TERMINATION

All contracts referred to herein shall contain the provision that a non-tenure-track legal skills faculty member may not be terminated during the life of a current contract except for good cause shown or unless necessitated by a substantial modification of the law school's programs.

### NON-ACCURAL TOWARD TENURE

Under no circumstances shall time spent as a non-tenure-track legal skills faculty member accrue toward tenure.

### DEAN'S ABILITY TO RECOGNIZE TEACHING OR OTHER EMPLOYMENT EXPERIENCE

Nothing stated herein should be taken to preclude the ability of the dean, in recognition of previous teaching or other appropriate employment experience, to offer a new non-tenure-track legal skills faculty member a contract of three or five years length or to reduce the required number of academic year the new hire would need to teach before being eligible for a three-year contract.

*Comment: In a memorandum to Dean Jon Mills dated January 12, 2000, University Counsel Pam Bernard interpreted the Florida Administrative Code, as well as applicable Board of Regents and University of Florida rules, in a manner supporting the law school's ability to make the modifications recommended herein.*

## Hiring and Retention of Non-Tenure-Track Legal Skills Faculty

A new faculty committee, called the Non-Tenure-Track Legal Skills Faculty Appointments and Retention Committee (hereinafter, the A&R Committee), shall be created. The A&R Committee shall be appointed by the dean for a term of one to two years. It shall consist of an equal number of tenure and non-tenure-track faculty. The directors of Legal Writing and Drafting Programs shall be mem-

bers of the A&R Committee, All other non-tenure-track members of the A&R Committee shall be persons who are teaching under a five-year contract.

## **HIRING PROCESS**

When the dean has identified the need to hire a new non-tenure-track member, he or she shall ask the A&R Committee to conduct a search. At the conclusion of its search, the A&R Committee shall make appropriate hiring recommendations to the faculty. Following discussions, the faculty shall vote on the A&R Committee's recommendations. The recommendations of the A&R Committee, and the results of the faculty vote, shall be reported to the dean. Final authority to hire a non-tenure-track legal skills faculty member, or not, shall rest with dean.

## **PROCESS OF REVIEW BEFORE GRANTING RENEWAL UNDER A LONG-TERM CONTRACT**

If a non-tenure-track legal skills faculty member is eligible to be considered for renewal under a longer-term contract, there shall be a formal review of his or her performance. This review shall begin with an evaluation conducted by the A&R Committee. At the conclusion of its evaluation, the committee shall make appropriate recommendations to the faculty. Following discussion, the faculty shall vote on the committee's recommendations. The recommendations of the committee, and the results of the faculty vote shall be reported to the dean. Final authority to grant or not grant a longer-term contract to a non-tenure-track skill faculty member shall rest with the dean.

## **CRITERIA FOR GRANTING RENEWAL UNDER A LONG-TERM CONTRACT**

The criteria upon which non-tenure-track legal skills faculty shall be evaluated for contract renewal shall include teaching and service. If such individuals engage in the practice of law as part of their law school employment, they shall be evaluated on this criterion as well. A recommendation for renewal shall be based upon excellent performance in each applicable category.

## **PROCESS OF REVIEW BEFORE GRANTING RENEWAL OF FIVE-YEAR CONTRACT**

If a non-tenure-track legal skills faculty member is teaching under a five-year contract and is eligible to be considered for renewal, the authority to renew the contract of the non-tenure-track legal skills faculty member shall rest with the dean without the requirement of a

formal review. In these contract renewal decisions, the dean may choose to consult with the A&R Committee. Contact renewal shall be based upon the dean's determination that a non-tenure-track legal skills faculty member's performance has been satisfactory.

Note: Prior to the beginning of the 2000-2001 contract year, the dean reviewed the circumstances of each existing non-tenure-track faculty's employment and determined the faculty members appropriate salary and term of contract.

## **Participation of Non-Tenure-Track Legal Skills Faculty in Law School Governance**

### **ELIGIBILITY TO VOTE AT FACULTY MEETINGS**

Except for those restrictions set out below, non-tenure-track legal skills faculty shall be eligible to vote at faculty meetings.

Non-tenure-track legal skills faculty shall not be eligible to participate in discussion sessions concerning, or to vote on the appointment, promotion, or tenure of tenure-track faculty members.

Non-tenure-track legal skills faculty shall be eligible to vote on recommendations of the A&R Committee with respect to the hiring of non-tenure-track faculty and with respect to contract renewal of a non-tenure-track faculty member employed under a shorter-term contract than that of the voting non-tenure-track legal skills faculty member.

### **ELIGIBILITY TO SERVE ON COMMITTEES**

Non-tenure-track legal skills faculty shall be eligible to serve and vote on all law school committees except Promotion & Tenure and Appointments.

## **Working Titles for Non-Tenure-Track Legal Skills Faculty Members**

The academic title of all non-tenure-track legal skills faculty remains "lecturer." Within the College of Law, non-tenure-track legal skills faculty shall be granted the working title of "legal skills professor."

## **Adjunct Teaching Faculty Policies and Procedures**

### **DEFINITIONS**

Adjunct faculty are appointed or assigned to teach

a specific course on a one-semester basis, as further defined below.

- Track One (Inside) adjunct faculty are full-time employees of the law school whose position is not primarily a teaching position (e.g. researchers in the Center for Governmental Responsibility, librarians, and non-tenure-track faculty-administrators) who are assigned to teach a specific course on a one semester basis; and non-tenure-track skills faculty hired to teach a simulation or skills course (including, but not limited to Clinic, Legal Writing, Legal Drafting) who are assigned to teach a specific course outside of the skills courses on a one semester basis.
- Track Two (Outside) adjunct faculty have no other appointment at the College of Law. This includes retired faculty. This does not include people who teach under the supervision of other faculty, including other adjunct faculty, field supervisors in externship programs; and instructors in foreign summer law programs and foreign enrichment programs.

## POLICIES ON APPROPRIATE USE OF ADJUNCT FACULTY

**Appropriate for specialty courses:** Adjunct faculty should generally be used only for courses that cover specialized areas of the law not within the teaching areas of currently available full-time faculty.

**Flexibility and exceptions:** This policy should not be read to preclude assigning a Track One adjunct to a course within an area of the adjunct's non-teaching work at the College, even if tenured or tenure-track faculty are also available to teach the course.

**Not appropriate for first year and large enrollment courses:** Adjunct faculty should generally not be assigned to teach courses in the first year of the J.D. program or large-enrollment courses in the remainder of the J.D. program or the LL.M. programs.

**Flexibility and exceptions:** In addition to the ABA and AALS standards, the policy against assigning large-enrollment courses to adjuncts is based on the typical circumstance that adjuncts are employed elsewhere and do not have time to make themselves available to a large number of students between class, to focus on teaching techniques, or to become familiar with grading norms. A retired law teacher, although classified as an adjunct, may not suffer from the prior disabilities, and may be an appropriate person to teach a large enrollment course. Similarly, an appointee under Track One may be used for a course with a larger enrollment if he

or she has a record of success as a teacher and his or her non-teaching responsibilities are appropriately adjusted. On a temporary basis, other adjunct faculty may be used in large enrollment courses if full-time faculty members are not available to teach them. In this case, unless the unavailability of full-time faculty is temporary, the courses should normally be included in the college's hiring needs for full-time faculty.

Equal Employment Opportunity Guidelines do not allow an unadvertised appointment continuing for more than one semester. It is the dean's responsibility to ensure that the appointment of adjuncts is consistent with the Equal Employment Opportunity Guidelines. This does not necessarily preclude the use of an adjunct to teach a course more than once in an academic year. However, when it is anticipated that a course will be taught by an adjunct on more than a brief or one-time basis, every effort should be made to ensure that the process for selecting the adjunct is as open as is feasible. These efforts could include publicizing the need for an adjunct to teach the course; soliciting diverse applicants; and soliciting input from the faculty.

## APPOINTMENTS PROCEDURES FOR ADJUNCT FACULTY

**Initial appointment by dean, with committee approval:** The dean may initially appoint Track Two (outside) adjunct faculty or assign Track One (inside) adjunct faculty, with approval of the Adjunct Teaching Committee. The dean should provide the Adjunct Teaching Committee with resumes and any other available information regarding the proposed adjunct, as soon as reasonably possible.

**New Course is a new appointment:** When an adjunct is appointed to teach a course that the adjunct has not previously taught, or which is not substantially similar to a course the adjunct has previously taught, that appointment shall be considered an initial appointment, for purposes of these policies.

**Initial Evaluation in first semester:** The Adjunct Teaching Committee shall make every effort to do a written evaluation of adjuncts in their first semester of teaching.

**Basis of committee's written evaluation:** A member of the committee shall do a written evaluation, based on a review of the course syllabus and materials, and class visitation.

**Review of evaluation by the full committee:** The committee shall review the written evaluation, as soon as reasonably possible after the evaluation is completed.

Where the evaluation is deemed by the committee to be negative, a different committee member shall do a second evaluation, and a fuller evaluation shall be done which may include past evaluations in this or other courses.

**Review of student evaluations:** The dean shall provide the committee with the student evaluations of the adjunct as soon as reasonably possible. The committee shall review the student evaluations.

**Evaluation and recommendation to dean and adjunct faculty member:** The Adjunct Teaching Committee shall submit the written evaluation, as approved by the committee, to the dean, and shall indicate when there appears to be a discrepancy between the committee evaluation and the student evaluations. As part of its submission to the dean, the Adjunct Teaching Committee shall make a recommendation to the dean, which may include a positive recommendation, a recommendation that the adjunct not be reappointed to teach this course, or such other recommendation as the committee deems appropriate.

**Copy of evaluation and recommendation to adjunct faculty member:** A copy of the written evaluation and recommendation shall be provided to the adjunct at any point, but no later than at the time it is provided to the dean.

**Subsequent Reappointment:** Following a positive recommendation to the dean by the Adjunct Teaching Committee, the dean may reappoint the adjunct to teach the same or a substantially similar course in subsequent semesters. Following a committee recommendation that the adjunct not be reappointed to teach this course, the dean should not reappoint the adjunct to teach that particular course, except under extraordinary circumstances, which the dean shall report to the faculty.

**Teaching Second Course in Same Academic Year Requires Faculty Approval, Same course:** If the dean wishes to appoint the adjunct to teach the same course more than one semester during the Academic year (including summer), the Adjunct Faculty Committee must present the appointment to the faculty for approval prior to the appointment, and the faculty's approval is required for the second appointment to teach the course. **Different course:** If the dean wishes to appoint the adjunct to teach a second (different) course resulting in the adjunct teaching more than one course during the academic year, the Adjunct Faculty Committee must present the appointment for the second course to the faculty for approval prior to the appointment, and the faculty's approval is required for the appointment to the

second course.

**Subsequent Reevaluation:** The Adjunct Faculty Committee shall conduct subsequent evaluations at least once every four years. More frequent reviews should be done where appropriate to follow up on recommendations or concerns expressed in earlier reviews. After each evaluation, the committee shall make a recommendation to the dean regarding the advisability of continuing to utilize the adjunct in the particular course.

## ADJUNCT COMMITTEE REPORTS TO THE FACULTY

**Presentation to faculty regarding adjuncts teaching more than one course in an academic year:** The Adjunct Teaching Committee shall present to the faculty the names of adjuncts whom the dean proposes to teach for the second time in an academic year. Whenever feasible, this presentation should occur significantly prior to the publication of the course offerings for the semester in which the second course would be taught.

**Survey of Use of Adjunct Faculty:** The Adjunct Teaching Committee should regularly provide the faculty with a survey of the use of adjunct faculty generally by the College of Law, and, where appropriate, should make recommendations to the dean and to the faculty regarding the use of adjuncts generally, including the advisability of using them in particular courses.

## INCLUSION OF ADJUNCTS IN THE LAW SCHOOL COMMUNITY

The law school administration should provide a document or other systematic means of informing adjunct faculty of relevant policies and procedures, and other helpful information.

Adjunct faculty should be provided with appropriate secretarial and other support.

Each Track Two adjunct faculty member should be formally assigned to a liaison, ideally a full-time faculty member with related interests. This full-time faculty member would have no role in evaluation of the adjunct, unless the faculty member happens to be a member of the Adjunct Teaching Committee.

Adjunct faculty should be invited to social and enrichment functions, and to other College of Law functions.

## Faculty Meetings; Governance

### Graduation Faculty Meetings

(5/19/78; 4/2/98)

A quorum for graduation meetings will be satisfied by the presence of one or more voting members of the faculty in attendance at the time, date and place for the convening of the meeting. No other business except that of approving or disapproving the graduation of seniors and attendant matters shall be conducted in a graduation meeting unless 50% or more of the voting members are present. Policy reaffirmed on April 2, 1998.

### Student Attendance at Faculty Meetings

1. Two students have the privilege of the floor and voting at faculty meetings: the JMBA President and the President of the Council of Ten. Student members of faculty committees may participate without voting in those faculty meetings that pertain to the committee on which they are serving. (This policy excludes meetings concerned with decanal or personnel appointments.) (10/71)
2. A reporter from the College of Law student newspaper may attend all meetings at which the president of JMBA and the president of the Council of Ten have the privilege to attend and vote, but the representative of the student newspaper has no right to speak and no right to vote. (1/25/80)
3. Notice of agendas for upcoming faculty meetings are to be posted on the administration bulletin board so that interested students might attend those meetings, with the understanding that attendance will be on a space available basis, on good behavior, and without the right to speak or vote. Also, some indication should be made as to the number of students planning to attend so that the faculty meeting may be scheduled in a larger room if necessary. (5/23/80)

### Governance

(11/5/71) For the purpose of participating in the governance of the College of Law by attending and voting at faculty meetings, “faculty” means those persons whose primary function is teaching and research and who hold the rank of professor, associate professor or assistant professor and includes the dean, associate dean, assistant dean and persons holding similar admin-

istrative positions if they also hold professorial rank but does not include the assistant to the dean, persons holding the rank of instructor or any interim or a member of the library staff, whether engaged in teaching or not, except that the law librarian by action of the faculty may be a member of the faculty. Persons serving in the College of Law with professorial rank as visitors, or holding an interim instructional rank, or otherwise directly engaged in the instructional program, are invited and encouraged to attend faculty meetings but are not eligible to vote.

**COMMENT:** *The proposed definition is designed to identify those persons whose functions and responsibilities are at the heart of the educational process itself, as distinct from the personnel whose concern is centered in the necessary supporting services such as admissions, library, etc. The service of persons with interim status is from its inception usually intended to be of short duration. Therefore, these persons are not included within the fully participating faculty even though their duties may be exclusively in the teaching area. Visiting professors occupy a unique position. They are usually established teachers whose experiences constitute a valuable resource. On the other hand, their long-range interest and commitment are usually elsewhere. Therefore, the proposal is that they participate in discussions but not directly in decisions. Mention is made of eligibility to participate in the faculty’s deliberative and decisional processes, because it is in connection with this type of action that the classification of law school personnel is here important. It should be emphasized that regardless of classification, any person who engages in teaching is vested with a full measure of academic freedom and responsibility in his teaching role, even though for other purposes he is not included within the definition of “faculty.” Within the College of Law there have been examples of appointments to positions in which the title of the appointee has been determined solely or in part by the label on the budgetary item from which the appointee’s compensation is paid. The philosophy of the definition is to posit faculty status on the duties assigned, and in the event of conflict between budgetary descriptions and teaching function, the assigned duties should always prevail over budgetary or similar factors.*

## University Senate

### MEMBERSHIP

1. Section 2. MEMBERSHIP — The Senate shall consist

of elected voting members, ex-officio non-voting members, and student non-voting members. The voting membership of the University Senate shall be apportioned equitable among the academic colleges and units based on a membership of one hundred fifty (150) members. Each year prior to the Senate elections the academic units will be notified by the president, or the president's designee, of the number of faculty eligible for election.

The number of elected members of the Senate will be apportioned among the academic units based on the number of tenured or tenure-track faculty in each unit as follows:

- Number of unit senators = 150 x number of full-time tenured or tenure-track faculty in the academic unit.
- Number of full-time tenured or tenure-track faculty in the university.

In the event that the formula does not produce a whole number, the number of senators representing a unit will be determined by rounding the calculated value to the nearest whole number.

- 2. Elective Members:** The elected members of the Senate shall be one hundred fifty (150) faculty members. Any faculty member in an academic unit, regardless of tenure or tenure track status, shall be eligible for consideration and election to the senate. The members shall be elected by secret ballot by the tenured or tenure track faculty of their respective academic units. Elective members shall serve two-year terms commencing the first day of the fall term following their election the previous spring term. They shall not be eligible to serve again for a period of two years following such term, and the terms shall be staggered so that half of this group is replaced each fall. The faculties of the individual electoral units may establish provisions for nominations and election unless otherwise specified in Senate by-laws. To ensure equitable representation, certain small units may be grouped.
- a. Ex-officio members. The Senate shall include non-voting members with the right of the floor.
  - b. Administrative ex-officio members shall be the president, the provost, vice presidents of the university, full deans of academic units, directors of schools, the director of Libraries and the registrar.
  - c. Members of the Senate Steering Committee and the chairperson of other constitutionally specified committees elected by the Senate as described in Article III, Section 6 shall be ex-officio members if not elected members of the Senate.
  - d. Five student ex-officio members shall be chosen

annually for one-year terms by a procedure established by student government. In addition, three student ex-officio members shall be selected annually from the Graduate School and one student member will be selected annually from each of the following colleges: Dentistry, Law, Medicine and Veterinary Medicine. — From: *Constitution of the University of Florida*, Article III, "The University Senate," 1996.

### 3. Membership - College of Law

- a. In the fall of 1994, the University Senate voted to reorganize. Under the reorganization, membership will consist of 150 elected faculty members. Prior to reorganization, about 325 faculty members served in the Senate. The College of Law will have three representatives to be selected from those holding tenured or tenure-track positions, including tenured or tenure-track librarians working at the law school.
- b. In the fall of 1995, faculty voted to change the selection process of law school members for the University Senate. Instead of the random selection process used in the past, the dean's office will post a notice, seeking volunteers for membership. If more than the number needed volunteer, representatives will be chosen by lot from among the volunteers. If fewer than the number needed volunteer, lot from those who did not volunteer will fill the remaining positions. The new process will take effect with the 1996 selection. (9/29/95)

## Centers and Institutes

### Center for American Law Studies

The Center for American Law Studies is a joint initiative of the University of Florida Levin College of Law and Warsaw University Faculty of Law and administration. The center, which started its operation in October 1998, is designed for Polish law students of the third, fourth and fifth year with particular interest in the American legal system. Each course will be taught for two weeks, not less than four times a week, for 1.5 hours. Faculty members of the Levin College of Law will teach the courses. During the course of study students will be introduced to traditional and innovative teaching methods applied at American universities to insure a dynamic professional program. Most of the study materials necessary for class preparation will be provided by the center.



## Centre for International Financial Crimes Studies

This research center provides global studies, consultation, training and education in anti-money laundering strategies. At UF, the center hosts leading experts as classroom lecturers and coordinates national and international conferences, which have been held recently in New York, Washington, D.C., Miami and Curacao. The center is actively involved with the annual International Symposium on Economic Crime at Cambridge University in England and the training of federal law enforcement officers on international financial crime.

## Center for the Study of Race and Race Relations

The mission of the Center for the Study of Race and Race Relations is to create an academic institution designed to explore issues of race and race relations, promote racial understanding, interracial dispute resolution, racial equality and racial healing. The center seeks to achieve its mission through the development and promotion of university, local, state and national projects to influence policies on racial issues. The center's focus is on developing strategies and plans of action for confronting and resolving the myriad of race issues of concern to our community, state and nation. Most of the center's proposed projects could be placed in one of three primary areas: teaching, scholarship and service.

(3/5/98)

## Holland & Knight Institute

This agreement was entered into effective June 10, 1997, between the law firm of Holland & Knight and the University of Florida College of Law. Purpose: H&K and UF-LAW intend that the institute be a model of cooperation between law school faculty and legal practitioners. Through institute projects in which faculty members work with H&K practicing attorneys, the institute will support the research of UF-LAW faculty members and will maintain and improve H&K's ability to render high quality legal services.

## Institute for Dispute Resolution

The mission of the University of Florida College of Law Institute for Dispute Resolution is to encourage and enhance teaching, research and service in dispute resolution.

1. Teaching. The institute will encourage, develop and improve the teaching of dispute resolution in a wide variety of contexts. The institute will develop concentra-

tion/certificate/graduate programs in dispute resolution and seek dispute resolution internship opportunities.

2. Research. The institute will be an interdisciplinary research institute focused on dispute resolution theory and practice, addressing policy, ethical, implementation and empirical questions. It will seek to develop an annual symposium on critical issues in dispute resolution as well as a Dispute Resolution Journal.
3. Service. The Institute will engage in public policy initiatives; continuing education and training programs; systems design; and conflict resolution. Service activities will be broad-based in terms of both clientele and subject matter.

(4/11/97)

## Intellectual Property Institute

The objective of the University of Florida College of Law Intellectual Property Institute is to develop, encourage, and facilitate teaching, scholarship, and service relating to the law of intellectual property.

1. Teaching. The Institute will work on expanding our current offerings through the use of tenure and tenure-track faculty, adjunct professors, externships, and foreign enrichment programs. In addition, we plan to develop a program leading to a certificate in Intellectual Property Law and, perhaps at some point in the future, an LL.M. program. The institute also will explore the possibility of marketing these offerings through distance learning.
2. Scholarship and Service. The Institute will develop a network of contacts with scholars in law and other fields, practicing attorneys, judges, and other policy-makers to facilitate scholarship and service in connection with intellectual property law. We hope, among other things, to enhance the ability of College of Law professors to conduct high-quality research in this field; to facilitate interdisciplinary research with scholars in fields such as journalism, business, art, and the sciences; to compete for grants and other funding opportunities; to present symposia and continuing legal education programs; and to participate in policymaking initiatives.

(2/5/98)

## International Center for Automation Information Research (ICAIR)

ICAIR was created in 1998 at the University of Florida Levin College of Law. The mission of ICAIR is to fund innovative research on information technologies that will benefit students, faculty, and professionals in law, accounting and financial information. ICAIR will

award grants matching University of Florida experts with leading national and international scholars for research and study. Grants funded will consist both of those generated primarily by outside institutions and professionals and those generated primarily by ICAIR.

## Legal Technology Institute

The Legal Technology Institute (LTI) was established in October 1997 to “provide an innovative forum for making a positive impact and improving technology in the legal profession.” As part of its mission, LTI provides independent legal technology consulting services to private law firms, corporate and law departments, and legal technology vendors. LTI also provides Internet Web Site Design and Development services to the legal profession. LTI is active in technology projects, with a mission to provide the legal profession with current, accurate, and up-to-date information and resources on legal technology projects. LTI is a self-funding organization.

## Foreign Programs

### Globalizing the Law School: A Template for the Times

In keeping with the policy adopted by the College of Law faculty on November 15, 1996, aimed at globalizing the professional training of our students, the Foreign Programs Committee urges that the next step be taken — adoption of a template within which implementation may be achieved. To do otherwise ignores the fact that almost every one of our law graduates likely will be confronted by problems requiring knowledge and understanding of international law and of foreign legal systems.

A recent chair of the ABA’s Section on International Law and Practice has emphasized that “From the perspective of the Section, we would like to see in American law schools a greater emphasis, not just on teaching international law, but on teaching international aspects of every subject in the curriculum - tort law, contract law, or whatever.” This preference echoes that language of the faculty’s policy: “Global legal studies reinforce the fundamental subjects of the college curriculum; almost all areas of law now have international aspects.”

Implicit in our policy is the desirability of competence in a second language. It is the committee’s view that emphasis upon such competence should be made

explicit. It joins ABA Past President Ramo in suggesting the possibility of giving bonus points to J.D. applicants who are qualified and also have fluency in another language, thereby giving impetus to prospective law students to study language in high school and college.

The template envisioned and outlined below builds upon courses already in our curriculum but would require their offering in a more systematic and dependable way.

**1. The Basic Courses:** Crucial to such an international and comparative law program is the regular offering of the basic courses in Public International Law and Comparative Law. It is believed that each of these courses must be offered at least twice during each 12-month period.

It is also believed that Public International Law should be a prerequisite for most advanced international law courses and seminars. It is recognized that the result may be diminished enrollments in some of these offerings, but those who have taught them (and this includes present tenured faculty as well as visitors in the Foreign Enrichment courses) believe that the lack of a basic understanding of public international law organization and principles is a constraint upon effective learning in these advanced courses and seminars.

It is the strong view of the committee that at least one of these two basic courses should be required of our J.D. students. Were this done and were registration priority provided at an early point for Public International Law, most students should have satisfied this prerequisite for advanced courses in sufficient time to take advantage of their offering.

**2. Tracks: Beyond the Basics.** For those students interested in advanced study in international and comparative law, the committee suggests the template provide for three tracks: (1) public law, (2) business and corporate law, (3) mixed. Student interested in pursuing a career in the public law area would do so by taking our courses and seminars in Human Rights Law, Transboundary Environmental Law, Comparative Constitutional Lawmaking, and the Law of the Sea. Those particularly interested in pursuing a business or corporate law track would take advantage of International Trade Law; International Business Law; International Litigation and Arbitration; Private International Law; and International Taxation. Students with a more eclectic bent could pursue a mixed track comprised of any of these courses and seminars.

**3. Foreign Enrichment Courses:** The committee believes

that an essential element in the proposed template is continuation of the Foreign Enrichment courses pioneered by this College. It is urged that no fewer than three such courses be offered each year. These courses would supplement those offered by our tenure-track faculty, providing each track with unique educational opportunities. It is the committee's further belief that these Foreign Enrichment courses normally should be taught by foreign law teachers and practitioners with recognized competence in the relevant field. While an occasional U.S. teacher or practitioner might be appropriate, such appointments would do little to enhance the College's reputation internationally nor provide this faculty with the international contacts that have proved so beneficial.

**4. Foreign Study.** The committee believes that foreign law study should be encouraged both in traditional ABA-approved summer programs abroad and the recently ABA-approved student-generated independent study tailored to that particular student's interest. The college's own highly successful program in Montpellier is important and it encourages consideration of additional programs where faculty interest and support dictate.

**5. Certificate in International Law for J.D. Students.**

The final part of our template contemplates the offering of a Certificate in International and Comparative Law for students in the J.D. program. Critical ingredients of such certification would be: (1) Successful completion of 98 credit hours (ten credit hours beyond the 88 normally required). Within these 98 successfully complete the basic courses in public international and comparative law. In addition, they must successfully complete a minimum of an additional ten credit hours from those courses and seminars deemed part of the International and Comparative Law Program. (2) Demonstrated competence in a second language. (3) In order to experience law study in a different culture, the successful completion of one of the following: (a) an ABA-approved summer program abroad; (b) one of the student exchange programs approved by our College of Law (presently Leiden, Frankfurt and Montpellier; or (c) student-generated independent study abroad approved by our College of Law and in accordance with ABA criteria adopted June 1994.

**6. Conclusion.** The template proposed is an ambitious one. However, it is consistent with the faculty's recent vote committing "to develop a comprehensive program of studies in international and comparative law to give our students the tools to become effective professionals for the next century." (3/5/98)

## Foreign Programs Policy Statement

The College of Law recognizes that globalization has direct relevance to our students' professional training and understanding of the underpinnings of developing law. Global legal studies reinforce the fundamental subjects of the College's curriculum; almost all areas of law now have transnational aspects. A systematic and conscious global law program in the College of Law will expand the boundaries of students' knowledge, and help them reach full participation in the legal community of the next century.

Through a global approach to legal education, the College of Law will also help Florida meet the first goal of its State Comprehensive Plan:

The creation of an educational environment which is intended to provide adequate skills and knowledge for students to develop their full potential, embrace the highest ideas and accomplishments, make a positive contribution to society, and promote the advancement of knowledge and human dignity.

The global approach coincides with Florida's growing importance in the international arena and with the College of Law's obligation to train leaders to meet this challenge. It underscores the efforts of the University of Florida to develop its international programs. Therefore, the faculty of the College of Law commits to develop a comprehensive program of studies in international and comparative law to give our students the tools to become effective professionals for the next century. (11/15/96)

## Evaluations and Awards

### Evaluations by Students

(Adopted 10/14/94) With the knowledge that the College of Law must begin using the University evaluation form, the faculty voted to add two questions to the quantifiable portion of the form.

(Adopted 9/29/95) Faculty voted to implement new rule requiring that each faculty member be evaluated in each class every semester to be effective with the fall semester 1995. University rule goes into effect spring 1996.

**BOARD OF REGENTS POLICIES AND PROCEDURES REGARDING STUDENT ASSESSMENT OF INSTRUCTION:**

1. All courses taught by a faculty member...during the academic year, including those taught by adjuncts and graduate assistants, are to be assessed using the items on the SUSSAI.
2. There is no blanket exclusion for graduate courses.
3. The following courses may be excluded:
  - a. Courses such as independent study, internships, practica, thesis and dissertation supervision.
  - b. Courses where the number enrolled is less than or equal to 10.
  - c. If more than one instructor teaches a course, each instructor must be evaluated separately.
  - d. The evaluation is to be administered during the final three weeks of scheduled instruction.
  - e. The evaluation is to be administered at the beginning of a class session in which no examination is scheduled and the students shall be given sufficient time (no fewer than 15 minutes) for explanation and completion.
  - f. The instructor is not to be present while the evaluation is being administered.

(April 12, 1996 memo from Provost Sorensen)

**Sustained Performance Evaluation Program (SPEP)**

The Promotion & Tenure Committee was instructed by Dean Matasar to begin the 1998-99 academic year implementing the Sustained Performance Evaluation Program (post-tenure review). Prior to doing so, the P&T Committee believed it important that a clear policy and set of guidelines exist.

At a faculty meeting on July 2, 1997, the faculty approved a proposal regarding procedures to be used in the Sustained Performance Evaluation Program, a program mandated by the Board of Regents. At the July 2, 1997, faculty meeting it was noted that these procedures would be subject to review and possible modification as we begin to implement them.

The SPEP was approved prior to the revision of policies that affected promotion and tenure procedures. Moreover, in reviewing the SPEP, the P&T Committee believes that the policy should be modified in several respects. Therefore they presented this proposal to the faculty on October 21, 1998.

The proposal does not include an evaluative mandate. Instead, it directs the committee to act “only in a fact-finding and consultative capacity.” Consultation

will be directly with the dean, who will be the sole decision-maker regarding a faculty member’s performance.

**PART I: POLICY**

In performing its duties under the Sustained Performance Evaluation Program, the Promotion and Tenure Committee will be guided by the relevant Rules of the Department of Education, Division of Universities, University of Florida (F.A.C. 6C1-7.019), to wit:

- **Tenure**...assures the faculty member immunity from reprisals or threats due to an intellectual position or belief which may be unpopular. . . A faculty member who has been granted tenure by the Board of Regents shall have the status of a permanent member of the faculty...Tenure remains one of the distinctive characteristics of the university.
- The faculty recognizes that, for the concept of tenure to remain meaningful, the **terms of the Sustained Performance Evaluation Program must be strictly and precisely construed.** Specific guidance is therefore derived from the following language of the Rules of the Department of Education, Division of Universities, University of Florida (F.A.C. 6C1-7.019): Tenured faculty members shall receive a sustained performance evaluation once every seven years following the award of tenure or their most recent promotion. The purpose of this evaluation is to document sustained performance during the previous six years of assigned duties and to encourage continued professional growth and development.

Accordingly, the role of the Promotion and Tenure Committee in Sustained Performance Evaluation is not to find fault with fellow colleagues. Rather, should performance consistently below satisfactory in one or more areas of a faculty member’s assigned duties be ascertained by the dean and specifically identified in that faculty member’s annual letters of evaluation, the committee would serve in a consultative capacity to the dean to suggest ways of encouraging the faculty member’s continued professional growth and development.

**PART II: PROCEDURES**

- **General Information:** The Board of Regents has approved a Sustained Performance Evaluation Program (SPEP) to become effective at the beginning of the 1997-98 academic year. The SPEP requires that tenured faculty members receive a sustained performance evaluation once every seven years following the award of tenure or

their most recent promotion. The purpose of this evaluation is to document sustained performance as a tenured faculty member during the previous six years of assigned duties and to encourage continued professional growth and development.

Tenured faculty with administrative appointments of associate dean and above shall not be eligible for this review until they resume faculty duties for the required six-year period. Specifically, the evaluation is designed to determine if a tenured faculty member's performance is satisfactory or unsatisfactory. The process will involve fact gathering and consultation by the Promotion and Tenure Committee, as described below.

- **Review Schedule:** The associate dean for Academic Affairs shall notify each eligible faculty member of the scheduled review date. It is anticipated that all faculty members eligible for review will be reviewed during the first two years that the SPEP is implemented. Identification of the faculty members to be reviewed during the initial two-year period shall be the responsibility of the committee.

After the initial evaluation "phase-in" period, all faculty members will be scheduled for review every seven years after their first review, or after they have served seven years after being granted tenure. It is anticipated that the review process will begin in the Fall term and be completed by mid-April of the following term.

- **Sources and Methods of Evaluation:** The Sustained Performance Evaluation will be limited to information that was part of or considered in the faculty member's annual evaluations during the previous six years, along with any additional information or documentation the faculty member may wish to provide. A faculty member who has received satisfactory annual evaluations during the previous six years shall not be rated below satisfactory in the Sustained Performance Evaluation nor subject to a performance improvement plan.

The associate dean for Academic Affairs shall initially prepare the information for the assessment. The information will be limited to a faculty member's prior six years and will include annual letters of evaluation and related evaluative information (e.g. data from teaching evaluations) contained in the faculty member's evaluation file for this period of review.

The file shall be submitted to the Promotion and Tenure Committee. The committee shall notify each faculty member of the items in the file and give the faculty member an opportunity to provide additional materials as the faculty member may determine.

- **Responsibility of the committee:** After receiving a fac-

ulty member's file from the associate dean, and any other information as may be provided by the faculty member, the committee will review the information solely for the purpose of consulting with the dean.

The committee will serve only in a fact-finding and consultative capacity. The contribution of the committee to the Sustained Performance Evaluation process will not be an evaluation of the performance of the faculty member(s) under consideration. The committee will not take votes, make recommendations, rank faculty members under consideration, or otherwise make judgments or take actions that in any way reduce choices or limit the dean's decision making.

- **Responsibility of dean:** Following the dean's review of the SPEP information, including consultation with the committee, the dean shall prepare the evaluation of the faculty member's sustained performance. The dean will rate the faculty member either: Sustained performance is satisfactory, or Sustained performance is below satisfactory in one or more areas of assigned responsibilities.

The dean will provide a statement to the faculty member explaining his/her decision. The faculty member may attach a concise response to the evaluation and that statement will be attached to the evaluation and become part of the faculty member's personnel record. A meeting then will be scheduled between the dean and the faculty member to review the evaluation and any response prepared by the faculty member. This meeting normally will be part of the end-of-the-year evaluation performance conference, and the final results of the sustained performance review normally will be incorporated in the dean's annual letter of evaluation.

- **Performance Improvement Plan:** Faculty members whose performance is identified through the SPEP as being below satisfactory shall develop, in concert with the dean and associate dean for Academic Affairs, a Performance Improvement Plan with specific performance targets and a time period for achieving the targets. The College of Law shall provide specific resources identified in the plan. It shall be the responsibility of the dean or the associate dean for Academic Affairs to meet periodically with the faculty member to monitor the Performance Improvement Plan and to provide evidence that his or her prescribed performance targets are met.

Failure to meet these performance targets in the specified time frame could result in those actions described in Rule 6C1-7.048 of the Florida Administrative Code.

- **Appeal Process:** If the faculty member and his or her dean fail to agree upon the elements to be included in the Performance Improvement Plan, the faculty member may

use the University's appeal process, which includes a review by the Provost's designee, whose decision is final.

- **Report to the Provost:** On or before June 30th, the listing of those tenured faculty identified by the dean as needing improvement shall be submitted to the Provost with a brief statement of the identified faculty member's required improvement plan.

(10/28/98)

## Teacher of the Year Award

Resolution approved by the John Marshall Bar Association on 1/30/79:

**Purpose:** To choose the professor who has had the most significant input on the student's legal education, to this point. (This above purpose shall appear on the ballot.)

**Resolved:** That the selection of the recipient of the College of Law Instructor of the Year Award be accomplished in the following manner:

- Only those students currently enrolled in the College of Law who have received credit for 33 or more standard credit units will be eligible to vote.
- Balloting shall take place the second week of the spring semester, and shall be for a period of at least two (2) days.
- Public notices will be posted requesting students to come into the JMBA office during the voting period and pick up their ballot. Said ballots will also include a copy of this resolution and facsimile ballots.
- All ballots will contain instructions for voting and a last name only listing (except where initials, or more, are required to avoid confusion), of ALL law school faculty members who are eligible to receive the award. A faculty member will be eligible only if he or she has taught a J.D. program course during the past 12 months.
- Students will vote by placing a mark on the blank preceding the faculty member's name. Only one (1) selection is permitted.
- Completed ballots will be placed in the ballot boxes provided by JMBA.
- Ballots will be counted by the joint faculty-student committee having jurisdiction of awards and prizes. Its decision will be final. Said committee will not count any ballot where a majority of the committee is unable to determine for whom the ballot was intended. The recipient of the award will be the faculty member receiving the highest number of votes. a majority will not be required. In the unlikely event of a tie, there will be co-recipients. (2/16/79; 3/21/83) Approved for 1978-79 as well as for future action by faculty. Amended 1983 for action, effective 1984. Faculty took no action on 1983 revision by

JMBA. (8/26/83)

## Teaching Improvement Program (TIP)

The Florida Legislature and the Board of Regents have established a Teaching Improvement Program (TIP) for the state university system, under which TIP awards are made to faculty making outstanding contributions to the universities' teaching programs. The program provides award recipients with a \$5,000 increase in their base salary rate.

**Eligibility.** Full-time nine and twelve-month employees who are appointed to ranks which are equivalent to professor, associate professor, or assistant professor, and instructors and lecturers are eligible for these awards. Eligible employees must have a continuing commitment to, and emphasis on, classroom instruction, and have demonstrated substantial teaching commitment during the past three academic years. The definition of substantial commitment may vary; however, in general it shall be based on an employee's assignment in classroom and/or laboratory instruction. Award recipients must have demonstrated teaching productivity when data are summed over the last six academic semesters (fall/spring) for nine-month employees or last nine semesters (summer/fall/spring) for twelve-month employees that equals or exceeds college medians. No employee may be selected for a TIP award more than once every four years.

In addition to productivity criteria for eligibility, measures of instructional quality must be considered. The Teaching Improvement Committee Report, the Teaching Improvement Pilot Project 1994 report, and the 1993 report on Teaching Portfolios identify a variety of mechanisms for assessing quality instruction including but not limited to student evaluations of teaching, peer review, external reviews, alumni surveys and the like. Not everything is required or appropriate in every context, but at a minimum, a college's portfolio system must include at least student evaluations and some form of peer review of teaching. The assessment of instructional quality may also include faculty contributions toward acquiring and maintaining national accreditation of programs and for delivering quality programs. Faculty should be involved in the selection of TIP recipients. (From Provost Capaldi's memo dated 8/26/98)

## Professorial Excellence Program (PEP)

The PEP program is allocated to colleges proportional to the number of eligible faculty members. This

program provides award recipients with a \$5,000 increase in their base rate. In 1998-99, there were also three awards for a university-wide pool.

**Eligibility:** Full-time nine and twelve-month employees who have seven or more years of State University System service at the rank of professor or equivalent are eligible. No employee may receive a PEP award more than once every seven years.

Individual awards are to be based on the employee's accomplishments and continuing productivity since promotion to the rank of professor. Evidence of sustained excellence and high merit in scholarship or creative achievement, teaching, service and extension since the last promotion is required for a recommendation for these increases. There must be a demonstration of additional merit and distinction beyond the performance on which advancement to the rank of professor was based. Mere length of service and continued good performance are not sufficient justification for this increase. Eligible employees who wish to be considered for an increase shall submit a request for consideration including a portfolio/file detailing their accomplishments since being granted promotion to professor. (From Provost Capaldi's memo dated 8/26/98)

## UF Research Foundation Professorship

These competitive professorships are awarded to tenured faculty who have a distinguished current record of research. The purpose of these awards is to recognize recent contributions and to provide incentives for continued excellence in research.

The primary selection criteria will be performance in the past five years and evidence of a strong research agenda that is likely to lead to continuing distinction in their field. Funds in the UF Research Foundation are earned from royalties and fees on intellectual property, on retained indirect costs from certain corporate contracts and grants, and from investment income. These awards involve no state funds.

**Professorship terms:** Three-year term professorship B \$5,000 annual salary supplement (does not increase base salary); \$3,000 grant to support research, to be awarded in year one of the three year tenure of this professorship. A maximum of 30 new awards are granted annually. Awards are to be made by mid-April.

**Eligibility:** Associate and full professors who are tenured and have been on the UF faculty for at least five years. Faculty are eligible for re-nomination following a two-year hiatus after holding a Research Foundation Professorship.

**Nomination:** Candidates must be nominated by their college dean. Each dean will be notified of the total number of awards for their college at the time nominations are solicited.

## Miscellaneous Policies

### Faculty Assignment Report

Faculty are required to complete the Semester Faculty Assignment Report for each term they are on the university payroll. Teaching assignments and percentages allowed for the teaching assignments under the eight-hour law will be completed by the Dean's Office. Suggested percentages for some remaining categories may also be completed by the Dean's Office, based on individual faculty assignments. The remainder of the form must be completed by the faculty member, including a description of the duties being reported for each category. Following is a short description of the categories used by most faculty at the College of Law.

1. **"Classroom Teaching"** includes time spent instructing students (for credit) and all activities directly related to instruction such as preparation and assisting students. The maximum FTE allowable, based on your teaching effort for the term, will be typed on the form in the appropriate box. If more time is spent on activities related to classroom teaching than is permitted for compliance with the eight-hour law, the extra effort should be reported under "Other Instructional Activities." Effort spent advising students on specific course related problems should be reported here.
2. **"Other Instructional Activities"** includes effort devoted to student advisement, grading and course development. Extra effort from the classroom teaching category should also be reported here, as well as service on the curriculum committee. "Academic Advisement" includes assigned academic counseling with students on general educational problems such as course selection and vocational goals. Service on the minority affairs committee should also be reported here.
3. **"Departmental Research"** includes research development and scholarly activities, which are not funded by a grant.
4. **"Public Service"** includes such assigned duties as serving as a consultant to local, state or national agencies, serving as an officer in professional societies, or as an editor for a professional journal. Include also effort expended in continuing education courses and DOCE non-credit overload.

5. **“Governance”** includes any significant effort devoted to college and university-wide committee assignments. Note that curriculum and minority affairs committee service is reported elsewhere.
6. **“Other.”** Use this category to report sabbaticals, professional development leaves and annual or sick leave when the leave taken exceeds 20 days.

## Faculty/Student Mentor Program

The Academic Support Committee presented the following motion to the faculty:

The College of Law will institute a faculty-student mentor program, effective in the Spring Term, 1997. The purposes of the program are to assure that each entering student has a faculty member to whom he or she can turn for advice and guidance and to enhance faculty-student communications.

Program terms are:

- Faculty members are drawn from all tenured and tenure-track faculty members (except the dean and phased-retirement faculty); (b) all non-tenure track clinicians, legal writing instructors, and legal drafting instructors, and (c) all CGR staff members who teach law school courses.
- In each entering class, ten (10) students each will be assigned to one of approximately 20 faculty mentors. Faculty mentors will be drawn at random by the dean’s office, taking into account leaves and absences. The students will be assigned randomly, except that (a) each group of 10 students will be in the same section of the entering class and (b) no first year teacher will be assigned students in his or her section.
- The faculty mentor will have discretion to determine meeting times and dates with students. The dean’s office will determine any reimbursement policy for expenses incurred in fulfilling the goals of this program.

**General Discussion:** The Academic Support Committee recommends to the faculty the adoption of a faculty mentor program. The program involves faculty members (defined to include all who teach regularly in law school courses) being assigned 10 students from an entering class (thus approximately 20 faculty members would be assigned such students each term). Those students would constitute a mentoring group for their three years at the College of Law.

Based on approximately 60 faculty members, each faculty member would be assigned a new group of 10 students every 4th semester. Assignments would be random, except that first year teachers would not be assigned students in their sections. Although every fac-

ulty member will eventually have up to 20 mentorees, 10 of them will be in their 4th semester or later, and those students are less likely to be seeking guidance or counseling. Faculty mentors may choose to use the more senior students as adjuncts in assisting the entering students.

The faculty member will have discretion as to the nature and number of meetings with students. The program involves no mandatory guidelines. The committee recommends that the faculty mentor meet with the students as a group when they first arrive and have group or individual meetings at least a couple of times each semester for the first several semesters. Brown bag lunches, get-togethers in homes, and occasional individual office meetings are suggested means of implementing the program. The dean’s office will determine reimbursement policies for costs incurred as part of the mentor program. (11/15/96)

## Instructor/Student Relationships

- **Section 1.** A faculty member has a professional responsibility for a student in matters such as teaching a course or seminar, and in any other capacity in which a faculty member evaluates or supervises a student as part of the law school program. It is the obligation of each faculty member to avoid, and to decline to serve in, any role involving a professional responsibility for a student who is closely related to the faculty member, or who has an analogous relationship to the faculty member.
- **Section 2.** In the foregoing section, the term “closely related to the faculty member” shall include, but not be limited to, a spouse, parent, grandparent, child, grandchild, sister or brother, niece or nephew, aunt or uncle, or first cousin, of the faculty member, and also shall include a fiancé of the faculty member. The relationship may be established by blood, marriage, or adoption, and also shall include relationships commonly described as “step” relationships (e.g., step-child, step-parent, etc.).
- **Section 3.** No student may be enrolled in a course or seminar for credit that is taught and evaluated in whole or in part by a faculty member to whom the student is closely related as defined above or with whom the student has an analogous relationship. (9/27/91)

The faculty regards as unprofessional any attempt by a student or professor at the College of Law to establish a dating relationship during a semester when the student is enrolled in a class conducted by the professor. The reason underlying this policy is that such attempts, while perhaps proper in another context, are susceptible of misinterpretation as to motive and are



inherently coercive when initiated by the professor, and the relationship, if established, may tend to affect adversely the academic atmosphere in the classroom and to diminish student confidence in the integrity of the grading system. (7/15/77)

## Office Hours

Each instructional faculty member is responsible for designating office hours when he/she will be available to confer with students. These office hours will be during regularly scheduled class days and will be of adequate number and length to assure that students will have reasonable access to their instructors.

Each instructional faculty member is responsible for providing information on his/her office hours by notifying the students in his/her classes, posting a schedule of the office hours on his/her office door, and notifying the Dean's Office of the designated office periods. Office hour schedules should be provided no later than the end of the second week of classes each term. If a teacher must be absent from a regularly scheduled office hour because of a justifiable reason, the absence will be announced, in advance if possible, in class and posted on the teacher's office door.

Instructional faculty members will be responsible for scheduling special appointments outside of their designated office hours at a mutually satisfactory time upon request by a student when it is not possible for a student to confer with an instructor during the designated office periods. (University of Florida Policy)

## Outside Employment/Financial Interest

**Reporting requirements:** University of Florida policy is that an employee may participate in outside activities and hold financial interests as long as these activities and interests do not conflict with the employee's duties to the university. Any faculty and administrative and professional staff member engaged in outside activities or holding a financial interest that must be reported must complete the University of Florida's "Outside Activities Report" at the beginning of each contractual year of employment or at such time as the outside activity or financial interest begins. If a material change in the information presented occurs during the contract year, a new form must also be submitted. If outside employment is by another state agency, he or she must submit a "Request for Approval of Dual Employment and Compensation" form, and the request must be approved prior to beginning the dual employ-

ment.

The primary purpose of the disclosures required on the Outside Activities Report is to identify those activities and interests that pose potential conflicts of interest, including conflicts of time commitments. The faculty or staff member makes this initial determination. He or she must certify that the activity or interest disclosed does not represent a disallowed conflict of interest or interfere with the full and faithful performance of his or her professional responsibilities or other institutional obligations. In those situations where a conflict of interest does exist, it may be allowed after disclosure and review and with the development of appropriate conditions by the faculty or staff member in conjunction with the dean, or it may be disallowed.

Appropriate forms and further information may be obtained from the Administrative assistant in the Dean's Office. Also see FAC 6C-5.245, 6C-5.255, 6C-5.825 and 6C1-1.011.

## Proxy Voting

The faculty adopts the following procedure for voting on appointments, hiring, promotion, and tenure:

1. Eligible voters who are aware that they will be unable to attend a meeting on a matter of appointments, hiring, promotion, or tenure, and who intend to vote on the matter, shall notify the associate dean, in writing, of the voter's inability to attend; the reason therefore; and, if desired, the name of another eligible voter who may serve as the non-attending member's proxy voter at the meeting. All proxies must be directed proxies.
2. Reasons for non-attendance shall be limited to the following: (1) personal or family illnesses, accidents, or other emergencies that would cause the voter to cancel a class; (2) military duty, jury duty, or other compelled attendance at a legal proceeding; (3) attendance at an academic conference, continuing legal education program, or other professional meeting; (4) the meeting conflicts with a regularly-scheduled class or examination; or (5) the voter is on leave or not on duty, and is away from the Gainesville metropolitan area at the time of the meeting.
3. Eligible voters who will be unable to attend for a reason specified in paragraph 2 should provide the notification specified in paragraph 1 as soon as they become aware of their inability to attend. Whenever feasible, eligible voters who will be unable to attend a meeting should endeavor to provide this notification more than one week in advance of the meeting.
4. All proxy ballots shall be marked "Proxy."

5. Eligible voters who are unable to attend for a reason specified in paragraph 2 and who wish to attend by teleconference may arrange to do so by contacting the Dean's Office preferably one week in advance of the meeting, provided that the Dean's Office is equipped to accommodate this request. These voters may designate a proxy in advance or, if necessary, at the meeting, or they may vote by telephone.
6. Parts I.A.3.d (relating to voting on appointments), I.C.Procedure.E.1 (relating to voting on promotion and tenure), and I.E.3 (relating to general governance) of the Faculty Policy Manual will be amended to reflect the above changes as per the attachment to this document.

## Twelve-Hour Law

F.S.240.243 Required number of classroom teaching hours for university faculty members. As used in this section:

1. "State funds" means those funds appropriated annually from the General Revenue Fund and Incidental Trust Fund for institutional and research functions and, in the case of a health center, those funds appropriated from the General Revenue Fund and Operations and Maintenance Trust Fund for the same purposes.
2. "Classroom contact hour" means a regularly scheduled 1-hour period of classroom activity in a course of instruction, which has been approved by the university.
3. Each full-time equivalent teaching faculty member at a university who is paid wholly from state funds shall teach a minimum of 12 classroom contact hours per week at such university. However, any faculty member who is assigned by his departmental chairman or other appropriate university administrator professional responsibilities and duties in furtherance of the mission of the university shall teach a minimum number of classroom contact hours in proportion to 12 classroom hours per week as such especially assigned aforementioned duties and responsibilities bear to 12 classroom contact hours per week.
4. Any full-time faculty member who is paid partly from state funds and partly from other funds or appropriations shall teach a minimum number of classroom contact hours in such proportion to 12 classroom contact hours per week as his salary paid from state funds bears to his total salary. In determining the appropriate hourly weighing of assigned duties other than classroom contact hours, the universities shall develop and apply a formula designed to equate the time required for non-classroom duties with classroom contact hours.

5. "Full-time equivalent teaching faculty member" shall be interpreted to mean all faculty personnel budgeted in the instruction and research portion of the budget, exclusive of those full-time equivalent positions assigned to research, public service, administrative duties, and academic advising. Full-time administrators, librarians, and counselors shall be exempt from the provisions of this section; and colleges of medicine and law and others which are required for purposes of accreditation to meet national standards prescribed by the American Medical Association, the American Bar Association, or other professional associations shall be exempt from the provisions of this section to the extent that the requirements of this section differ from the requirements of accreditation. (1991)

## FACULTY ROTATION ON COMMITTEES

As a general rule, no person should serve as a member of the (1) Appointments Committee, (2) Curriculum Committee, (3) Non-tenure Track Appointment, Retention, and Promotion Committee, (4) Promotion and Tenure Committee for more than two consecutive years, provided, however, that the director of the Legal Writing and Drafting Programs shall be standing members of the Non-tenure Track Appointments, Retention, and Promotion Committee. To the extent possible, appointments to these committees should be staggered to avoid complete turnover in any particular year. (09/21/00)

## ONLY FULL-TIME TEACHING FACULTY MAY VOTE IN COMMITTEES

Any person appointed to serve on any law school committee shall be entitled to vote on committee matters except:

- Where voting by that person is prohibited by state, university, or College of Law rule;
- The dean and associate deans, who are also faculty members, shall not be entitled to vote on committee matters, except associate deans who are also teaching faculty members who are appointed to the admissions committee for students of the program which they administer are entitled to vote on that committee;
- Non-teaching or non-faculty administrators appointed to serve on committees shall not be entitled to vote on committee matters.

(03/21/2000)

# Academic Policies

## Student Affairs

### Appeals From Administrative Denials (Student Petitions)

#### THE STANDARD FOR GRANTING PETITIONS:

While the faculty has never, so far as the committee has been able to discover, articulated the reasons or philosophy underlying its policy on granting exceptions to academic policies, the standard of review is stated in the catalogue as follows: “only in exceptional circumstances is a student permitted to deviate from academic policy.” The committee considers this standard to have been applied very strictly, at least in recent years, encompassing little more than severe illness of the student as justifying an exception. In many instances, the assistant and associate deans, feeling bound to a strict standard, have felt frustrated by their inability to grant exceptions to persons they thought deserving of them.

The committee believes the administration should have greater flexibility to accommodate the diverse needs of our modern-day student body. The make-up and character of our student body today differs greatly from that of decades past. We take great pride in the rich diversity of our student body, which includes measurable numbers of minorities, women, pregnant women, single custodial parents, married parents of both sexes with substantial domestic responsibilities, students with physical disabilities, older students and others. But with this diversity comes a wider range of legitimate special concerns than law schools are accustomed to dealing with. Administration of such a diverse student body has become more complex. The philosophy that all students should be treated identically except in the most extraordinary circumstances is no longer appropriate. Nor should the possibility that some other hypothetical student might also have enjoyed the requested variation serve, of itself, as a basis for denial.

The committee believes that the appropriate administrative philosophy is that we should accommodate individual students if we can, so long as the integrity and fundamental goals of the administration are not threatened. Of course, there are practical constraints, as well; we could hardly provide a customized experience to each of 1200 students. But where a student reasonably requests exceptional treatment that does not threat-

en fundamental institutional values, the sole remaining question should be: Can it workably be done? Reasonable requests should be balanced against their impact on institutional policies and goals.

Accordingly, the committee recommends adoption of a more flexible standard of review. Consistent with the philosophy described in the introduction, we also recommend an interim procedure in which we will monitor the effect of the new standard. If it proves to be too flexible, resulting in an unworkable administrative burden, we will be the first to know, and we will return with an adjustment.

We recommend the following to become the first paragraph in the section of the Catalogue entitled “Petition for Exception to Academic Policies.”

#### STANDARD FOR GRANTING PETITIONS:

The College of Law seeks to provide each student with a high quality education by maintaining a diverse student body, complying with accreditation requirements, and protecting the academic and financial integrity of the institution. Although it is necessary to establish rules that are generally applicable, an individual student may need to request an exception in some situations. Reasonable requests that do not interfere with the obligations and goals of the College of Law will be granted upon a showing of good cause by the person requesting the exception.

#### THE PROCEDURE:

The present petitioning process begins when a student files a written request for variation from a rule with the assistant dean. The assistant dean’s decision is automatically reviewed by the associate dean. Following the associate dean’s review, the petition is posted on the faculty bulletin board for 10 days. During that period, the student may ask a faculty member to appeal the associate dean’s decision to the Academic Standards Committee (ASC). Alternatively, any faculty member is free to ask the ASC to review the petition. In the event the ASC is requested to review the petition, its decision is again posted on the faculty bulletin board for another 10-day period. During that time, a faculty member may request that the entire faculty review the student’s petition. Such requests are then reviewed by the faculty, generally at its next regularly scheduled faculty meeting. A ruling by the entire faculty is final.

This process has proved deficient in a number of important respects. One deficiency, pointed out to us at our first meeting by dean Lewis, is that the initial

review by the associate dean is not truly a review. If the associate and assistant deans are working properly together, they will come to joint decisions as to how faculty policy should be implemented. Often they will discuss specific petitions before the assistant dean makes a decision. The result is that the decision of the assistant dean is virtually never reversed. dean Lewis and associate dean Designate Calfee agree with this committee that the appeal should go to an independent reviewer.

There are numerous other deficiencies in the process. Posting the petition on the faculty bulletin board provides insufficient notice of the problem to either students or faculty. The process takes too long for students who need to know whether they will be allowed to enroll in a course or delay an exam. Affected students are often too shy, unaware, or otherwise hesitant to ask a faculty member to request a review. There is no procedure for keeping the student abreast of the status of the petition; students often receive no information other than a form rejection weeks after the petition is filed with no explanation of the reasons for the denial.

The result is widespread student dissatisfaction with the petition process, the general belief that petitioning is a waste of time, and in the eyes of many, that the process is a sham. In consequence, very few types of petitions are filed, mostly those for which approval is automatic. There are very few denials, only 9 of 121 last semester, but we attribute this to deterrence rather than responsiveness.

The committee recommends the following changes to be effective, except as to petitions for readmission, during the coming academic year, 1988-89:

At the first level of review, the associate dean will be replaced by a three member panel taken from this committee made up of two faculty members and one student, or, if the petitioner objects to the student, three faculty members. The petitioner will have the right to appear before the panel if desired.

The posting process will be eliminated, giving the petitioner the right to an appeal (expedited, if necessary) to the Academic Standards Committee, and to the full faculty only on request of a member of the Academic Standards Committee.

At all levels, the petitioner will receive a personal explanation of the decision and reasons for it. At the first level of review, the Interim Review Committee will also provide the petitioner with a written explanation of its decision.

The committee believes the interim procedure offers these advantages. It provides an independent

review at all stages of the process. It provides the committee with an opportunity for first-hand experience with the new standard and for gathering information about additional policies that may deserve consideration next year. It permits student representation in the interim review process, and the right of appeal without soliciting the assistance of a faculty member. It will significantly reduce delay in those cases that need to be expedited. Students will be permitted to appear personally before the interim review committee. They will be personally informed throughout the process of the status of their petition, and they will receive a written explanation of Interim Review Committee's decision.

### **FUTURE GOALS:**

We expect the number of requests for variation from general rules to diminish as other policies are adopted that will accommodate students with diverse needs. At the end of next year, the committee should be able to suggest whether adoption of new policies is warranted with respect to requests for variation from general rules. At that time, we will offer a final recommendation to the faculty. We envision that the final recommendation will resemble the interim one, except that the Interim Review Committee will drop out of the process at the end of Spring Semester, 1989, making the ASC the initial appellate review board. (Adopted by faculty 4/8/88)

## **Attendance in Class**

Class attendance is a primary obligation of each student, whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. College of Law policy requires dismissal of students dropped from classes for nonattendance whose course load drops below the minimum requirement. Petitions for readmission under an exception to the minimum course load rule will be granted only for good cause shown.

## **Bulletin Board**

All students are held responsible for knowledge of all matters posted on the official bulletin board.

The Student Affairs Office, 164 Holland Hall, supervises the use and maintenance of the bulletin board. Anyone wishing to post a notice should type it on the smallest piece of white paper on which it will fit and bring it to the Student Affairs Office for posting. Notices should include the date posted and the earliest date on which it may be removed.

Use of the bulletin board is limited to official com-

munications from faculty or administration to students. The numerous bulletin boards at other points in the law school are specifically designated for extra-curricular or quasi-official use.

Notices may not be posted outside the glass except with the approval of the Student Affairs Office, or in cases when the Student Affairs Office is closed and the matter is urgent. All unauthorized or inappropriate material will be removed.

## Students with Disabilities

It is the policy of the College of Law to provide reasonable accommodations for otherwise qualified students with disabilities, including students with learning disabilities and those with health impairments, as well as those with other disabilities. Students whose disabilities may require some type of accommodations, including course-load modifications, exam accommodations, and accommodation to facilitate participation in extracurricular programs are encouraged to discuss these with the assistant dean for Students as early as possible. Appropriate modifications and accommodations will be worked out on a case-by-case basis.

Students with certain disabilities, such as learning disabilities and health impairments, will be required to provide appropriate documentation of the disability. When medical/physical disabilities are at issue, a physician's statement will usually be sufficient, so long as that statement describes both the disability and the limitations that the disability poses for the student. For students with learning disabilities, the following is considered reasonable for required documentation:

1. It must be prepared by a professional qualified to diagnose a learning disability, including but not limited to a licensed physician, a learning disability specialist, or psychologist;
2. It must include the testing procedures followed, the instruments used to assess the disability, the test results, and an interpretation of the test results;
3. It must reflect the individual's present achievement level, be as comprehensive as possible, and be dated no more than three years prior to the student's request for services, unless the documentation was completed during the individual's undergraduate education; and adequately measure cognitive abilities (using Wechsler Adult Intelligence Scale Revised or equivalent) and academic achievement skills (using Woodcock, Johnson Part II, Wide Range Achievement Test, Nelson Denny or equivalent). The achievement test should sample reading, math and writing;

4. It must include test results for at least the following characteristics: intelligence, vocabulary, reading rate, reading comprehension, spelling mathematical comprehension, memory, and processing skills. The diagnosis should conform to federal and state guidelines.

Request for accommodations should be directed first to the University of Florida assistant dean for student disability services, located in the main-campus Office of Student Affairs in Peabody Hall. As long as students with disabilities are otherwise qualified and they provide proper documentation to the assistant dean for student disability services and they request a reasonable accommodation that neither fundamentally alters the educational program at the College of Law nor takes away fundamental elements of a legal education, all reasonable accommodations will be granted.

The assistant dean for student disability services will notify the assistant dean for Student Affairs at the College of Law reasonable accommodations to be provided to otherwise qualified law students. (1/17/92)

## Drop-Add

Between the end of the official drop/add period and the date designated by the Registrar's Office as the last day for withdrawing without receiving failing grades in all courses, each student is allowed to drop two courses, other than required first-year courses, as follows: no more than one per semester, providing a student's course load does not fall below twelve semester hours in the semester in which a course is dropped.

Exceptions to the above policy must be approved by the dean's office. As to any exception, the burden is upon the student to demonstrate that a serious problem has arisen for which documentation is provided and over which the student has no control. Approval to drop a course in excess of the two permitted by this policy will not be granted if the course is to be dropped because:

1. The student registered for too many hours;
2. The student wishes to drop the course simply to avoid a low grade which would lower their average;
3. The student has determined that the course is no longer needed. (7/15/77; revised 3/21/97)
4. The length of the drop/add period was extended from two to four days (3/21/97).

## Jury Duty

The Office of Academic affairs has been informed by legal authorities in the community that a significant number of University of Florida students have request-

ed exemption from jury duty on the grounds that their professors have refused to excuse them from classes, examinations, and deadlines for written and laboratory assignments.

The Council of Academic Deans has approved the following policy statement regarding this matter.

It is the duty of all qualified citizens to serve as jury members when called and accepted by the Courts. Students must be allowed the opportunity to fulfill their responsibilities as citizens, and every professor should make every feasible accommodation to allow students to serve on juries.

While boundary conditions are difficult to establish with regard to student service on juries, the following guidelines are agreeable to the local Courts:

1. Students should be excused from jury duty if such duty conflicts with their ability to take midterm and final examinations in any and all courses.
2. Students should be excused from jury duty if such duty requires that a student miss more than a full week of classes.
3. Graduating seniors and graduate students in their last term should be given special consideration by the Courts if such students ask for exemption from jury duty.

(Memo from V.P. Academic Affairs to all deans 5/11/72)

## Religious Holidays

It is the policy of the College of Law to respect students' observances of their major religious holidays.

If an instructor has an attendance policy that specifically limits the number of absences by a student, reasonable alternative means shall be established by the instructor that will both satisfy the attendance policy of the individual instructor and the College of Law and accommodate the religious obligations of the student. Reasonable accommodation requires allowing additional excused absences of the number granted to the remainder of the class. (11/9/84)

## Repeating Courses

When a student has a grade point average below 2.00 at the end of the first semester, the dean, after consultation with the student, may permit or require that the student repeat during the following term either the entire schedule of courses offered to entering students or such course or courses as the dean may designate.

The dean may require, with respect to a student on probation, or at the request of a student on probation, that said student take less than a prescribed course load, and less than the minimum hours required of full-time

students under ABA and AALS accrediting standards, if the dean determines that a reduced course load is appropriate for that student to meet the terms of probation.

A student may be permitted by the dean to take less than the prescribed course load during the first regular term, and less than the minimum hours required of a full-time student, but not less than the minimum hours required of full-time students under ABA and AALS accrediting standards, if the dean determines that a reduced load is appropriate for that student to achieve a 2.00 grade point average during the first regular term.

In cases where students are dropped from classes for non-attendance, thus dropping below the 12-hour minimum rule, petitions for readmission under an exception to the 12-hour minimum rule will be granted only for good cause shown by petitioner. Such petitions, when acted upon by the administration, shall be posted on the faculty bulletin board following the normal procedures. (4/3/87)

## Rescheduling Classes

During the past year there have been several occasions when the integrity of our formal class schedule has been impaired. In particular, class days immediately before and after vacation periods have been the focus of student pressure on individual faculty members. It is important that we adhere to the formal class schedule, both to avoid undue pressure on individual faculty members, and also to assure our satisfaction of ABA accreditation residency requirements. Rescheduling of a particular class is sometimes necessary because of other professional responsibilities of a faculty member, or in the case of sickness or serious personal emergency. Rescheduling for student or faculty convenience should be avoided. (Letter from dean to faculty dated 9/30/87)

## Student Records

Student records are deemed confidential. Only that information which is of a public record will be released without the written consent of the student involved. Public information includes: name, sex, classification, (local address, home address, local telephone number)\*, dates of attendance at the University of Florida, major, degree earned, nature and place of employment at the university, awards received, participation in officially recognized activities and sports, and weight and height of members of athletic teams. Counseling records and disciplinary records are not public information.

Information contained in student records except that data that is public information will be open for inspection only by the student, or parents of dependent

students as defined by the Internal Revenue Service, and designated member of the professional staff of the College of Law. The Student Services assistant deans or their designees may release information from such records only upon written authorization from the student or upon orders of a court of competent jurisdiction. (F.A.C. 6C1-4.007)

**Comment:** \*Per direction of dean Lewis, address and phone numbers of a student or graduate are not to be released. We can offer to communicate with the student or graduate and inform them of the other person's interest in getting in touch with them. (4/7/92)

## Transfers - Internal

A student may not transfer from one section to another for the second part of a required continuation course without having first obtained the permission of the professor into whose class the student seeks to transfer. (5/19/78)

## Co-Curricular Activities

No student shall participate in any co-curricular activity, except for the International Commercial Arbitration Moot Court team, prior to the third semester of law school. The third semester for students entering in the fall is the fall semester of the second academic year of law school. The third semester for spring entering students is the spring semester of the academic year following the academic year in which they enrolled.

No student academic credit hours shall be awarded to students for participation in any co-curricular activities prior to their third semester of law school (as defined above). This policy shall be effective immediately, except those students may be awarded retroactive credit for their participation in some co-curricular activities prior to commencement of the fall semester of 2002. (02/21/02)

## Examinations

### Administration of Exams

The Faculty Development Committee recommended the following policy, which was approved by the faculty on 10/31/97:

Student Affairs staff will arrange for collection of completed examinations unless a faculty member informs Student Affairs that he or she will collect his/her own examinations. The recommended procedures are as follows:

1. A Student Affairs staff member will be present in each examination room (except the typing rooms) to collect the exams at the end of the exam period. Students will turn exams into the appropriate location by the time indicated by the faculty member. Students completing exams more than 15 minutes prior to the end of the examination period will turn in exams at the Student Affairs Office.
2. Student Affairs will ensure that students do not write after time is up. Student Affairs will identify for the faculty member (by exam number) any student who continues writing after the end of the stated examination period or who turns his/her examination in late from a typing room.
3. Student Affairs will promptly provide the collected examinations to the faculty member in his/her office, unless other arrangements are made for the faculty member to receive the exams. Other arrangements must be made with Student Affairs at least 24 hours prior to the exam period.

Faculty members will distribute examinations, unless a faculty member requests that Student Affairs distribute the examination and gives instructions for doing so. Ordinarily, faculty will be available in their offices for questions during the examination regardless of who distributes the examination. (10/31/97)

Please keep in mind our general expectation that each faculty member will be here during the administration of his or her examination. In the past, absence of one whose examination is being given has led to difficult situations which would not have arisen had the faculty member been present. Your presence is also of great help in maintaining the integrity of the process. Your cooperation will be greatly appreciated. (4/28/75)

### Delay in Taking Exams

At the recommendation of the Ad Hoc Committee on Student Affairs, the faculty adopted the following on 11/28/88:

Currently, students who petition for the delay of a scheduled examination must demonstrate the existence of an extreme emergency. Consecutive examinations will suffice only if there are three consecutive examinations scheduled. This committee has been concerned about the detrimental impact on a student who has two examinations scheduled on the same day. Dean Lewis has now informed us that by extending the examination period by one day he will be able to eliminate the possibility that students will have two exams scheduled on the same day. Since he plans to implement this change

as a matter of administrative discretion, the problem seems now to be solved, and our current rule is out of date.

Nevertheless, experience suggests that the best-laid plans of administrators often go awry. From time to time, some unique or ingenious student will achieve a schedule calling for two exams in one day. In that event, our current rule will prohibit the granting of an exam delay. We think this is wrong. Rather, these rare students should be automatically entitled to delay one of the exams. Of course, they will still have to arrange with the administration an alternative time to take the exam.

Our current rule calls for an exam delayed on account of consecutiveness to be rescheduled on the first subsequent day on which the student has no examination. Examinations rescheduled for other “extreme emergencies” are not so rigorously controlled. Presumably, they are rescheduled at some reasonable time as agreed between the student and the administration. We see no need for the special rigor here. Now that these cases can be expected to become quite rare, the administrative burden in treating these delays like all others will be minimal.

Accordingly, we recommend the following changes in policy:

1. Any student scheduled to take two examinations in the same day may arrange with the administration to delay taking one of them. The arrangements must be made in advance and the choice as to which of the two examinations to reschedule is to be made by the administration in its sound discretion.
2. All delay examinations should be rescheduled to be taken as soon as reasonably possible in the sound discretion of the administration.

*Comment: In exercising its discretion as to which examination is to be rescheduled and when it will be retaken, the administration may take account of the preferences of the student and the professor, the circumstances of other students, ease of administration, and all other relevant factors. (11/28/88)*

## Early Exams

Under no circumstances will permission be given to take an examination before the scheduled time. (11/28/88)

The Academic Standards Committee met to review the early examination policy during the 1993-94 academic year. After full discussion, the committee voted unanimously to reaffirm the stated policy.

The committee believes this policy serves the inter-

est of both faculty and students. Subsumed in this reaffirmation is approval of a minor deviation which has evolved over time whereby an occasional student, for compelling reasons, is permitted to begin an exam early so long as that student's taking of the exam overlaps the time of the scheduled exam. It is believed such a deviation should not compromise the integrity of the exam. (Committee memo dated 3/22/94, which was included as an information item at the 4/15/94 faculty meeting.)

## Examination Evaluation Policy

One examination per year must be evaluated by students taking it. The form would be distributed with the examination, to be returned subsequent to the completion of the examination and prior to the grades being issued. Examination evaluation will be by use of the attached form, which shall not be released until grades are turned in. The examination evaluated shall be the exam given for the course chosen for classroom evaluation, if possible.

## Reading Period

In scheduling the academic year calendar, the College of Law policy is to retain the maximum number of between-term break days. To achieve this, the homecoming holiday for students is eliminated at the College of Law. The combined reading/examination periods in fall and spring will be fourteen days. The dean's Office has responsibility for allocating the fourteen days between reading days and examination days. No portion of the reading period in the fall should overlap the four-day Thanksgiving break. (1/18/91)

## Re-Examination Policy

The Academic Incentives Committee reviewed the law school policy concerning re-examination. The committee recommended that the policy as stated be reaffirmed and continued, and that any deviations from the policy be authorized only by vote of the faculty. (3/3/75)

## Reproduction of Exams

All “open book” final examinations shall be reproduced on colored paper. (5/8/81)

## Retention of Exams

All final examinations are to be collected and bound on a yearly basis, at least one volume to be kept in the law library collection for one year.

At least one copy of the yearly bound volumes of collected examinations is to be returned from the



University Archives to the law library. 3) That the volumes be accessible to faculty members upon request as is the case in many other law schools.

1. This policy does not prevent a faculty member from showing an examination to a student in discussing the student's performance on the examination. It also does not prevent making fully available through the library, copies of any examination where the author does not desire it to be kept private except through the bound volumes. (1/12/79)
2. ALS Regulation 11. Records and Reports - 11.2: Retention of examination and other papers. Unless the paper is returned to the student, a member school should retain the examination, seminar or other paper bearing on a student's grade and credit for one year after the end of the term in which the paper was submitted.

## Use of Computers in Exams

Students may be allowed to use computers for a final examination provided that approved software has been installed on such computers which prevents access to any stored information in the computer or on the Internet other than that specifically allowed for that examination. Use of computers during final examination is at the discretion of the instructor for that course. The instructor should consult with the assistant dean for Students to make sure there are appropriate testing areas to accommodate students using their computers. (04/12/01)

## Grades

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### Blind Grading

Midterm and final examinations must be graded anonymously. Student I.D. numbers will not be made available to instructors prior to the submission of examination grades. In determining final course grades, instructors shall have the right to make adjustments to examination grades based upon criteria deemed appropriate by the instructor. Students may obtain their examination grades from the registrar's office. This information shall not be used for any other purpose and shall be disposed of after one year. At the end of two years after its implementation, this policy will be reviewed by the appropriate faculty standing committee, and a recommendation for its continuation, revision, or revocation will be submitted to the faculty for its consideration. (2/14/92)

### Book Awards

The instructor in each course or seminar (except any that may be graded solely on a pass-fail basis) shall designate the person(s) whose performance excels that of all others enrolled in that course or seminar. A letter from the law school administration shall inform students so designated of the honor and internal and external law school records shall reflect the honor. Books shall also be given to students so designated when the books can be obtained on a gratuitous basis from publishers or others. (5/23/73)

### Dean's List

The College of Law shall post and publish a "Dean's List" containing the names of those students earning "Honors," "High Honors," and "Book Awards" each academic term. The administration shall establish a procedure that will afford every student each academic term the opportunity to request that his or her name not appear on the Dean's List to be posted and published that term. (1/30/81)

### Grade Changes

It is the opinion of the Office of Academic Affairs that college deans do not have to approve grade changes made by professors in their colleges. Some college deans insist upon having the authority; some college deans do not. It is our belief that the following general principle should be observed: the professor is the final judge of what grade should be awarded his student. There may be instances of gross inequity wherein a professor has wrongly graded a student. The only remedy we see for such a case is redress through the procedures of common law. Grade appeal committees, department chairmen, and deans can intervene in behalf of a student, but if a professor insists upon his judgment as being correct, I doubt a higher authority either can or should change the grade.

When a professor from the College of Law changes a grade, his signature is sufficient for that change to be effected; your signature will no longer be required on grade change forms from the College of Law. (From letter to Dean Julin from Robert A. Bryan dated 2/16/73)

Adopted by the faculty: There will be a one-year limit on change of grades except for the designation of "H," which will have a two-year limitation.

Purpose and effect: To avoid the situation where a student could importune a faculty member to change a grade in a class taken a year or more prior to graduation. The impetus for such a grade change has been

found where an upward change in grade would allow students to graduate with honors or be nominated for scholastic honoraries. (1/12/79)

## Grading Scale

The faculty reinstated the letter grades A, B, C, D and E, and the letter grades of B+, C+ and D+ were assigned to replace the grades of 3.5, 2.5 and 1.5 respectively. Faculty members are to utilize the grades of B+, C+ and D+ for those students whose work in his judgment represents a performance between marks in the five-tier system of primary grades (A, B, C, D and E). For purposes of honor point calculation the grades of B+, C+ and D+ will be computed as 3.5, 2.5 and 1.5 respectively. (5/26/72)

**According to Grading Rules adopted by the faculty April 30, 2003:**

**1. The following grade scale applies to all courses in which letter grades that are calculated into grade point average (GPA) are awarded:**

Letter Grade	Quality Points
A+	4.3
A	4
A-	3.7
B+	3.3
B	3
B-	2.7
C+	2.3
C	2
C-	1.7
D+	1.3
D	1
D-	.7
E	0

Not all grades within the scale necessarily must be awarded in any particular course section in any particular semester.

**2. Mandatory Course Section Mean**

**All courses in which letter grades are awarded shall be subject to the following rules:**

- A. The mean grade for all course sections, regardless of size and including seminars, shall be between 3.15 and 3.25, inclusive.
- B. For upperclass course sections, the instructor may elect to raise the top of the range or lower the bottom of the range under whichever of the following alternatives applies:
  1. If the mean GPA (determined as of the beginning of the semester) for students enrolled in the course section after the last day to drop a class is above 3.2, the lower end of the range shall be 3.15 and the upper end of the range may be .05 higher than the mean GPA of the students enrolled in the

course.

2. If the mean GPA (determined as of the beginning of the semester) for students enrolled in the course section after the last day to drop a class is below 3.2, the lower end of the range may be .05 lower than the mean GPA of the students enrolled in the course and the upper end of the range shall be 3.25.
  3. The mean GPA of the students enrolled in the course shall be conclusively determined by the registrar.
- C. The mean grade for a course section is required to fall within the specified range. No exceptions are permitted for any course or seminar for any reason. Grade reports that are submitted by a faculty member to the registrar that are not within the permitted range shall be returned, without recording, for redetermination of the grades by the faculty member.
- D. The mean grade for all courses will be calculated without including the following:
1. Grades awarded to LL.M. students and foreign exchange students who are enrolled in the course.
  2. Grades of E.

**3. Pass/ Fail Scale and Courses**

Courses that are not graded on the lettered scale shall be graded on the following scale: Fail; Pass; Pass with Distinction (F/P/P+). Courses graded on this scale shall not be awarded quality points and shall not be taken into account in computing GPA.

- A. All courses heretofore graded on a U/S/S+ or P/F scale shall be graded on the F/P/P+ scale.
- B. All independent study shall be graded under the F/P/P+ scale.
- C. All internships shall be graded under the F/P/P+ scale.

Not all grades within the scale necessarily must be awarded in any particular course section in any particular semester.

**4. Special Rules for Clinical Courses and the Legal Writing Teaching Assistant Course Sections.**

Clinical courses (live-client clinical courses) and the legal writing teaching assistant course sections shall be graded on either the lettered grade scale, subject to the mandatory mean, or on the F/P/P+ scale, at the election of the instructor. The grading scale elected may be changed from semester to semester, but for any particular semester, the grading scale elected by the instructor must be communicated to the students, in writing (by syllabus, posting, letter or other memorandum, in paper or digital format) no later than the last day of the drop add/period. The default grade system if no election is

made shall be the F/P/P+ scale.

**5. Effective Dates and Transition Rules**

- A. The new grade scales shall apply for all courses beginning in the first semester for which they are approved by the University Curriculum Committee, the University Senate, and any other necessary body.
- B. The new mean GPA requirement shall apply to all first year courses for the Spring Term of 2003.
- C. The new mean GPA requirement shall apply to all courses (except the second semester of the legal writing teaching assistant course for students who completed the first semester in the Spring Term of 2003) commencing with the Summer Term of 2003.
- D. All transcripts released for the next ten years shall include an explanation of the changed grading scale and the change to the required mean GPA range from the recommended GPA range.

**Honors and High Honors**

Effective with the Spring Quarter, 1972, a program for recognizing and rewarding individual academic achievement during each quarter was adopted in the form of an Honor Roll. Two levels of recognition are to be maintained: High Honors and Honors.

Qualifications for recognition are that:

- A student shall be on a full-time basis with a minimum of nine quarter hours on the conventional grading system (i.e. A, B, C, D, E) and having no grade of I, E or U during the quarter; and for
- High Honors -- a quarter grade point average of 3.5 or above;
- Honors -- a quarter grade point average of 3.0 (see below) or above but below 3.5

Recognition of achievement for High Honors and Honors will be by presentation of appropriate certificates to students as they qualify and by appropriate notation on the student's academic file. Additional recognition may be provided by publication of the Honor Rolls in local publications, on the law school bulletin boards, or any other method selected.

(4/26/72). (5/23/95) Faculty approved raising designation for Honors from 3.0 to 3.1, effective with the fall 1995 entering class. **Honors were again revised by the faculty April 30, 2003, as follows:**

Highest Honors	3.9
High Honors	3.7
Honors	3.3

The new cutoff points for honors shall be fully effective for the class graduating in the Fall of 2005. The cutoff points for honors shall be phased-in as follows:

<b>Graduating Class</b>	<b>Honors</b>	
Spring 2003	Highest Honors	3.9
	High Honors	3.5
	Honors	3.1
Fall 2003	Highest Honors	3.9
	High Honors	3.533
	Honors	3.133
Spring 2004	Highest Honors	3.9
	High Honors	3.567
	Honors	3.167
Fall 2004	Highest Honors	3.9
	High Honors	3.6
	Honors	3.2
Fall 2004	Highest Honors	3.9
	High Honors	3.633
	Honors	3.233
Spring 2005	Highest Honors	3.9
	High Honors	3.667
	Honors	3.267

Faculty also noted that Class rank percentile cutoffs below the top one-third shall not be publicly released, and that the names of the valedictorian and salutatorian of each graduating class shall be recognized at graduation. (4/30/03)

**Incomplete Grades/No Grade Reported**

The University Registrar's Office strictly adheres to the deadlines published in the University Record as the date each semester at which incomplete grades which were received in the previous semester of attendance become E grades. The University Registrar's Office will record an "I" grade when no grade is reported by the instructor. (1976 memo to dean from Gene Hemp)

**Posting of Grades**

Student will be informed of their final grades by posting of grades on the University Integrated Student Information System ([www.isis.ufl.edu](http://www.isis.ufl.edu)). Under University of Florida policy, no grades shall be posted in any manner outside those approved by the University Registrar, including, posting grades outside of a faculty member's door, even if those grades are listed only by exam numbers. (01/04/02)

**Release of Grades**

As most of us know, we have had a longstanding policy at the Law School that no grades will be released to students except by Tigert Hall. The primary exception to this rule has been in the case of graduating

seniors who are informed of their grades by the Office of Student Affairs just before graduation. (7/16/86)

### Review of Grades

Members of the faculty should, upon request, afford to a student an opportunity within a reasonable time to review any written work by the student upon which a grade was based in whole or in part. (2/20/76)

### S/U (Satisfactory-Unsatisfactory) Grading Option

The faculty voted to abolish the S/U option. Grades of Satisfactory (S) or Unsatisfactory (U) are given, however, in LAW 5792 - Legal Research and Writing, LAW 5793 - Appellate Advocacy, LAW 6942 - Criminal Clinic, LAW 6950 - Law Review, and LAW 6951 - Moot Court. LAW 6361 - Trial Advocacy and LAW 6941 - Criminal Law Litigation may be graded on an S-U or letter grade basis at the option of the instructor. One-third of credits for LAW 6940 - Civil Clinic may also be awarded on a letter grade basis at the option of the instructor with the remaining credits awarded on an S-U basis. (10/6/89)

### Honor Code

The Honor System at the University of Florida College of Law, a part of the University of Florida Student Conduct Code, represents a commitment by students to adhere to the highest degree of ethical integrity. The Honor System is based on the fundamental principle of mutual trust--trust among students, faculty, and administrators that individuals attending the College of Law will not lie, cheat or steal. The Honor System has been designed and implemented by the students themselves, with faculty and administrative involvement, and has not been imposed by the College of Law or the University of Florida on the students. Each student who joins the College of Law community becomes a part of the Honor System and is assumed to be trustworthy unless and until proven otherwise.

All suspected Honor Code violations should be reported to a member of the Honor Committee so that appropriate action can be taken. Failure to report a suspected violation of the Honor Code shall be considered a non-prosecutable dishonorable act, unless that information is otherwise privileged.

(Excerpts from Honor Code Statement of Philosophy and Purpose, 1995)

## Curriculum

### Certificate/ Specialization Programs

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#### Environmental & Land Use Law - J.D.

**General Requirements:** Application to the director for admission to the Environmental & Land Use Certificate Program. Meet all other graduation requirements of the College of Law. Take an additional 8 credits beyond the 88 required for the J.D. **Concentration Requirements:** Successfully complete the core courses. Successfully complete additional courses for at least 5 credits from the list of environmental and land use law electives. Take a seminar in an environmental or land use subject and complete the senior writing requirement in environmental or land use law. Attain a grade point average of 3.0 for 15 of the credits within the environmental and land use law offerings (core and elective courses).

#### Estates & Trusts Practice - J.D.

**General Requirements:** Application to and accepted for admission to the certification program. Meet all graduation requirements of the College of Law. Completion of 8 credits in addition to the 88 credits required for the J.D. degree. **Concentration Requirements:** Successfully complete all of the area "core" courses, an additional area course, an interviewing and counseling course, and the seminar and writing requirement. Must maintain a 3.0 GPA in all graded courses to be credited in satisfaction of the concentration requirements for the certificate. (2/25/99)

#### Intellectual Property - J.D.

**General Requirements:** Application to and accepted for admission to the certificate program. Meet all graduation requirements of the College of Law. Completion of 8 credits in addition to the 88 credits required for the J.D. degree. **Concentration Requirements:** Successfully complete all "core" courses and additional selected courses for a total of 15 credits in which the students must maintain a 3.0 GPA. Students must take two seminars with one being an IP seminar. (04/2/98) (03/02/00)

#### International & Comparative

## Law - J.D.

**General Requirements:** Application to and accepted for admission to the certificate program. Meet all graduation requirements of the College of Law. Completion of 8 credits in addition to the 88 credits required for the J.D. degree. **Concentration Requirements:** Successfully complete all “core” courses and additional selected courses. (01/21/00)

## State & Local Government Law J.D.

**General Requirements:** Application to and accepted for admission to the certificate program. Meet all graduation requirements of the College of Law. Completion of 8 credits in addition to the 88 credits required for the J.D. degree. **Concentration Requirements:** Successfully complete all “core” courses and three additional area courses. (11/1/01)

## Family & Children Law - J.D.

**General Requirements:** Application to and accepted for admission to the certificate program. Meet all graduation requirements of the College of Law. Completion of 8 credits in addition to the 88 credits required for the J.D. degree. **Concentration Requirements:** Successfully complete 20 credits in designated courses, with at least 15 of those credits receiving a grade of 3.0 or better. (04/25/02)

## Specialization in International Tax Studies - LL.M. in Comparative Law

The College of Law is authorized to offer a certificate of Specialization in International Tax Studies for lawyers who wish to obtain a broad-based understanding of the tax laws of the United States and other countries affecting international transactions. This program may be offered as a special curriculum for students enrolled in the LL.M. in Comparative Law Program. The Specialization program is expected to be modest in size, and ordinarily will not include more than 20 students in any year.

**General Requirements:** Admission to the Specialization program will be conditioned upon admission to, and upon the approval of, the LL.M. in Comparative Law program, and will also be conditioned upon the willingness of a member of the graduate tax faculty to serve as an advisor and writing supervisor for the applicant. **Specialization Requirements:** The Specialization program will require the successful completion of the 30-credit LL.M. in Comparative Law

program, of which a minimum of 15 credits will comprise approved coursework in the international taxation special curriculum. The approved coursework may vary from year to year depending upon the courses offered, but a Specialization student will ordinarily be expected to enroll in the international tax courses that are offered, to complete a seminar paper on international taxation, and to enroll in such additional tax courses as may be determined to be appropriate to provide a broad-based understanding of international tax laws. International tax courses to be offered may include Foreign Tax I and II, a seminar, courses on Tax Treaties and on Tax Systems of the World, or such other courses as may be approved by the faculty. (2/7/97)

## Specialization in Environmental & Land Use - LL.M. in Comparative Law

**General Requirements:** Successful completion of the 30-credit hour LL.M. in Comparative Law program. **Concentration Requirements:** A minimum of 15 credit hours of approved course work in environmental and land use law core and elective courses. As part of the required 15 credit hours, successful completion of 3 of the 4 core courses. Successful completion of additional courses as needed to satisfy the 15 credit hour minimum, from among the environmental and land use law elective courses. (10/21/98)

## Course Information

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### Course Descriptions

Each faculty member is reminded of the procedure proposed by the Action Conference and implemented by the President and the Council of Deans whereby pertinent information about how each course is to be taught should be provided in an open file at the library reserve desk. The desired information should include such things as:

1. Textbooks
2. Number and type of examinations
3. Number and type of additional required papers, if any
4. Name of instructor
5. Some indication about the manner in which the grade is determined (for example, whether or not attendance is a

- factor)
6. Some indication as to criteria for pass/fail grading when that option is selected
  7. Major concepts to be emphasized in the course
  8. General methods of instruction
  9. Where possible, copies of previous examinations.

## Externships: Field Placement Programs

The Educational Summer Field Placement program was adopted as on an experimental basis on 1/17/97 and as a permanent part of the law school curriculum on 11/6/98. Experimental Field Placement Programs were approved for fall 1998 and spring 1999 on the same date. Fall and spring program approved as permanent part of curriculum on 10/11/01. The number of field placements credits is limited to six. The Field Placement Program is also referred to as the College's Externship Program. (11/6/98)(10/11/01)

## Graduate Level Non-Law Course Option

With the advance approval of the dean or dean's designee, students may enroll in a University of Florida Graduate School course or a University of Florida foreign language course for a maximum total of six semester credit units to be applied toward the total required for graduation from the College of Law. No more than two courses may be approved. No foreign language course may be approved unless it is a new language for the student or is advanced beyond courses in the language the student has previously taken. No foreign language course will be approved for a student who is proficient in the language. (Revised 4/15/94)

Resolution expressing the intent of the faculty for interpretation of the graduate level non-law course option: Students may take courses specified in the Graduate Course Option only if the student, through the exercise of due diligence, cannot take a course containing substantially the same subject matter at the College of Law. (3/21/97)

## Independent Study

Open only to students who have completed three terms and who are in good academic standing. An Independent Study is designed to be an independent research project under the supervision of a faculty member who has a special interest in the area. The student must obtain the consent of the faculty member and agreement on the number of credits to be awarded prior

to registering for the course. The project must include per credit reading and writing components at least commensurate with those of a law school seminar, and shall be graded in accordance with general law school standards. Independent studies cannot be used to fulfill the seminar requirement.

Completed Independent Study Template Forms should be returned to the Office of Student Affairs. The Law School Registrar shall report the number of Independent Studies to the associate dean for Academic Affairs each term. Faculty members will report Independent Study sponsorships to the dean in their annual reports. (10/17/02)

## Judicial Externships

The faculty approved a judicial externship with the Federal District Court Judge in Gainesville. (11/15/96)

## Limit Course Enrollment

Faculty have an option to limit enrollment in elective courses to 100 students. Faculty members wishing to exercise this option must notify Student Services prior to registration for the term in which the course will be taught. (9/20/71)

## Seminar Policy

Each student must complete a seminar to graduate from the College of Law. The College shall offer a sufficient number of seminars on a sufficient variety of subjects to assure that this seminar requirement is an enriching and rewarding part of a student's educational experience at the College of Law. All seminars shall afford enrolled students the opportunity to satisfy the Advanced Writing Requirement that is a condition to graduation from the College of Law.

Whether or not a member of the faculty shall teach one or more seminars in an academic year is a matter to be worked out between the faculty member and the administration as part of the organization of the curriculum. A member of the faculty may select any substantial legal topic for a seminar.

A member of the faculty assigned to teach a seminar shall prepare a detailed seminar description setting forth the title of the seminar, prerequisites for the seminar, the scope of the seminar, teaching method, grading method and other appropriate information. The faculty member may state reasonable prerequisites for the seminar. This seminar description shall be given to the

dean's Office in sufficient time to permit the students to become informed about the seminar prior to pre-registration for the term in which the seminar will be offered.

Students may receive credit for more than one seminar, unless the dean or dean's designee determines that the subject matter of a seminar substantially duplicates the subject matter of a seminar that a student has already taken. (11/22/91)

## Curriculum Restructure

The faculty met on November 20, 1992 to discuss the Curriculum Committee's Recommendations for Curricular Change that was circulated on October 29, 1992. On December 2, 1992 the faculty met again to take formal action on the recommendations. They voted to adopt four-credit blocks and 60-minute classes. After further discussion they voted to reconsider this choice after consideration of other changes to be voted upon. The following is a summary of the items approved:

1. Create Advanced Courses to be taken in the third-year, and designate Second-Year Pathway Courses to be taken in the second year as the first step of a sequence of three courses culminating in an Advanced Course.
2. Increase professional skills training by shifting 1.5 FTEs out of current resources into simulation-type courses, and adding 1.5 FTEs to clinical offerings as new resources become available.
3. Replace Jurisprudence in the first-semester with Introduction to Law, a one-credit course to be taken intensively before beginning the other first-semester courses.
4. Make Jurisprudence a required 3-credit second-year course to be taken by Fall-entering students in their third term (Fall) and by Spring-entering students in their fourth term (Spring).
5. Increase credit for Legal Writing and Appellate Advocacy by one credit each, and increase credits required for graduation by two credits to 88.

On January 28, 1993, the faculty met to reconsider the four-credit block and length of classes. It was decided to separate the two issues and vote on them separately. In written ballots on separate days, the faculty voted for the four-credit block and 60-minute classes.

On February 12, 1993, the faculty met to determine sequencing of the required and registration-priority

courses. See the current *College of Law Handbook* for schedule.

## Joint Degree Programs

A template for joint degrees was approved by the faculty on 2/7/97. The following is a partial list of approved College of Law joint degree programs. Contact Student Affairs for a complete listing.

J.D./ Master of Accounting  
 J.D./ M.A. & Ph.D. in Anthropology  
 J.D./M.A. in Building Construction  
 J.D./ M.B.A.  
 J.D./M.D.  
 J.D./Ph.D. in Educational Leadership  
 J.D./M.A. in Environmental Engineering  
 J.D./ M.A. in Exercise & Sport Sciences  
 J.D./M.A. in Finance  
 J.D./ M.A. & Ph.D. in Forest Resources & Conservation  
 J.D. and Gender Studies Certificate  
 J.D./ M.A. & Ph.D. in History  
 J.D./M.A. in Latin American Studies  
 J.D./M.A. & Ph.D. in Mass Communication  
 J.D./M.A. in Medical Sciences  
 J.D./M.A. & Ph.D. in Political Science  
 J.D./Ph.D. in Psychology  
 J.D./M.A. in Real Estate Finance  
 J.D./M.A. in Sociology  
 J.D./ Master of Urban & Regional Planning

## Student Exchanges/Summer Abroad Programs

### Leiden Exchange

University of Florida degree candidates in good academic standing and who have completed the first year curriculum are allowed up to 16 hours credit (the maximum load permitted during a semester) for law work undertaken at Leiden; with such details as to credit allocation, tuition, etc., to be determined by the administration or referred by the dean to a committee, as is appropriate under the circumstances. The Admissions Committee is authorized to approve as transient students qualified Leiden applicants recommended by their faculty for study in our college. (8/27/87)

Amendment: Per the Curriculum Committee's request the faculty passed the recommendation that U.F. students receive credits at U.F. based on a ratio of two U.F. credits for every three Dutch Study Points earned at Leiden, up to a maximum of 14 U.F. credits.

(11/15/96)

Amendment: The Curriculum Committee recommended and the faculty adopted the following policy: The curriculum for UF students participating in the Cooperative Program with Leiden University shall be those courses denominated by the dean or the dean's delegate which meet the standards of the American Bar Association for cooperative programs for foreign study. The academic program must be related to the social legal environment of the foreign institution or have an international or comparative focus. The dean or the dean's delegate shall determine the number of semester credit hours to be awarded for each course in a manner consistent with the number of class hours per credit hour awarded for courses taught at UF (currently 14 class hours per credit hour). The grades for such courses will be Satisfactory (S) or Unsatisfactory (U), and the dean or the dean's delegate shall determine, in consultation with the Program Director at Leiden University, which grades awarded under the Leiden University grading system are equivalent to Satisfactory at the College of Law. (6/12/92)

## Frankfurt Exchange

The Student Foreign Exchange Committee recommended and the faculty adopted to approve a student exchange with Johann Wolfgang Goethe University:

The UF-Frankfurt exchange closely parallels the present UF-Leiden exchange, with one significant and several minor exceptions. UF students will have to demonstrate some fair understanding of spoken German. They will be able to ask questions in class in English, and they will be able to undertake paper or examinations in English. The UF-Leiden program has been extremely popular. About 20 eligible students applied for the five positions for this semester. There is similar considerable interest on the part of Leiden students in coming to the UF. There will certainly be fewer eligible UF students for the proposed UF-Frankfurt exchange because of the language requirement. But the dean and the committee believe that for those UF students who have German as a second language, this exchange offers a unique opportunity both to study law in Germany and to further develop language skills.

The proposal is to exchange 3-5 students one term each year, in contrast to the 5 students each term (Fall and Spring) with Leiden.

The Frankfurt terms differ from ours and from those at Leiden, which closely parallel ours, regarding dates. Frankfurt has a long term (Oct.-March) and a

short term (late April-mid July). UF students will attend only the second, short term. They will be able to earn residency and academic credit with equal attendance at a UF Summer term. Frankfurt students will attend our spring term.

As in the UF-Leiden program, our students will pay tuition to the UF and UF will accept transfer credit for pre-approved courses. These courses will be approved in the same manner as courses at Leiden.

The proposed program will comply with all ABA requirements for student exchange programs. Dean Lewis will commence the approval process with the ABA Committee on Accreditation after faculty approval. That committee would consider the proposal in June and Frankfurt students would arrive in January 1994.

The Faculty Student Foreign Exchanges Committee will interview students applying to the program. The committee will develop a language test to determine language skills. Dean Rahim Reed will administer the program at UF, working with Manfred Weiss at Frankfurt. (1/22/93)

## Montpellier Exchange

This program was patterned after the format of the student exchanges with Leiden and Frankfurt. Up to five Florida students and five Montpellier students will be exchanged during our January academic terms. Florida students may register for up to 12 credits at Montpellier. Credits will be awarded on the basis of 14 hours of class per credit. All classes will be taught in French and our students must therefore be fluent in written and spoken French. Our office of student affairs will approve student enrollment in courses. Florida students must take a written examination and their program must include visits to courts, law offices, and other institutions. Residency credit will be computed pursuant to standard 305 of the American Bar Association. Florida students must be in good standing and must have completed their first year of law studies. The application process will be the same as with the Leiden and Frankfurt programs. Florida students will pay Florida tuition and will be responsible for their housing expenses at Montpellier. Montpellier will arrange their housing and we will arrange the housing for the Montpellier students at Florida. (5/16/95)

## Monash, Australia Exchange

This program allow University of Florida Law stu-



dents to attend the law school in Monash, Australia during a Spring term and earn up to 14 UF Law credits. All classes are taught in English. (01/24/02)

### **Warsaw University, Poland Exchange Program**

This program allows University of Florida Law students to attend the law school in Warsaw, Poland and earn up to 14 UF Law credits. All classes are taught in English. (04/25/02)

#### **Montpellier Summer Abroad Program**

This program is designed principally for Florida law students, who will have registration priority. However, law students from other ABA law schools can also participate. This program will operate consistent with the Criteria for Approval of Foreign Summer Programs of the American Bar Association. The summer program will be five weeks in length. It will likely begin around the first of July and extend through the end of the first week in August. The curriculum will initially consist of two courses, one for three credits and one for two credits. In each case, credits will be awarded on the basis of fourteen hours of classroom contact per credit. Two Florida faculty members will be present, one as director. Two Montpellier faculty members are co-directors. Law faculty members from Montpellier will be guest speakers and will participate substantially in both course offerings. The course offerings will have a comparative law focus. We expect to accommodate at least 50 students. Montpellier will provide classroom and office space and will assist in arranging housing for faculty and students. (5/16/95)

### **Capetown Summer Abroad Program**

A summer abroad program for Florida and American law students in South Africa. The faculty will be drawn from the University of Florida College of Law and the University of Capetown Faculty of Law. Enrichment guest lectures are expected to be included in the program. These will include such figures as the Minister of Justice, the Minister of Trade, the Minister of Tourism and the Environment, the President of the Constitutional Court, the Former Prosecutor of the Ad Hoc Criminal Tribunals, Representatives of Private Industry/Business and Labor. The Program Director will be Professor Winston P. Nagan who will be on-site for the duration of the program. Instruction will be in English. A student may take up to 220 minutes of class-

es per day. The duration of the program will be five weeks. The program will begin in the Summer of 1999. (10/31/97)

### **Costa Rica Summer Abroad Program**

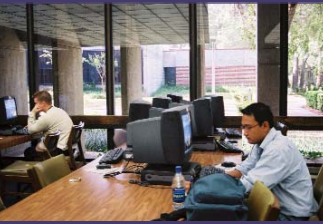
A summer program for Florida and America law students in Costa Rica. The faculty will be drawn for the University of Florida College of Law and the University of Costa Rica. The Program Director will be Tom Ankersen who will be on-site for the duration of the program. Instruction will be in English. Students may not take more than 7 credit hours during the program. (10/13/99)(09/21/00)

### **Summer Abroad Programs Financial Independents**

Summer Abroad Programs need to “break even” as a whole in order to go forward. (03/21/02)



Fredric G. Levin College of Law: [www.law.ufl.edu/](http://www.law.ufl.edu/)



Legal Information Center: [www.law.ufl.edu/lic/](http://www.law.ufl.edu/lic/)



University of Florida: [www.ufl.edu/](http://www.ufl.edu/)



Faculty Senate: [www.senate.ufl.edu/](http://www.senate.ufl.edu/)



UF Faculty Handbook: [www.aa.ufl.edu/Handbook/about.html](http://www.aa.ufl.edu/Handbook/about.html)



City of Gainesville: [www.cityofgainesville.org/](http://www.cityofgainesville.org/)

# Resources

**Note: Contact information at the Fredric G. Levin College of Law may change, particularly during construction. For updates, refer to the college Web site ([www.law.ufl.edu/](http://www.law.ufl.edu/)) or contact the Dean's Office (352-392-9238).**

## For Guidance About:

## Contact (area code 352 unless otherwise noted):

### Alumni Affairs, Private Support

### Development & Alumni Affairs:

[alumniaffairs@law.ufl.edu](mailto:alumniaffairs@law.ufl.edu), 392-9296

### Centers, Institutes, Programs

- **Children & the Law/Family Law:** [cclstaff@law.ufl.edu](mailto:cclstaff@law.ufl.edu), 392-9001
- **Environmental & Land Use Law:** [elulp@law.ufl.edu](mailto:elulp@law.ufl.edu), 392-3572
- **Estate & Elder Law Planning:** 392-2224
- **Governmental Responsibility:** [cgr@law.ufl.edu](mailto:cgr@law.ufl.edu), 392-2237
- **Intellectual Property:** [cotter@law.ufl.edu](mailto:cotter@law.ufl.edu), 392-2235
- **International Financial Crimes Studies:** 392-2260
- **International Programs:** [intlprogs@law.ufl.edu](mailto:intlprogs@law.ufl.edu), 392-3572
- **Legal Drafting:** 392-9235
- **Legal Research & Writing:** 392-2198
- **Legal Technology Institute/ICAIR:** [adkins@law.ufl.edu](mailto:adkins@law.ufl.edu), 392-2278
- **LL.M. in Comparative Law:** [//lcomp@law.ufl.edu](mailto://lcomp@law.ufl.edu), 392-0082
- **LL.M. in Taxation:** [grad-tax@law.ufl.edu](mailto:grad-tax@law.ufl.edu), 392-1081
- **Study of Race & Race Relations:** 392-2211

### Computing Services, Web/Internet, Media Services (Audio-Visual)

- **Educational Technology Services:** 392-2278
- **Computing Services:** [help@law.ufl.edu](mailto:help@law.ufl.edu), 392-4394
- **Media Services/Computer Lab:** 392-8800
- **Gatorlink (Personal E-Mail/ Web sites):** 392-HELP (392-4357)

### Construction (Law School)

Associate Dean for Administrative Affairs  
**Patrick Shannon: 392-9238**

### Exams, Student Services

**Student Affairs:** [www.law.ufl.edu/students/](http://www.law.ufl.edu/students/) • [student.svc@law.ufl.edu](mailto:student.svc@law.ufl.edu) • 392-0421

### Faculty Support, Textbook Adoptions

**Faculty Support:** [hendersonmb@law.ufl.edu](mailto:hendersonmb@law.ufl.edu), 392-2211

### FlaLaw, UF Law E-News, Internal Communications (Handbook, Annual Report)

**Dean's Office/Office of Administrative Services:** [amirin@law.ufl.edu](mailto:amirin@law.ufl.edu), 392-9238

### Information Resources (Print, Electronic), Research

**Legal Information Center (Library):** [legalinformationcenter@law.ufl.edu](mailto:legalinformationcenter@law.ufl.edu), 392-0417

### Media, Photography, External Publications (Magazine)

**Communications:** [huguenin@law.ufl.edu](mailto:huguenin@law.ufl.edu), 392-9586

### Parking, Tickets

**Decals (UF):** 392-6655 • **Tickets (UF):** 392-6655

### Security, Crime

• **University Police Department:** <http://police.ufl.edu/>, 392-1111 • **SNAP (Campus Escorts):** 392-SNAP

### Student Organizations & Publications

- **ABA/LSJ:** 392-8835
- **BLSA:** 392-7114
- **ELULS:** 846-1198
- **Florida Journal of International Law:** 392-4980
- **Florida Journal of Law & Public Policy:** 392-7139
- **Florida Law Review:** 392-2148
- **Florida Tax Review:** 392-9381
- **John Marshall Bar Association/ The Docket:** 392-0498
- **Journal of Technology Law & Policy:** 392-6237
- **Law College Council:** 392-0261
- **Moot Court:** 392-2122
- **Trial Team:** 392-6239
- **Unlisted Student Organizations:** 392-0261 or 392-0421

### Supplies, Books

**College of Law Bookstore:** 392-6141

### UF Information

**Operator:** 392-3261