

**Cleveland-Marshall College of Law, Cleveland State University**  
**Policies on Standard Teaching Schedules, Variances, and Course Releases**<sup>1</sup>

- 1. Standard Teaching Schedule. The standard teaching requirement for legal writing, tenured and tenure track faculty is two courses in the fall semester and two courses in the spring semester, typically totaling 11 to 13 credit hours.**

**The teaching load for a faculty member who teaches four courses totaling 14 or more credit hours in one academic year (exclusive of summer teaching for which additional compensation is received) may be set, at the discretion of the Dean, at three courses the following year, provided that the three courses total 10 or more credit hours.**

*Rationale:* CSU Personnel Policies and Bylaws, also known as the Greenbook, do not set a standard teaching load for non-bargaining unit tenured or tenure-track or for legal writing professors. Cleveland-Marshall's two course per semester, 11-13 credit hours standard is consistent with other schools. For example, Toledo, Capital, Ohio Northern and Cincinnati require four courses per year. Case and Ohio State each require three courses a year. Harvard requires 10 hours a year with "generous release time." Other CSU faculty generally teach 16-24 credit hours per AY.<sup>2</sup>

Cleveland-Marshall classes taught by tenured, tenure track and legal writing faculty generally range from 2 to 4 credit hours.<sup>3</sup> In some instances (such as seminar courses) faculty can

---

<sup>1</sup> Adopted by the faculty May 8, 2008. Except where otherwise noted, the proposed standards apply to legal writing and clinical professors as well as tenured and tenure track faculty. "Academic year" (AY) as used in these proposals excludes the summer term.

<sup>2</sup> Article 13.1 of the CSU AAUP Collective Bargaining Agreement governs faculty workloads. It provides at §13.1D: "The teaching load for faculty shall range from 8 – 12 credit hours per term or 16 – 24 credit hours per academic year. Faculty reassigned to professional activities other than instructional activities may have their instructional load reduced below these levels. Faculty who are active in productive and assessable scholarship/research/creative activity, and/or University or professional service (including service to the community) shall normally be assigned responsibility for 8 credit hours per term. Faculty may be assigned a higher load if their teaching assignments involve less than full responsibility for a course (e.g., team-teaching assignments, laboratory monitoring, supervision of interns, etc.) or if they concentrate primarily on instructional activities rather than participating significantly in productive and assessable scholarship/research/creative activity, and/or University or professional service (including service to the community). . . . The maximum teaching load for a faculty member shall be 12 credit hours per term." In general, CSU faculty members who publish regularly teach five courses an AY, but as the above language indicates, faculty may be assigned more or fewer than five courses based on other professional commitments. The average credit hours per course vary among colleges and departments. For example many Business Administration and Civil Engineering courses are 3 credit hours, while Psychology and Biology classes are usually 4 credit hours. Introductory, specialty courses and courses with laboratory components range from 1 to 7 credit hours. On average, however, other CSU colleges offer more 4-credit hour courses than we do.

<sup>3</sup> Students participating in a clinic can register for 2 to 5 credit hours per semester; externs can register for 4 to 6 credit hours.

choose to teach a course for either 2 or 3 hours. In other courses the credit hours are set (for instance first year courses that are 3 credits in the fall and 2 in the spring).<sup>4</sup>

Due to the wide range of credit hours per course, a professor's usual four course schedule might exceed the typical credit hour standard of 11-13 credit hours on a regular basis. In other instances a professor may be asked to pick up an additional course due to the unavailability of the faculty member originally scheduled to teach that course. If either scenario results in a professor teaching 14 or more hours in a particular year, exclusive of any credit hours for which additional compensation is received, the dean and the faculty member teaching the overload may negotiate a downward adjustment from the standard four course schedule the following academic year. This adjustment does not require a formal application as provided in §6. The name of any faculty member who negotiates such an adjustment is not included in the list of faculty receiving a course release or variance published by the Dean pursuant to §7.

This standard is not applicable to Cleveland-Marshall clinical professors. Clinicians contract to teach a particular clinical course each year (e.g. Employment Law Clinic, Urban Development Law Clinic) which involves a seminar component and significant work with students, but the contract does not describe these professors' obligations in terms of credit hours.

**2. Variance to Standard Teaching Schedule. A faculty member may request a variance from the standard two-courses per semester teaching schedule. For example, Professor A could apply to teach three courses in the fall semester and one course in the spring semester. Professor B could apply to teach two courses in the fall, one in the spring and one in the summer term, provided that no additional compensation is received for teaching the summer course.**

**The request for a variance is subject to application process set forth in §7 below and to the limitations in §6 below.**

*Rationale:* This type of schedule flexibility has been individually negotiated by certain faculty members but has never been identified as an option available to all faculty members. It is beneficial to individual professors and to the law school to allow flexibility in scheduling. In addition, this system might encourage more people to teach in the summer.

---

<sup>4</sup> Legal Writing and Civil Procedure are 6 hour courses (divided into two, 3-hours courses taught by the same instructor). Property, Torts and Contracts are 5 hours (divided into a 3 hour fall course and 2 hour spring course taught by the same instructor). Evidence, Estates & Trusts, Corporations, Tax I, Tax II, and Land Use Control (for JD/MUPDD students) are 4 hour courses. Many classes are offered for 3 credit hours, although most third-semester writing classes are 2 credits, and professors often elect to teach seminar courses for two rather than three hours. Some courses including First Amendment and Legal Profession are offered for 3 credits during the AY and for 2 credits in the summer.

- 3. Course Release.** A faculty member may apply for a one-semester, one-course release if other substantial professional commitments, such as chairing a major university or law school committee, working on a significant publication, assuming a particularly burdensome teaching load, or a combination of these or similar professional commitments place significant demands on the faculty member's time and the Dean determines that a course release is in the law school's best interests. See §7 below for application process.

*Rationale:* Teaching releases have been awarded in the past for a variety of reasons on an ad hoc basis. There has been no formal application procedure and no clear criteria for such releases. While not limiting the discretion of law school administrators to grant or deny course releases in any particular case, this standard is intended to make all faculty aware that course releases are available and to identify some of the situations that have justified past releases. This negotiated process also appears consistent with that used in other CSU colleges governed by the CBA. See FN 2 for details.

In considering whether a "particularly burdensome teaching load" justifies a release, the Dean will generally consider a number of factors. These include the number of students in the professor's classes, the nature and quantity of feedback mechanisms and assignments the professor incorporates into his or her courses, the level of preparation required for the courses and other relevant factors.

- 4. Tenure-Track Faculty.** Untenured tenure-track faculty who commence their teaching careers at Cleveland-Marshall are usually allowed two course releases prior to the semester in which they are reviewed for tenure. Generally a new faculty member takes the first course release during the first two years and the second release in the year before being reviewed for promotion and tenure. This release time is negotiated by the faculty member and Dean and does not involve the formal application procedure set forth at §7 below. A faculty member should, however, include this request in the teaching preference form submitted by faculty each year.

**Untenured lateral hires are not governed by this provision, but may negotiate pre-tenure course release(s) with the Dean.**

*Rationale:* This is a codification of current practice. The release time allows new faculty time to work on teaching and scholarship and generally become acclimated to academia. This standard does not apply to clinical or legal writing faculty. It does not automatically apply to tenure-track lateral hires who are untenured, but those individuals may negotiate with the Dean for one or more course releases as a condition of employment.

- 5. Professorships.** Faculty members who hold a named professorship may apply for a one-course release each academic year in exchange for a reduced financial stipend. The faculty member should include this request in the teaching preference form

**submitted by faculty each year. The form must be submitted by the identified due date and is not subject to the application process set forth in §7 below.**

*Rationale:* This is a codification of the professorships standards.

**6. Relationship to CSU Professional Leave Policies. Absent extraordinary circumstances, a faculty member may not use any of the mechanisms described above, either alone or in combination, to obtain a complete teaching release for either a fall or spring semester. Such releases must be generally obtained pursuant to university policy and procedures for professional leaves (i.e. sabbaticals) set forth in §8.1.8.A.3 of CSU’s Personnel Policies and Bylaws (i.e. the “Greenbook”).**

*Rationale:* Our obligations as Cleveland-Marshall law professors are not limited to teaching and scholarship. Service to and involvement in the law school and university communities are core components of our professional responsibility throughout the academic year.<sup>5</sup> Faculty with no teaching responsibilities during either the fall or spring may be tempted to disassociate from the law school and university during that semester, thereby unilaterally transforming teaching release time into a professional leave. This transformation arguably usurps university professional leave policies governing “Leaves with Pay” (i.e. sabbaticals) under §8.1.8.A.3. which must be obtained through the application process set forth at §8.1.8 C.<sup>6</sup>

An exception for “extraordinary circumstances” is included to allow reconsideration of the application of this general policy in a compelling case. For example, a professor who receives a Fullbright or similar grant or other unique opportunity for professional development that provides no significant financial remuneration may be able to obtain a release from teaching and perhaps all other law school responsibilities without meeting all the university requirements for a professional leave.

**7. Application Process for Course Release or Variance. A faculty member seeking a variance from the usual two-course per semester schedule under §2 or a course release based on substantial professional commitments explained in §3 should submit a written application to the Dean and the Associate Dean in charge of course scheduling. The application is due when the Associate Dean solicits faculty teaching preferences for the upcoming academic year. The application should explain the reason for the request and not exceed two typed pages. If a course release is sought based on substantial professional commitments, the application should also identify and briefly explain all course releases and professional leaves the applicant has received during the proceeding five years.**

---

<sup>5</sup> See Greenbook, §8.1.2.A.1.c

<sup>6</sup> Under CSU by-laws that govern law school operations, all “Extended leaves [that] last more than five weeks ... must be approved in accordance with Section 8.1.8(C)” of the Greenbook.

**At the completion of a semester in which a faculty member has received a course release due to substantial professional commitments, the recipient shall submit a brief report to the Dean reporting on the faculty member's activities during that semester.**

*Rationale:* In past years, some faculty members have submitted formal written applications for course releases while others have secured releases through informal discussions with the Associate Dean in charge of scheduling or the Dean. Some faculty members submitted requests well in advance of the affected semester and some asked to be released long after the course schedule has been finalized. This proposed application process is modeled after that used for summer research and teaching grants. It is designed to impose a minimal burden on the applicant, while also providing timely notice to the Associate Dean and Dean of the faculty member's request and sufficient information on which to evaluate the request.

The requirement that a faculty member who receives a teaching release because of other substantial professional commitments report on his/her activities at the end of the semester ensure accountability similar to that required when other law school benefits are received, such as an official professional leave or a summer teaching or writing grant. This report is not required of a faculty member who holds a professorship or a faculty member who has obtained a teaching release by redeeming banked hours.

**8. Decisions on Applications. The Dean shall make the final decision on all applications for course releases and adjustments to standard teaching schedules based on the recommendation of the Associate Dean in charge of course scheduling. Decisions on course scheduling are not subject to faculty review.**

**The Dean shall publish a list at the beginning of each AY of faculty members who have been granted a teaching release or variance for that year. The Dean may exercise discretion to omit a faculty member from the list if the release was granted for personal rather than professional reasons.**

*Rationale:* Creating a course schedule that satisfies students, faculty, and our accrediting agencies is a daunting task. The Dean and the Associate Dean in charge of scheduling are in the best position to evaluate the individual requests of faculty members in light of larger institutional concerns such as course coverage and equitable workload distribution.

Moreover, principles of faculty governance empower the faculty to establish and revise the curriculum and approve the content of specific courses. The task of assembling a comprehensive course schedule each academic year does not fall within faculty governance powers, but is relegated to law school administration.

The requirement that the Dean publish a list of faculty members whose applications were approved is intended to increase the transparency of the system. The Dean does not have to provide the rationale for the decision.