



# **FACULTY MANUAL**

**August 2013 Edition  
Office of the Dean**

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## **I. INTRODUCTION**

This manual provides information to assist you in your professional endeavors at Cleveland-Marshall. Please review this material carefully. Feel free to ask Dean's Office personnel or other persons mentioned in the manual for more information on any item. If you have questions about matters we do not cover, please ask. If you need a hard copy, please ask Rosa DelVecchio (2300). The STUDENT HANDBOOK is revised each summer and is posted online at:

<https://www.law.csuohio.edu/currentstudents/resources/studenthandbook>

Incoming students are directed to it during Orientation. If you need a hard copy, please ask Layla Davis (7308).

## **II. A BRIEF HISTORY OF CLEVELAND-MARSHALL**

Cleveland-Marshall College of Law, founded in 1897 as the Cleveland Law School, was the first law school in Ohio to admit women and one of the first to admit minorities. In 1946 the Cleveland Law School merged with the John Marshall School of Law, founded in 1916, to become the Cleveland-Marshall Law School. In 1969, the Law School joined Cleveland's new public university as its sixth college and was renamed the Cleveland-Marshall College of Law of Cleveland State University.

Because egalitarianism was a motivating principle of the law school's founders, the early school's student population was remarkable for its diversity. Many of the men and women who studied in the new law college were immigrants or the sons and daughters of immigrants; many were older students and minorities, and most worked throughout the day while studying law at night.

A number of the law school's earliest alums had notable careers, including the Honorable Genevieve Cline '21, the first woman in America appointed to a federal court; the Honorable Mary Grossman '12, the first woman in America elected to a municipal court bench; Cleveland Mayor, the Honorable Carl B. Stokes '56, the first African American mayor of a major American city; the Honorable Louis Stokes '53, Ohio's first African

American Congressman; and Cleveland Mayor, five-time Ohio Governor and two-term U.S. Senator, the Honorable Frank Lausche '21, son of Slovenian immigrants. Other graduates left their imprint in large and small ways in the local history books as influential attorneys, judges, public servants and leaders in commerce and industry. Cleveland-Marshall graduates laid the foundation of the legal profession in Northeast Ohio and shaped the future of our region as surely as the early explorers who mapped the outlines of the Western Reserve. Today's alums remain the foundation of the legal profession in Northeast Ohio, serving the judiciary at every level, heading law firms, chairing corporations and contributing to the region's and nation's economic and social wellbeing.

Accredited by the American Bar Association in 1957 and accepted into the Association of American Law Schools in 1969, Cleveland-Marshall College of Law (C|M|LAW) offers the J.D. and the LL.M. degrees and five dual degrees—J.D./M.B.A. (Master of Business Administration), J.D./M.P.A. (Master of Public Administration), J.D./M.U.P.D.D. (Master of Urban Planning, Design and Development), J.D./M.A.E.S. (Master of Arts in Environmental Studies), and J.D./M.S.E.S. (Master of Science in Environmental Science). Under the supervision of the clinical faculty, students receive experiential training in six legal clinics: the Community Health Advocacy Law Clinic, the Employment Law Clinic, the Housing Law Clinic, the Urban Development Law Clinic, and the Environmental Law Clinic, and the Law and Public Policy Clinic. Students receive onsite legal training in externships in a multitude of settings including federal district and appellate and state appellate courts, the federal immigration and Medicare appeals courts, the U.S. Attorney's Office, county prosecutor and public defender offices, general counsels' offices (Cleveland State University, John Carroll University, and the Cleveland Metropolitan School Board), and the N.L.R.B.; they edit two journals, the *Cleveland State Law Review* and the *Journal of Law and Health*, and participate successfully in moot court competitions throughout the country. Students may choose a subject-specific curriculum through the law school's concentrations in Employment and Labor Law, Business Law, Criminal Law, Civil Litigation and Dispute Resolution, International and Comparative Law, and Tax Law (suspended for new students as of 2007-08). Moreover, through countless volunteer opportunities in the law school's Pro Bono Program, students learn the lawyer's responsibility to the community. Finally, C|M|LAW students, graduates, and members of the bench and bar study and research in one of the country's finest law libraries, which houses the state's second largest legal collection and all major online resources.



### III. WEBSITE

The C|M|LAW website address is <https://www.law.csuohio.edu/>. This site contains useful information such as course descriptions, schedules, first class assignments, course book assignments, and faculty profiles. For full texts of the law school's Academic Regulations and Honor Code, and also CSU's statement of Student Rights and Responsibilities, please see <https://www.law.csuohio.edu/academics/regulations>. The website also contains a calendar of events and other important law school dates, as well as information about admissions, career planning, financial aid, and the law alumni association. This calendar is updated regularly and contains information such as lectures, conferences, important student dates, holidays, and faculty meetings:

<https://www.law.csuohio.edu/newsevents/calendar>

Many documents helpful to faculty are also available on the Faculty Resources page at <https://www.law.csuohio.edu/facultystaff/resources>. Although the content of the Faculty Resources page is always changing, currently posted documents and forms include: Beginning of the Semester Memo, Course Preferences Form, Course Release Policy, Class Rosters and Photos, Document Templates, Evening and Afternoon Events, Exam Grade Report Form, Faculty Focus, Faculty Manual, First Assignments Posting, Grade Distribution Form, Grade Due Dates, Guide to Email Lists, Lunchtime Speaker Series, Materials at the Reception Desk, Travel Request Form, Post-Trip Form, Take Home Exams Policy, and ULWR Seminars.

### IV. ADMINISTRATIVE OFFICES

#### A. OFFICE OF THE DEAN (Law Building, Room 106)

Dean *Craig M. Boise* (LB 108; 687-2300) is the chief academic and administrative officer of the law school. His duties include oversight of the hiring of full-time and adjunct faculty, fundraising and development, appointment of committees and special task forces, and alumni and community relations.

- Administrative Secretary **Holli Goodman (LB 107; 687-2300)**.
- Assistant Dean for Admissions and Financial Aid **Christopher Lucak (LB 137A; 687-4692)**
- Career Planning Director **Heather DiFranco (LB 137B; 687-2540)**

Associate Dean for Administration **Mark J. Sundahl (LB 111; 687-2300)** is responsible for the administration of many functions of the law school including course scheduling, curriculum planning, recruiting and working with adjunct and visiting faculty, student advising, clinics, and oversight of the Student Services Center offices of Academic Affairs, Student Life, and Student Records.

- Administrative Secretary **Rosa M. DelVecchio (LB 106; 687-2300)** schedules appointments for Associate Dean Sundahl. She handles submission of CLE forms for teaching credit to the Ohio Supreme Court.
- Assistant Dean for Academic Affairs **Jean Lifter (LB 143; 687-4557)**
- Director of Student Life **Amy Miller (LB 23; 687-2537)**
- Student Records Administrator **Marcie Rechner (LB 142; 687-2289)**

Associate Dean for Academic Enrichment **Heidi Gorovitz Robertson (LB 130; 687-9264)** is responsible for cultivating faculty intellectual enrichment and student achievement in the law school. Her duties include coordinating workshops and other faculty-focused teaching and scholarship presentations, advising on internal and external communication strategies that promote faculty development, providing guidance to junior faculty in helping them develop their scholarly agendas, and working with faculty committees to enhance the quality of teaching and scholarship. Associate Dean Robertson also has administrative responsibility for academic excellence programs for students, as well as the implementation of our plan to improve our bar passage rate.

- Administrative Secretary **Rosa M. DelVecchio (LB 106; 687-2300)** schedules appointments for Associate Dean Robertson.
- Director of Academic Support **Kelly Curtis (LB 54; 687-2359)**
- Director of Bar Examination Preparation **Mary Jane McGinty (LB 147; 687-2297)**

Law Library Director **Lauren Collins (LL 110; 687-3547)** is in charge of the library and is responsible for the oversight, development, and coordination of technology.

Director of Budget and Administration **Jeane H. White (LB 112; 687-2306)** is in charge of law school financial matters and is assisted by Donna Helfrich. (See section on Faculty and Administrative Services.) She is the law school liaison for telecommunications, physical plant and equipment needs, and is responsible for general oversight of the areas managed by Sandra Natran (see below) and Laverne Carter (see section on Faculty and Administrative Services).

- Administrative Secretary **Donna Helfrich** handles travel arrangements and reimbursements and assists Ms. White with other financial matters.
- Administrative Coordinator **Sandra Natran (LB 145; 687-2354)** coordinates and facilitates special events. She schedules law building rooms for meetings, conferences and lectures, and serves as the law school's liaison to Conference Services, Food Services, Instructional Media Services, Physical Plant and campus police. All research assistants must see **Yolanda Salviejo (LB 120; 523-7234)** to complete the necessary student employment forms. Ms. Natran prepares and submits Supreme Court of Ohio CLE applications for upcoming lectures and conferences.

Director of Advancement **Jennifer N. Nye (LB 113; 687-2491)** is in charge of fundraising.

- Manager of Donor Relations, **Megan McFadden (LB 122; 687-2476)**
- Manager of Annual Giving **(LB 119; 687-2286)**
- Administrative Secretary **Rita Pawlik (LB 115; 687-4617)**

### **B. CLERICAL SERVICES**

Manager **Laverne Carter (LB 118; 687-2349)** oversees the Word Processing Unit, the Student Services Information Center, and Photocopying. To request word processing support or other secretarial assistance, including the typing of exams, see Ms. Carter. Ms. Carter's staff consists of:

- Secretaries *Diane Adams (LB 115; 687-6884)* and *Yolanda Salviejo (LB 120; 523-7234)*, as well as Administrative Secretaries *Donna Helfrich (LB 115; 687-4594)* and *Rita Pawlik (LB 115; 687-4617)*, provide support to faculty and administrative staff.
- Secretary *Mary McGee (LB 55; 687-2307)* provides support to the Legal Writing faculty and to the offices of Law Review, Journal of Law and Health, and Moot Court.
- Word Processing Specialist *Harold Jackson (LB 116; 687-4888)* expedites your photocopying requests. Check with him for proper procedures, deadlines, and costs, especially in regard to reproduction of class materials and exams. Also see him for answers to questions about receiving or sending certified or express mail, and for supplies such as paper, pens, staples, exam blue books, and the like.
- Clerical Specialist *Israel Payton (LB 138; 687-2344)* manages the Student Services Center Information desk. (See Student Services Center section.)

### C. ADVANCEMENT DEPARTMENT

The Advancement team meets once monthly to review fundraising initiatives and create new strategies for increasing law school resources. The team members are:

- Executive Director of Law Alumni Association *Mary McKenna (LB121; 687-2368)*
- Director of Advancement *Jennifer N. Nye (LB 113; 687-2491)*
- Manager of Donor Relations, *Megan McFadden (LB 122; 687-2476)*
- Manager of Annual Giving *(LB 119; 687-2286)*
- Administrative Secretary *Rita Pawlik (LB 115; 687-4617)*

### D. LAW ALUMNI ASSOCIATION

Executive Director *Mary McKenna (LB 121; 687-2368)* is in charge of alumni activities and special events. If you are trying to locate any of our alumni, Ms. McKenna can assist you.

- Assistant Director *Jill McDonnell (LB 120; 523-7357)*

## V. STUDENT SERVICES CENTER (SSC) (Law Building, Room 138)

### A. HOURS

When classes are in session in the fall and spring semesters, the SSC hours are M & T 8:00 a.m. to 8:00 p.m.; W & TH 8:00 a.m. to 6:00 p.m.; and F 8:00 a.m. to 5:00 p.m. Summer hours are M & T 8:00 a.m. to 6:30 p.m.; W & TH 8:00 a.m. to 6:00 p.m.; and Friday 8:00 a.m. to 5:00 p.m. For hours at other times, contact the receptionist. For the hours of a specific office within the SSC, contact that office.

### B. RECEPTION

*Israel Payton (687-2344)* is the SSC's first point of contact. As the law school's receptionist, he is responsible for incoming mail, faxes, phone calls, walk-in traffic, and sales of student materials.

### C. ACADEMIC AFFAIRS

Assistant Dean *Jean Lifter (LB 143; 687-4557)* is responsible for course scheduling and room assignments, student advising, student course registration, academic affairs, and supervising ADA accommodations for classes and exams.

- Secretary *Layla Davis (7308)* finalizes teaching contracts for adjuncts. She is the person to notify of any room changes and class cancellations. **Call Ms. Davis if you need to cancel a class, whether or not the cancellation has been previously announced in class—preferably at least several hours before class time—and she will make sure that the appropriate notices are posted.** She can provide you with classroom seating charts and class rosters. Textbook orders are now placed directly through the CSU Bookstore. Ms. Davis will notify you when orders must be placed, which is generally two months before the semester begins.

#### D. ACADEMIC SUPPORT

**Mary Jane McGinty (LB 147; 687-2297)** is Director of the Bar Examination Preparation Program. She teaches our Bar Preparation course, coordinates programs related to the bar exam, and oversees our Academic Excellence Program.

- Secretary **Layla Davis (LB 144; 523-7308)**

**Kelly Curtis (LB 54; 687-2359)** is the Director of Academic Support Program that provides academic support for our students.

#### E. ADMISSIONS AND FINANCIAL AID

Assistant Dean **Christopher Lucak (LB 137A; 687-4692)** directs the student admissions process and oversees financial aid.

#### F. CAREER PLANNING

Director **Heather DiFranco (LB 137B; 687-2540)** coordinates on campus interviewing and develops programs to assist students in planning their careers during and after law school. Ms. DiFranco's staff consists of:

- Assistant Director **Francie Fields (LB 137C; 687-2260)**
- Assistant Director **Renee Pienta (LB 137C; 687-2264)**
- Coordinator **Nancy Erhardt (LB 137A; 687-6871)**

#### G. STUDENT LIFE

Director of Student Life **Amy Miller (LB 23; 687-2537)** maintains a vibrant, supportive, and healthy environment for students at C|M|LAW and serves as the students' point of first contact for the law school administration. She provides academic and financial aid counseling to students and oversees programs to enhance the student experience at C|M|LAW. She oversees our Peer Advisor program, is our student organizations liaison, and oversees the law school's initiatives to promote diversity.

## H. STUDENT RECORDS

Student Records Administrator *Marcie Rechner (LB 142; 687-2289)* maintains student records, including those relating to grades and graduation requirements. See her if you need grade report forms or other information relevant to the law school's processing of grades. She also collects and maintains faculty evaluations.

- Student Assistant *Jasmine Bryant (LB 142; 687-2289)*

## I. LEAVING MATERIALS FOR STUDENTS

Faculty may leave materials for student pick up at the Student Services Reception Desk under the following conditions:

Please identify the course and professor on the materials and envelope containing the materials. If you want a student to receive the material in an individual envelope, please provide the material to the receptionist in that form with the student identification marked on the outside. You may want your secretary to prepare the envelopes or you may ask Laverne Carter for assistance.

Also, please tell the receptionist:

- a. whether students will identify themselves by name or exam number;
- b. how long the material will be available for students (e.g., a specific length of time or the entire semester), and
- c. the terms or conditions under which students may review the material. For example, you should specify whether students can take the material with them or if students should only view the material in the Student Services Center.

A Quiz/Paper/Exam Viewing Form is attached as Appendix 19. You should provide this form to the receptionist when delivering materials for student review. This form allows you to provide instructions for the receptionist. If you are simply dropping off an envelope for a student to pick up, it is not necessary to complete the form.

At the beginning of each semester, any material that students did not pick up during the prior semester will be returned to the professor.

## VI. LAW SCHOOL COMPUTING

**A. Workstations.** Each faculty office is equipped with a Microsoft Windows-based workstation and printer. All faculty workstations have the following supported software packages: Microsoft Office (Word, PowerPoint, Excel, and Access), Mozilla Firefox, Westlaw, and Lexis.

The law school is in the process of switching to Microsoft Office 365 for e-mail. E-mail is accessed through a web browser such as Firefox or IE. If you wish to have other programs installed on your office workstation, or have a question about your existing hardware and software, please contact the C|M|LAW IT Department at 523-7555 or [information.technology@law.csuohio.edu](mailto:information.technology@law.csuohio.edu).

You may obtain discounted software packages, such as Microsoft Office, at the CSU Bookstore in the Student Center.

The CSU Center for Teaching Excellence provides equipment loans to faculty, including digital cameras, projectors, and iPods. They also offer many training sessions and workshops related to instructional technology. Please visit <http://www.csuohio.edu/offices/teachingexcellence> for more information. The eLearning Office of the Center for Instructional Technology and Distance Learning provides instructional design support, media development services, program coordination, and student services development for elearning at Cleveland State University. They also offer Blackboard training and assistance. Their website can be found here: <http://www.csuohio.edu/elearning/>.

**B. Classroom Technology.** Most of the classrooms in the law school feature projectors, document cameras, workstations, DVD/VCR units, as well as inputs for external USB drives and laptops. All classroom presentation workstations have standard Office software, including PowerPoint. If you would like an overview of the classroom technology control systems, please contact a member of the Information Technology staff for assistance.



The seminar rooms (LB 64, 65, and 66 - located across the hallway from the law clinics) are equipped with monitors and wall ports for the connection of a laptop . If you would like to use the technology in these rooms, but do not own a laptop, please contact the Information Technology department for assistance.

### **C. Information Technology Support.**

When IT support is needed, users are encouraged to use one of the following three methods:

#### **Open a Ticket**

For your convenience, filling out the Technology Help Request Form located here will open a new ticket: <https://www.law.csuohio.edu/techhelp>. Once the ticket is successfully created, you will hear back from a tech within 30 minutes during business hours.

#### **Send an E-mail**

Users that prefer E-mail can send a request to [newticket@law.csuohio.edu](mailto:newticket@law.csuohio.edu). Please remember to include your name, a descriptive subject, problem details, your phone number/office extension, and your office room number/location. A support ticket will automatically be created and you will hear back from a tech as soon as possible. Please understand that incomplete requests may be delayed.

#### **Call the 7555 “Tech Help” Line**

If you have an emergency or need immediate assistance, please call the 7555 Tech Help line. While we strive to have this line covered at all times, leaving a message may be necessary. Any messages left will be returned as soon as possible. Alternatively, if you have an emergency and there is no answer, please visit the reference/circulation desk at the law library and ask for a tech.

If you need assistance with any of these methods, or have any other questions, please feel free to contact an Information Technology staff member:

- Assistant Director, Technology Operations *Dan Thomas (LL 120A; 523-7372)* is responsible for the College’s IT functions, including faculty, staff and student computing, the College's web site, and

training and support for classroom technology. He also supervises the work and services provided by the C|M|LAW IT Staff.

- Systems/Data Manager ***Eric Domanski (LL 112, 523-7391)*** provides workstation support for faculty and law school staff. He has specific responsibility for supporting Enterprise servers, the workstation lab, and related technology needs.
- Systems/Web Manager ***Rick Zhang (LL 115; 687-4574)*** provides primary support for web site development. He installs and upgrades hardware and software on law school workstations.
- Desktop/Server Specialist ***Greg Golembiski (LL 120; 523-7235)*** assists faculty and staff with desktop computing issues. Greg also provides assistance with classroom technology and A/V.

## VII. LAW LIBRARY

For a comprehensive index of Law Library services to faculty, see <https://www.law.csuohio.edu/lawlibrary/faculty/>.

### A. PERSONNEL

Associate Professor ***Lauren Collins (LL 110; 687-3547)*** is Director of the Law Library. Her staff includes:

Purchasing Agent/Administrative Assistant ***Jo Ann Carpenter(LL 119A; 523-7345)*** provides administrative support for the Law Library Director and staff. -Jo Ann also schedules use of the Law Library's conference room, LL 212, and instruction room, LL A059.

Assistant Director, Technology Operations ***Dan Thomas (LL 120A; 523-7372)*** is responsible for the College's IT functions, including faculty, staff and student computing, the College's web site, and training and support for classroom technology. He also supervises the work and services provided by the C|M|LAW IT Staff ***Rick Zhang (LL 115; 687-4574)***, and ***Eric Domanski (LL 112; 523-7391)*** and Desktop/Server Specialist ***Greg Golembiski (LL 120; 523-7325)***

Associate Director **Jan Babbit (LL 122; 687-6913)** is responsible for the Law Library's budget, and supervises the work and services provided by the Collection Development, Technical Services, Access and Faculty Services, and Research Services staff, including the personnel listed below.

- Collection Development /Acquisitions Librarian **Rebecca Mattson (LL117; 523-7388)** selects library materials and databases and manages the faculty allowance program, in addition to her research, reference, and instructional services.
- Head, Access and Faculty Services **Amy Burchfield (LL 113; 687-6885)** In addition to her role as a research and reference librarian with a specialty in international resources, Amy manages the library's faculty services and circulation functions, supervising the work of Circulation Supervisor **Jon Elias (LL109;687-2483 or 687-2250)**, Evening/Weekend Supervisor **Tom Hurray (LL 119B; 523-7396 or 687-2250)**,and Library Assistant **Andres Garcia (LL109;687-2250)**. This staff will facilitate your document delivery, circulation, OhioLink and ILL requests. Amy also supervises the Law Library's Research Assistants.
- The Electronic Services Librarian **(LL 114; 523-7364)** coordinates the development of library webpage and blog content, manages electronic resources, and assists in the development of faculty course pages, in addition to research, reference and instructional services.
- Instructional Services Librarian **Laura Ray (LL 118; 687-6880)** coordinates Law Library instructional services to students and faculty and manages the Law Library's participation in the Federal Depository Library Program. Please contact her if you would like to arrange research training for yourself, your research assistant or your class.
- Digital Content Services and Reference Services Librarian **Sue Altmeyer (LL 116; 687-4894)** Sue is responsible for developing, managing, and organizing Law Library digital content as well as providing research, reference and instructional services.

- Technical Services Librarian **Beth Farrell (LL 214C; 523-7395)** manages the Library's purchasing, receipt, cataloging and materials processing functions. Beth supervises Library Associate **Cassandra Baker (LL 214A; 523-7397)**, Library Associate **Sean Kennedy (LL 214D; 523-7306)** and **Library Media Technical Assistant Lisa Smilnak (LL 214; 523-7394)**.

## **B. CURRENT AWARENESS SERVICES**

**1. CM Law Library Blog.** The *CM Law Library Blog* seeks to inform the Cleveland-Marshall College of Law community about key legal education, research, practice, and law library news, with a particular focus on Cuyahoga County and Ohio as well as faculty research interests. (CONTACT: Sue Altmeyer ext 4894).

**2. SmartCILP** *SmartCILP* is a customized email service for Current Index to Legal Periodicals, with direct links to articles in LexisNexis and Westlaw. Customizing your *SmartCILP* email allows you to focus on only those areas of law that are of interest to you for your research and teaching. To sign up for *SmartCILP*, you will need an institution authorization code. (CONTACT: [Amy Burchfield](#) ext. 6885).

**3. Publications Routing.** The Law Library provides a publications routing service to meet the current awareness needs of law faculty. Online newsletters such as Tax Notes Today or BNA's Daily Labor Report are available to law faculty through the PCs in their offices or through library staff. (CONTACT: [Beth Farrell](#) ext. 7395 or [Sean Kennedy](#) ext. 7306).

**4. Other** Current Awareness services the Law Library can assist you with include:

- **RSS Feeds** - Obtain current content from the blogs (such as [Law Professor Blogs](#) ), news articles and journals in a one stop organized RSS Reader.
- **Bloomberg Law, Westlaw, LexisNexis and Google Alerts** - Have new search results emailed to you. **CCH** current awareness services on many topics are purchased by the library for use by students and faculty.
- **BNA** current awareness services on many topics are purchased by the library for student and faculty use, including U.S. Law Week and

Supreme Court Today. The library can also sign up your entire class to receive emails from a particular BNA current awareness newsletter.

- **SSRN Author Alerts**

## **C. SCHOLARSHIP SUPPORT AND RESEARCH SERVICES**

**1. *Book Purchase Requests / Faculty Allowance Stipend.*** Law faculty may request that an item not currently owned by the Law Library be added to the collection. Each full-time law faculty member has an annual library stipend for the academic year beginning on July 1 and ending June 30. Materials purchased from the stipend are kept in faculty members' offices but remain the property of the Law Library, and must be returned to the Library when the faculty member leaves. Titles can include print, electronic texts or other non-print media. (CONTACT: [Rebecca Mattson](#) ext. 7388).

**2. *EngagedScholarship@CSU, Selected Works Pages and Faculty Publications Collection.*** The College of Law's institutional repository, created and maintained by the law library, is part of the University's institutional repository, [EngagedScholarship@CSU](#). The College of Law's repository is accessible at <http://engagedscholarship.csuohio.edu/law/>. The repository collects all of C|M|LAW's scholarship in one place, including non-text items such as video, audio and empirical data sets. Because the materials are open access, with optimized discoverability on the Internet, the site heightens the visibility of law faculty work product and of C|M|LAW. Additionally, we are able to generate statistics on the number of downloads, and authors can automatically receive monthly download reports for their papers. (Contact: [Sue Altmeyer](#) ext 4894 or [Amy Burchfield](#) ext 6885)

We can help faculty members create and edit their own Selected Works author pages within [EngagedScholarship@CSU](#). Here is an example: [http://works.bepress.com/deborah\\_geier](http://works.bepress.com/deborah_geier). The author page can contain a curriculum vitae and an RSS feed for people to track new articles posted by the author. If you have created your own Selected Works page already, we can easily incorporate it into the law school's site. (Contact: [Sue Altmeyer](#) ext 4894)

The Law Library strives to acquire print copies of all publications by Cleveland-Marshall College of Law faculty. We encourage donations. Recent faculty publications are added to [EngagedScholarship@CSU](#), and displayed in the Law Library. Publications not cataloged in the regular

collection are maintained in a Faculty Publications file in the Library's Special Collections room. (CONTACT: [Rebecca Mattson](#) ext. 7388 or [Amy Burchfield](#) ext. 6885).

**3. *Faculty Liaison Services:*** Upon request, we can designate a member of our Research/Instructional Team to assist you as your Law Library contact. This Faculty Liaison will provide current awareness services customized to your subject-specific areas of interest, serve as a referral contact for your students, assist you in developing research resources, work with your Research Assistant, and otherwise help you to take maximum advantage of our services. (CONTACT: [Jan Babbit](#) ext. 6913)

**4. *Conference and Program Support:*** The Research Librarians work with faculty to provide research and bibliographic services supporting programs and conferences. Our services include compiling information on speakers, assisting to identify and/or locate articles for continuing education materials packets, as well as preparing displays to promote and complement the events and highlight additional resources. (CONTACT: [Jan Babbit](#) ext. 6913)

Additionally, we can help you create a conference website within our institutional repository, [EngagedScholarship@CSU](#) to market, manage and preserve conference programming and materials. (Contact: [Sue Altmeyer](#) ext. 4894)

**5. *Bloomberg Law, LexisNexis & Westlaw:*** Research Librarians can assist you with Bloomberg Law, LexisNexis or Westlaw searches, arrange training and refresher courses, and help resolve equipment problems. If you choose the Library Circ/Faculty Only printer option on Westlaw, or the Law Library faculty printer on LexisNexis, your print requests will be sent to printers located behind the Law Library Information Services Desk. Law Library staff will then deliver your prints to your Cleveland-Marshall faculty mailbox. (Regarding Bloomberg Law, LexisNexis and Westlaw services, CONTACT: Jan Babbit, ext 6913; regarding delivery of prints by Access Services personnel, CONTACT: [Jon Elias](#) ext. 2483)

**6. *Research Assistance.*** Research Librarians with advanced degrees in law and other disciplines are always available to help faculty with short or long term research and reference projects, whether working directly with the faculty member or assisting your research assistant with developing strategies and identifying resources. In addition, the Law Library employs Research Assistants who may be able to help you with shorter term projects.

The library RAs are second and third year law students who work under the supervision of librarians. (CONTACT: [Amy Burchfield](#) ext. 6885)

**7. *Scholarship Support.*** The Library is happy to offer faculty assistance with such scholarship support needs as proofreading, copy editing, footnotes, and formatting, and services. To discuss your project needs, contact [Amy Burchfield](#), ext. 6885.

#### **D. INSTRUCTIONAL SUPPORT SERVICES**

**1. *Course Reserve Materials and Course Reserve Webpages.*** Library staff will set up, maintain, and add items to Course Materials webpages for any classes you teach. Course Materials webpages are password-protected resource pages for individual classes which remain available throughout the semester in which the course is taught. Electronic Course Reserve items will be linked from the page; print Course Reserve items can be represented by links to their Scholar records. You can also add items such as syllabi, assignments, readings, relevant web links, CALI lessons, PowerPoint presentations, podcasts, videos, and more to your Course Materials page. You may put print items from either the library's collection or your own on reserve at the Information Services desk. Print course reserve materials are taken off reserve at the end of the semester and returned either to the library shelves or the faculty member's mailbox. (CONTACT: [Jon Elias](#) ext. 2483 or [Amy Burchfield](#) ext. 6885). The Law Library complies with the Copyright Law. Please contact the library if you have any questions regarding the use of published materials in class.

**2. *Research Lectures, Guides and Exercises.*** Our Research Librarians can present research lectures for your class. We discuss general and subject-specific legal research strategies and resources, highlighting both print and electronic resources, effective and efficient use of Bloomberg Law, LexisNexis, Westlaw, and OhioLINK research databases, and searching the Web. We can tailor a course specific research guide for you to use on your own course page or as a handout for your class. We can also work with you to develop research assignments. CONTACT: [Jan Babbit](#) ext. 6913. To arrange a lecture by a Bloomberg, LexisNexis or Westlaw rep, contact the rep directly or contact [Jan Babbit](#) ext. 6913.

**3. *Educational Technology:*** Reference Librarians can help you with PowerPoint, Prezi, Web 2.0 and other educational technologies. We also provide student group instructional sessions in the use of PowerPoint,

Refworks, Zotero and other educational software. (CONTACT: [Laura Ray](#) ext. 6880)

**4. *Past Exams:*** The College of Law's Administrative Office sends law exams to the Law Library at the end of each semester. With the faculty member's permission, we place these [exams online](#), accessible only to Cleveland-Marshall College of Law faculty, staff, and students. We also bind the exams and put them on reserve for 10 years for law student review. Older exams are shelved in the library's stacks. If you do not wish to have your exams placed on reserve you must let the College of Law's Administrative Office know. (CONTACT: [Jon Elias](#) ext. 2483)

**5.. *Course Evaluations:*** The College of Law's Administrative Office sends course evaluations to the Law Library at the end of each semester. We bind these evaluations and keep them on reserve for 5 years for law student review. Older evaluations are shelved in the library's stacks. (CONTACT: [Jon Elias](#) ext. 2483)

**6. *Recording Lectures:*** We can offer assistance with in-house and CSU Instructional Media Services recording of course materials, as well as posting of media files to course pages. Options include podcast, screencast, vodcast (video), and MediaSite.(CONTACT: [Greg Golembiski](#) ext. 7235 )

**7. *Training Labs:*** Adjacent to the main Library PC Lab, we have 2 Training Labs to facilitate your class electronic instructional needs. Each Lab is equipped with 15 workstations and a data projector. Please note that Training Labs cannot be reserved during Reading and Exam Weeks. (CONTACT: [Laura Ray](#) ext. 6880)

**8. *Other*** instructional support services include:

- **CALI:**  
[Obtain a CALI password.](#) Offers (1) Interactive electronic lessons. Professors set up a Lessonlink to see students' results, (2) [Lawdibles](#) - 10 minute audio recordings, explaining difficult concepts, (3) [Classcaster](#) - podcasting and blogging platform, (4) [ELangdell](#) and [Legal Education Commons](#) - sites for sharing teaching materials, and more.
- **CSU Center for Teaching Excellence:**  
Promotes and encourages "a culture of excellence in teaching and learning at Cleveland State University" by providing [workshops](#), [consultation services](#), [classroom equipment](#), and [specialized software](#)



[and equipment](#) (e.g., for scanning and digitizing). Also provides links to [CSU's Center for eLearning](#), [teaching tips](#), and [copyright resources](#).

## **E. CIRCULATION AND DOCUMENT DELIVERY SERVICES**

**1. *Circulation Policies:*** Cleveland-Marshall Law faculty may check out circulating materials for one academic semester (15 weeks). Non-circulating materials may be checked out for 7 days. You may renew materials as long as another patron has not placed a hold on an item. All library materials in circulation are subject to recall. (CONTACT: [Amy Burchfield](#) ext. 6885)

**2. *Document Delivery Services:*** The Information Services staff handles Law faculty requests for both Law Library books and photocopies. Staff will retrieve the requested material and check it out to the Law faculty member, or photocopy the requested article, case or chapter of a larger item. The Law Library complies with copyright law when photocopying items. Items will be delivered to the Law faculty mailboxes located in the College of Law's Support Services Department. The Law Library aims for a 24 hour turnaround on all requests for items in the Law Library (with the exception of weekends and holidays). You may request materials by sending an email message to: [faculty.services@law.csuohio.edu](mailto:faculty.services@law.csuohio.edu) or by calling the Information Services Desk at ext. 2250.

If the Law Library does not own an item but the University Library does, we will retrieve the material for you and deliver it to your faculty mailbox.

If an item is not available at the Law Library or the University Library, we will make an OhioLINK request in your name. OhioLINK materials may take up to five business days to arrive. If an item is not available via OhioLINK, then the Law Library's Interlibrary Loan Department will handle your request. Items may take two weeks or more to be received. We will send a status report to you if the request is to be filled via Interlibrary Loan. (CONTACT: [Amy Burchfield](#) ext. 6885)

**3. *AV Viewing Room:*** The Law Library's AV viewing room may be used by your students to view class related materials. Groups or individuals are welcome to use the room depending on availability. The room is equipped with DVD players and VCRs. (CONTACT: [Amy Burchfield](#) ext. 6885)

## VIII. FACULTY STATEMENT ON PROFESSIONAL ETHICS AND ACADEMIC RESPONSIBILITIES

The faculty has responsibilities to our students, scholarship, colleagues, the University and the larger community. A statement of these responsibilities and our professional ethics, that the faculty adopted on January 17, 2008, is attached as Appendix 1.

## IX. FACULTY DEVELOPMENT: SCHOLARSHIP AND TEACHING

We support faculty scholarship and teaching through a variety of programs, some more formal than others. Please take advantage of these programs. If you have questions about any of them, please contact Associate Dean Robertson (9264).

**A. Coffee.** We will be continuing the practice of providing coffee and pastries for faculty in the faculty lounge from 9:00 to noon on alternating Tuesdays and Wednesdays during the academic year.

**B. Faculty Lunch Series.** Throughout the fall and spring semesters, we have lunches where our own faculty and professors from other schools present talks on research in progress. Please consider presenting your work here and plan to join us for the lunches where others present their work. We send out a schedule of lunches at the beginning of each term. The schedule is also available online on the Faculty Resources page.

**C. Northeast Ohio Law Schools' Colloquia Series.** Akron, Case, and Cleveland-Marshall have an ongoing exchange where a professor from one school gives a talk on a current project at another school. This is a terrific opportunity to hear about and discuss faculty scholarship. Consider presenting your work here to a broader audience than our own faculty.

**D. Faculty Exchanges:** Faculty exchanges help get our faculty out and visible at other schools and give our colleagues the opportunity to vet their writing projects and presentations before outside audiences and gather additional feedback on their work. We have recently sent faculty to speak at

(or have hosted speakers from) Wayne State, Duquesne, DePaul, Toledo, and Capital.

**E. Faculty Blog.** The C|M|LAW Faculty Blog is a new way of raising internal and external awareness of faculty news. Please send information on publications, article acceptances, speaking engagements, and media contacts to Associate Dean Robertson. Also, please subscribe to the C|M Faculty Blog at [cmlaw.faculty.wordpress.com](http://cmlaw.faculty.wordpress.com).

**F. Business Cards and Memo Pads.** If you need new business cards or would like to have personalized memo pads, please see Harold Jackson (687-4888).

**G. ExpressO.** We have an institutional account with ExpressO for the electronic submission of articles. Please see Associate Dean Robertson for details.

**H. Graduate Faculty.** CSU has a separate College of Graduate Studies, which is composed of faculty members throughout the University who have been granted Graduate Faculty status. Each college, including C|M|LAW, has an established set of criteria for admission into the College of Graduate Studies. Ours are attached as Appendix 3. You do not have to be a tenured professor to apply for graduate faculty status. One of the benefits of being on the Graduate College faculty is that you can apply for grants for research and travel as they are announced by the Graduate College. In addition, for those who teach in the Master's degree programs, it helps CSU's accreditation to have faculty with graduate faculty status as instructors. Finally, this may be a good way to break down some of the barriers that exist between the law school and the rest of the university.

Application guidelines are available at:

[www.csuohio.edu/gradcollege/faculty/membership/application.guidelines.pdf](http://www.csuohio.edu/gradcollege/faculty/membership/application.guidelines.pdf)

Please send your request and supporting materials to College of Graduate Studies, Parker Hannifin Hall, Room 205 (phone ext. 9364). For assistance, please see Associate Dean Robertson.

**I. Library Faculty Services.** The Law Library's Faculty Services offers a wide range of services to support the College's teaching and research needs. See Section VIII for more information or visit <https://www.law.csuohio.edu/lawlibrary/faculty>.

**J. Library Stipend.** Each faculty member has a stipend for library materials (to keep in your office) per academic year. See Section VII.B.6 for more information.

**K. Reprints.** Please order extra reprints of articles and distribute them broadly. With prior approval, the law school will pay for extra reprints. You must fill out a Reprint Request Form, obtained from Donna Helfrich, for approval by Associate Dean Robertson. The Reprint Request Form is also available at <https://www.law.csuohio.edu/facultystaff/resources>. We can also have a card printed for you to insert with your reprints. Please see Associate Dean Robertson for details.

**L. Russia Summer Program.** We cosponsor, with the University of Arkansas School of Law and the University of the Pacific McGeorge School of Law, a four-week summer school program at the St. Petersburg Summer Law Institute. This provides students from law schools throughout the United States with the opportunity to participate in a five-credit program in international and comparative law in Novgorod and St. Petersburg, Russia. One of our faculty teaches in this program every year. Please talk to Associate Dean Sundahl if you are interested.

**M. SSRN/Legal Scholarship Network.** C|M|LAW participates in the online SSRN/Legal Scholarship Network, where professors post working, accepted, and published papers. We post when we have at least three papers ready. Please let Associate Dean Robertson know if you would like to post a working paper or an accepted paper on the SSRN/LSN.

**N. Summer Research and Teaching Grants.** Cleveland-Marshall grants provide financial support for full-time faculty members who want to spend the summer conducting research and writing or developing new teaching methods and/or curriculum materials. During the Fall, the Cleveland-Marshall Summer Research Grants Committee and the Teaching Committee will advise faculty of the deadline for applications and provide you with the information that each committee requires. Funding decisions are announced during Spring term. Sample memos inviting research and teaching grant applications are attached as Appendices 10 and 11.

**O. Research Assistants.** All full-time faculty are entitled to 320 hours of research assistance per fiscal year (July 1 through June 30). This number may be exceeded, but an explanatory memo must be sent to Associate Dean

Robertson requesting the additional hours. You may distribute your 320 hours among more than one research assistant, if you so desire. If you are interested in having a Teaching Assistant for your classes, please contact Associate Dean Robertson. Legal Writing Professors are allotted 480 hours total for the year for their research assistants and tutors.

If your Research Assistant or tutor must be a law student, you need to post the opening with our Office of Career Planning, x6871. If you do not require a law student, you must post the position on the university website for 3-5 days. Please see the OCP Administrative Secretary for details. Once you've selected a research assistant or tutor, send the student to Ms. Salviejo, LB 120, or Ms. Natran, LB 145, to take care of the appropriate paperwork. It is imperative that your research assistant completes all necessary paperwork before beginning employment with you.

RAs and tutors must record their time on the University myTime program. You are responsible for training them and approving their time.

Notify the law library of your research assistants so that they can obtain special borrowing privileges and be given a code for copying materials.

**P. Teaching Schedules, Variances and Course Releases.** In recognition of the importance of scholarly productivity, the faculty, in May 2008, adopted a set of policies that permit a faculty member to apply for a course release, or a variance to the standard teaching schedule. The policy is attached as Appendix 2.

**Q. Travel Funds.** The Cleveland-Marshall fund supports faculty travel for research purposes and attendance at seminars and conferences relevant to your teaching or scholarly interests. With budget constraints and the rising cost of travel, we must be more selective about these expenditures so that we have sufficient funds for the entire year. Please contact Associate Dean Robertson for information regarding the current travel policy.

You must receive approval from Associate Dean Robertson and Dean Boise well in advance of your planned trip. Please submit your request no less than three weeks in advance of your planned travel. Please submit your request no less than 3 weeks in advance of your planned travel. Please fill out a blue travel request form, which you can obtain from and return to Donna Helfrich. The form requires you to provide an estimate of expenses and information about the reason for the travel. Please consult the CSU

Travel Policy and other related documents (e.g., per diem charts) at [www.csuohio.edu/offices/controllers](http://www.csuohio.edu/offices/controllers) (under Policies-Travel). A copy of the CSU Travel Policy is attached as Appendix 9. Ms. Helfrich will contact you once Associate Dean Robertson and Dean Boise have approved your request. Upon return from your travels, you will need to complete a green reimbursement form and submit it to Ms. Helfrich with your receipts **and boarding passes** if you traveled by plane.

**R. Sabbaticals.** After seven years of service at CSU or after seven years from completing a prior Professional Leave at CSU, Tenured faculty may apply for a one- or two-semester sabbatical to pursue an individual program of professional development. Each fall the Provost notifies the faculty of the criteria process and timeline for sabbatical applications. The relevant portion of the CSU Faculty Handbook and a copy of the Fall 2008 memo from the Provost is attached as Appendix 12. The Dean consults with the Deans Advisory Committee regarding which applications to approve.

**S. Bar Association Memberships.** The law school has an ABA group membership that covers basic dues for all faculty. If you want to join a particular section or committee, you are responsible for those membership fees. The law school will also pay for one additional bar association membership for each faculty member—e.g., Cleveland Metropolitan Bar Association or Ohio State Bar Association. In the alternative, we will pay for a comparable professional law-related association individual membership. Please see Jeane White (x2306).

## X. TEACHING AND COURSE RELATED MATTERS

### A. PRELIMINARY MATTERS

**1. Your Teaching Schedule.** We begin planning for the courses offered each academic year one year in advance. Specific course offerings for each summer, fall, and spring term must be finalized three or four months prior to the beginning of each term.

In late fall, Associate Dean Sundahl solicits faculty teaching preferences for the following summer and academic year. Please complete the online form that he emails to faculty. Requests for course releases or variances must be submitted in writing at the same time as the teaching preferences form. See Appendix 2, Cleveland-Marshall College of Law Policies on Standard Teaching Schedules, Variances, and Course Releases § 7. After reviewing your form, Associate Dean Sundahl will meet with each of you. Tentative course schedules are circulated during the spring semester. Review carefully any tentative course schedules you receive and contact Associate Dean Sundahl or Assistant Dean Lifter with your comments and concerns. When you submit your preferences, you should also indicate if you need, or prefer, a technology room for your classes.

The law school administration works to accommodate faculty preferences regarding requests to teach particular classes, limitations on class size, times and days that courses are offered, and other matters. However, please keep in mind that your course is one of over 100 courses scheduled each semester, and specific curricular needs will control what and when you teach.

Once you have tenure, you may want to consider teaching in the Summer. Our Summer term is short (7 weeks), so each course meets twice as often as Fall or Spring. Please talk to Associate Dean Sundahl if you are interested.

**2. Seminars and Upper Level Courses that Satisfy the ULWR.** In a seminar or upper level course (other than L860: Independent Legal Research, in which students write a paper to satisfy the ULWR), faculty have the option of holding class meetings for the hours required for a two-credit-hour course while offering the course for three credit hours. This recognizes the substantial amount of time and effort students and faculty are

expected to spend on papers that satisfy the upper level writing requirement, as stated in the guidelines for supervising ULWR papers. See Appendix 6. A faculty member may offer the option to students of taking the seminar or upper level course for *either* two credit hours if a student elects not to write a paper to satisfy the ULWR *or* three credit hours if a student elects to write a paper to satisfy the ULWR.

**3. Proposing New Courses.** Faculty can propose new courses to teach by submitting a proposal to the Curriculum Committee. The proposal should include a course description, specify the credit hours sought, and explain other relevant matters. See Appendix 4, New Course Proposals. In deciding the parameters of the course, you may want to consider whether the course fits our criteria for perspective, skills, or seminar courses. Attachments A, D, and B to Appendix 4 explain those criteria. If you will require students to research and write a paper, you should also consider whether the paper will satisfy the Upper Level Writing Requirement. See Appendix 4, Attachment C.

**4. New Concentrations.** We have five concentrations that enable students to focus their upper level studies in particular areas: Business Law, Civil Litigation and Dispute Resolution, Criminal Law, Employment and Labor Law, and International and Comparative Law. (We suspended the Tax concentration in 2007-08 for incoming students.)

Faculty may create new concentrations by submitting a proposal to the Curriculum Committee for approval by it and the faculty. The requirements for Concentrations are set forth in Appendix 7.

## **B. COURSE PLANNING AND PREPARATION**

**1. Selecting and Ordering Course Materials.** You are responsible for selecting your own course materials. Upon request, legal publishers will furnish you with complementary copies of the casebooks and related materials they publish on the subject you are teaching. You may also want to consult with other faculty members who teach the same course regarding the materials available. The phone numbers and Cleveland-Marshall's account representatives for the major legal publishers are:



**Carolina Academic Press**

Jefferson Moors  
919-489-7486 ext. 13  
smoors@cap-press.com

**Foundation Press (West)/Thomson Reuters/Gilbert**

Christopher Hart  
917-370-9732  
christopher.hart@thomsonreuters.com  
(note: **West, Foundation & Thomson Reuters** Publishers merged.)

**LexisNexis**

Sean M. Caldwell  
Law School Publishing Midwest Region Representative  
513-721-2506 (office)  
513-378-9472 (cell)  
sean.m.caldwell@lexisnexus.com

**Warren Gorham & Lamont**

800-950-1216 (Education sales)  
734-302-3540 (fax)  
ria.education@thomson.com

**Wolters Kluwer/Aspen Publishing**

George J. Serafin  
800-950-5259 ext 411  
800-915-3450 (fax)  
800-950-5259  
George.serafin@wolterskluwer.com

Faculty place their own orders electronically with the CSU Bookstore. You may also choose to use materials you have compiled as a supplement to (or even in lieu of) a commercially available casebook or other course materials. If you use your own materials, please notify the CSU Bookstore on the book ordering webpage. See the section below on photocopying for more information on this option.

**2. Preparation of Course Syllabi.** The University requires that you provide students with a written syllabus at the beginning of your course, outlining the topics you will cover and the assignments related to each. The written syllabus must also contain information regarding your expectations of the class, the factors you will take into consideration in determining final course grades, attendance policies, and your availability to students outside of the classroom—including office hours, office room number, telephone number and e-mail address. Two examples of course syllabi are attached to

this manual for your convenience (Appendices 5A and 5B). You are required to provide a copy of your syllabus for each course to Associate Dean Sundahl by the end of the first week of the semester. Course syllabi from recently past years are available at the library circulation desk and earlier years are archived in Special Collections, LL 209.

**3. Course Materials Webpages.** Library staff will assist you in setting up, maintaining, and adding items to Course Materials webpages for any classes you teach. Course Materials webpages are password-protected resource pages for individual classes, and are accessible throughout the semester in which the course is taught. Any items a faculty member places on Course Reserve, whether print or electronic, will be placed on a Course Reserve page. Electronic Course Reserve items will be linked from the page; print Course Reserve items will be represented by a link to their Scholar records. All Course Reserve items that appear on Course Materials webpages will be listed under the heading “Library Materials.” (CONTACT: ext. 2250). Course Materials webpages can be used for much more than just gathering your Course Reserve materials into one place. Course Materials webpages can be used as a complete online resource for your class. You can add items such as syllabi, assignments, readings, relevant web links, CALI lessons, PowerPoint presentations, podcasts, videos, and more to your Course Materials page. For more ideas on creating a customized online resource page for your class, see Course Webpage Options on the library webpage under Faculty Services. (CONTACT: Sue Altmeyer ext. 4894).

**4. Posting of First Class Assignments.** Post your first class assignments on the law school website:

[http://www.law.csuohio.edu/first\\_assignments/create\\_firstassignment.php3](http://www.law.csuohio.edu/first_assignments/create_firstassignment.php3)

First class student assignments can be read at:

[http://www.law.csuohio.edu/first\\_assignments/view\\_firstassignment.php3](http://www.law.csuohio.edu/first_assignments/view_firstassignment.php3)

**5. Photocopying.** Harold Jackson (687-4888; LB 116) is in charge of photocopying. Please submit your course syllabus and any other materials you want duplicated for your classes as far in advance as possible to avoid being caught in the last minute rush. (You can find out the approximate number of students in your class by going to your CampusNet account under Instructor/Class Roster. See Class Roster *infra* at XI.C.1.) The logistics of the system are greatly simplified by having a set of handouts

prepared prior to the first class, but it is not always possible to anticipate all the materials you will use throughout a course.

For smaller photocopying jobs that you might want to do on your own, photocopiers are available for your use in the Office of the Dean, LB 114, and behind the Student Services Center reception desk.

Each class is allowed fifty (50) pages of free photocopies per semester to ensure students are provided with a syllabus and initial handouts. After the fifty-page limit, students will be charged .05 cents per page.

If you anticipate having a substantial amount of material reproduced as class handouts, talk to Harold Jackson about having the materials copied as a set and packaged for sale to students by the copy center. These materials are sold at .05 cents per page to students, plus the cost of covers and binding.

**6. Posting of Office Hours.** University regulations require that all full-time faculty post office hours indicating the times you will be available each week to meet with students. You must also note your office hours on your syllabus. Please make every effort to meet with all students who want to see you during office hours even if that means setting up additional meeting times.

**7. Placing Course Materials on Reserve.** If there are resources such as specific treatises or articles that will provide helpful optional reading for your students, contact (687-2250) to arrange to have the materials put on reserve in the law library for easy access by your students.

**8. Student Pictures.** Shortly after the start of the term, the C|M|LAW IT Department distributes picture rosters of students enrolled in each class. You may also see photos of students in your class on Campus Net. See Class Roster, *infra* at X.I.C.1. To view photos of all currently enrolled students, see <https://intra.law.csuohio.edu/roster/roster.php>. If you have questions, contact C|M|LAW IT at [newticket@law.csuohio.edu](mailto:newticket@law.csuohio.edu) or 523-7555.

**9. Technology in Classroom.** All of the classrooms in the law school are equipped with presentation technology. These classrooms feature lcd projectors, document cameras, computers, DVD/VCR units, as well as inputs for external USB drives and laptop computers. All classroom presentation computers have standard office software, including

PowerPoint, and are connected to the Internet. The classrooms in the main law school building make use of a standardized control system. If you would like an overview of the technology control systems, please contact a member of the C|M|LAW IT staff for assistance. Smart Podium Instructions are also available online on the Faculty Resources page.

The seminar rooms (LB 64, 65, and 66—located across the hallway from the law clinics) are equipped with lcd monitors and wall ports for the connection of laptop computers. If you would like to use the technology in these rooms but do not own a laptop, please contact the C|M|LAW IT Department for assistance.

### C. COURSE PROCEDURAL MATTERS

**1. Class Roster.** You can download your class roster on Campus Net. (See Campus Net, *infra* at XII.F for how to access this site). It will be under the Instructor tab. You may access contact information for every student in your class: Once you have the class roster on the screen, click on the word “details” next to the student’s name. You may also download the pictures of students in your class by clicking on Roster with Pictures, which is on the left hand side directly above the light brown bar that identifies the semester and course number of your class.

**2. E-mail Class Lists.** You can communicate with students via individual e-mail or class ListSers. To obtain a class ListServ, contact the C|M|LAW IT Department at [newticket@law.csuohio.edu](mailto:newticket@law.csuohio.edu) or 523-7555.

**3. Student Mail.** Students do not have mailboxes. If you need to give a document to an individual student, please do so through Mr. Payton and notify the student to pick it up at the Student Services Center reception desk.

**4. Monitoring Class Attendance.** ABA Standard 304(d) states, "A law school shall require regular and punctual class attendance." . C|M|LAW Academic Regulation 1 states, “Students are required to attend classes with substantial regularity. Unsatisfactory attendance in any course, unless otherwise defined by the course faculty member with reasonable notice to students enrolled, shall be absence from more than two weeks of classes in a single semester (or, in the case of Summer term, absence from more than one week of classes) and shall be cause for lowering the final grade entered, involuntarily withdrawing a student from the course or entering the grade of ‘F,’ in the sole discretion of the course faculty member." See Student

Handbook 2010-11, Academic Regulation 1. Some professors meet this requirement by taking attendance at the beginning of each class or by circulating a copy of the class roster during each class so that students can document their attendance by initialing the roster next to their names. You should state the class attendance requirement in your course syllabus. Students may be administratively withdrawn from a course due to excessive absenteeism. See Assistant Dean Lifter for details on this process.

**5. Excused Absences for Election Work.** In order to foster student engagement and participation in the civic sphere, Cleveland State University has encouraged students to serve as poll workers and in polling support positions for the last several national and statewide elections. In Spring 2008 the Faculty Senate of Cleveland State University adopted a policy pertaining to student absences arising because of such service in these elections. See Appendix 8, C.S.U. Poll Worker Excused Absence Policy.

**6. Class Time.** Our hour is 50 minutes. We are expected to teach that length of time for each hour whether we teach a 2-, 3-, or 4-credit-hour course. If we give a break in a class, we must make up that time. For example, if you teach a 4-credit-hour course in two 100-minute sessions with a 10-minute break, you need to make up that 10 minutes.

**7. Class Cancellations.** Class cancellations should be avoided, and missed classes must be made up before reading week begins. **If you have to cancel a class for any reason, even if you have given your students prior notice, please inform Assistant Dean Lifter at 687-4557 or her secretary, Ms. Layla Davis, at x7308. If neither answers, then call Mr. Payton (687-2344).** They will post a notice of the cancellation and e-mail your class (with copy to Associate Dean Sundahl). Please provide as much advance notice as possible. For evening classes, please call by 4:00 p.m. If you are cancelling a class, please make sure you speak with a live person. Do not rely on voice mail or e-mail unless receipt of the message is confirmed. When cancelling a class, please also send Jean Lifter and Layla Davis an e-mail containing the following information:

1. Class Title
2. Reason for the cancellation
3. Method for making up the cancelled class

If your absence will be prolonged, please contact Associate Dean Mark Sundahl to discuss arrangements for covering missed classes.

**8. Make-up Classes.** ABA Standard 304 requires that classes meet for a specific total number of minutes per academic credit hour during the semester, and our courses are scheduled to meet those requirements. Accordingly, make-up classes must be scheduled if you cancel a class. Depending on your students' schedules, you may also be able to make up lost time by starting classes earlier or extending classes. Check with Ms. Natran and Ms. Layla Davis to determine classroom availability if you are planning extended or make-up sessions.

Other options for making up classes include bringing in a guest speaker (in lieu of cancelling class), having an online discussion if you use TWEN (or some other comparable website for your class), or videotaping a lecture. To videotape a class lecture, contact C|M|LAW IT at [newticket@law.csuohio.edu](mailto:newticket@law.csuohio.edu) or 523-7555 at least one week in advance of the date you intend students to watch the video.

Make-up classes cannot be scheduled during the designated reading period (nor during the exam period) because that time is reserved for students to prepare for exams.

**9. Student Evaluations.** Student evaluations are required for all courses. Near the end of the semester, you will receive a packet of student evaluations. Most professors set aside 10-15 minutes of class time to have students complete the evaluations. You must not be in the room while students complete the evaluations. Please ask a student to collect the completed forms and return them to the Records Administrator. Evaluation forms for evening students can be returned to the Legal Writing mail slot. You will not receive copies of your evaluations until you have submitted final grades for the course. The evaluations for all courses are bound by year and available to students at the Reserve Desk in the law library. A set is also kept in the Records Office for use by faculty and staff.

#### D. INDEPENDENT LEGAL RESEARCH AND UPPER LEVEL WRITING REQUIREMENT

Students must complete the upper level writing requirement in order to graduate. The purpose of the writing requirement is “to have each student undertake at least one rigorous writing experience” other than those

provided in the first-year legal writing course or the third semester of legal writing. Appendix 6 contains the complete policy regarding Upper Level Writing Requirement and Independent Legal Research Standards. A significant number of students do this as independent study, especially those writing notes for Law Review or the Journal of Law and Health. Students ask faculty members to supervise their projects. If you agree to do so, our standards urge regular contact with the student and significant review and discussion of drafts. See *id.* You may agree to supervise any project you choose; it does not have to be in your area of scholarly expertise. Every faculty member is requested to supervise three notes for L860. You may not, however, supervise more than six students per year without approval from the Dean or his designate. *Id.*

In addition, pursuant to guidelines adopted by the faculty in November 2006, faculty supervising notes for L860 credit are asked to coordinate submission dates with the appropriate law review and/or journal. See *id.* at C.

Papers completed for Independent Legal Research and/or Upper Level Writing Requirement must be retained for two years: You can keep them yourself, or you can give them to Ms. Carter or Mr. Payton for storage with the exams.

## E. EXAMINATIONS AND GRADING

**1. Introduction.** This section provides information regarding midterm and final exams. Over the past few years, we have changed many of our procedures regarding exams: Most exams are now taken on computer, we have new grading guidelines and proctoring procedures, and we require advanced notice for both take home exams and midterms. If you have a question about exams or grading that is not answered here, or the information here is not clear, please ask Associate Dean Sundahl, Assistant Dean Lifter, or Records Administrator Rechner.

**2. Midterm Exams.** Midterm Exams are an increasingly popular option used in many classes, both first year and upper level.

a. **Scheduling.** Students may take midterm exams on computer, as they do final in class exams. You must give C|M|LAW IT two weeks advance notice so that the exam software can be made available to

your class. You must also give Assistant Dean Lifter two weeks advance notice. See Proctoring *infra*.

- b. **Anonymity.** If you give a midterm that is worth 10% or more of the final grade in the course, students must obtain exam numbers so that your grading is anonymous. See Academic Regulation 3.9.
- c. **Proctoring.** If your midterm is worth 10% or more of the final grade in the course, you cannot proctor your own midterm. This is consistent with our new proctoring policy for final in-class exams. Please contact Assistant Dean Lifter two weeks before your midterm so that she can arrange for a staff member to proctor your exam. As with the final exam protocol, you need to fill out the Exam Instruction sheet so that the proctor knows the procedural details for administering the exam. See Appendix 15.

If your midterm is not worth 10% or more of the final grade, you can proctor your own exam.

- d. **Materials for your Exam.** If you proctor your exam, you are responsible for bringing bluebooks, scantron sheets, and pencils to the exam. Bluebooks and scantron sheets are available from Mr. Jackson in the Copy Room. Pencils are available from Ms. Rechner in the Records Office.
- e. **Provisions for Students with Disabilities.** If a student has received accommodations for taking exams pursuant to Academic Regulation 3.7, they will take the midterm exam under those same conditions. Assistant Dean Lifter will notify you of any such students in your class.
- f. **Rescheduling an Individual Student's Exam.** If a student is unable to take the midterm at the scheduled time, s/he must make arrangements with Assistant Dean Lifter to reschedule the exam. No student may take the exam prior to the scheduled time: All rescheduled times will be after the regular exam time. This is consistent with our policy regarding final exams. See Academic Regulation 3.6.
- g. **Word Counts on In-Class Exams.** Please see Word Counts under Final Examinations, *infra*.



- h. **Take-Home Exams.** Please see Take-Home Exams under Final Examinations, *infra*. Unlike in the case of a Final Exam, no notice need be provided to Dean Lifter.

### 3. Final Exams.

- a. **Reading Period.** Students are afforded a relatively short reading period between the last day of classes and first day of final exams. Therefore, this period cannot be used to make-up classes or to give in-class or take-home exams. The reading period for each term is indicated on the master Course Schedule available in the Student Services Center and on our website at [www.law.csuohio.edu/current\\_students/academic\\_calendar.html](http://www.law.csuohio.edu/current_students/academic_calendar.html).
- b. **Scheduling of Final Exams.** Assistant Dean Lifter circulates a tentative schedule of Fall term exams along with the tentative course schedules in the Spring of the prior year. She circulates a tentative schedule for the Spring term exams during the Fall semester. Please review these immediately and let her know if you identify any problems or conflicts with the exam schedules.

If you plan to give a take-home exam, you must notify Assistant Dean Lifter by the ninth week of the term with the information identified under Take-Home Exams, *infra*.

- c. **Preparation of Final Exams.** If you need help typing your exam, please allow at least five working days for typing and duplication, which will be taken care of by the word processing department through Laverne Carter, Office Manager. On the first page of the exam, please indicate the course name, number, section, instructor name, and semester; leave a blank for the student exam number—all of this will facilitate collecting exams at the end of the exam. Please number the pages of your exam so as to ensure each student has all pages of the exam.

You must complete the Exam Instruction Form for each exam you administer. See Appendix 16. Please make sure your instructions are complete because the proctor will rely on this document when proctoring your exam. If your exam is broken down into parts, please explain exactly how the exam is to be administered. If your exam has

multiple choice questions, you must specify whether students must use the blue (up to 5 choices for the answers) or green (up to 10 choices) scantron sheet. Also, please indicate whether copies of your exam should be given to the library (after the exam period) for inclusion in the online Past Exams (see *infra* at XI.E.6). If there are any questions about your instructions, someone will contact you before your exam.

So that we can be sure that we have all exams and complete instructions for the proctor before the start of the exam, we will need to have copies of your exam with instructions for the proctor at least 24 hours before the scheduled beginning time of the exam. This means that you cannot bring the exam in with you on the day of the exam. You must have the exam and instruction form copied in time for it to be delivered to Assistant Dean Lifter at least 24 hours before the scheduled start time. For example, if your exam is scheduled for Monday at 9 a.m., Jean Lifter must have the exam by Friday at 9 a.m. (As you can tell, we are not counting weekends in the timeframe.) You will need to give the exam to Ms. Carter sufficiently prior to that for her to have the exam copied. The exams are copied and secured so that no students have access to them prior to the exam.

- d. **Exams Taken on Computer.** Since most students prefer to take exams on computer, we will assume that you will allow this option, unless we hear otherwise from you. Use of the exam software is available for both in-class and take-home exams but we do need to know which type of exam you are planning to give and, if take-home, what the parameters will be so that the exam software can be set up appropriately. This information will be requested approximately 2/3 of the way through the term.

In either case, after the exam is completed, the computerized exams are printed by the law school's technology department and are then delivered to Dean Lifter and or Marcie Rechner for distribution along with any exams taken in blue books. If you want your exams printed in large font or printed every other line, please tell the Information Technology Department prior to your exam date.

Students who can provide their own laptop computers are strongly encouraged to do so. However, students who do not have their own laptop computers may request the use of one of the law school owned

laptops, subject to availability. Laptops are available on a first come first serve basis. Instructions for downloading exam software and reserving laptops are sent to students prior to the designated midterm or final exam period.

- e. **Word Counts on In-Class Exams.** Now that most of us allow students to take in-class exams on computer, many have thought about how to convert blue books pages to word counts on the computer. In the 2008-09 academic year, the Teaching Committee researched this issue and made the following recommendation:

Among other approaches that might be taken, faculty at Cleveland-Marshall and other law schools have found success with simple page-to-words ratios for converting blue-book page limits to word limits for PC test takers. Based on our study, a fair estimate for the conversion would be to assume that each side of a single-spaced bluebook page contains between 250 and 300 words.

- f. **Proctoring In-Class Final Exams.** Please see the Exam Procedures Memo attached as Appendix 15, which explains the specifics of our proctoring system. Proctors will be assigned to proctor your exam by Laverne Carter. During the proctoring of your exam, you must be available to answer any questions that may arise during or immediately after your exam is administered. You must either be in your office or provide Assistant Dean Lifter with a telephone number so that she is able to contact you immediately during you exam, if necessary.

You will be notified once your exams are ready for pickup from Assistant Dean Lifter. See the Section D of the Exam Procedures Memo (Appendix 15) for further information regarding picking up your exams.

- g. **Rescheduling Exams.** The exam schedule is available to students before they register for classes each term and can be obtained online at [www.law.csuohio.edu/currentstudents/course\\_and\\_examschedule/current\\_year\\_schedule](http://www.law.csuohio.edu/currentstudents/course_and_examschedule/current_year_schedule). Students with two exams in close proximity may be able to reschedule one of the exams to a later date. See Academic Regulation 3.6(b). In such cases, Assistant Dean Lifter will request copies of exams to administer. Full instructions as to

timing, permitted resources, etc. must accompany all such exams. Occasionally students experience exceptional situations (personal illness, death in the family, and the like) preventing them from taking the exam at the scheduled time. If this occurs, Assistant Dean Lifter should be informed immediately; thereafter, the student will work directly with her to schedule a make-up date. In addition, a few of your students may take the exam separately from the rest of the class due to accommodations we make for students with documented disabilities. Students seeking special arrangements must formally submit documentation to Assistant Dean Lifter at least one month before the last day of classes to schedule their exams. She will notify you if we need exams for rescheduling purposes.

- h. **Take-Home Exams.** Professors may utilize take-home exams to measure the students' comprehension of the course materials. Certain caveats accompany this type of exam. You must tell Assistant Dean Lifter by week nine of the semester (1) that you will give a take-home exam and (2) who will distribute and collect the exams. You must give students very specific directions as to when the exams will be available, what resources they can consult in preparing their answers, and the date (including a specific time) their answers are due. Take-home exams may not be distributed or administered during the reading period. The reading period is set aside for students to study; giving exams during this time defeats this purpose. Take-home exams may be given only during the exam period. Mr. Payton may distribute and collect take-home exams. You must contact him well in advance to make appropriate arrangements and must provide him with any exam materials and a completed Take-Home Exam Form (provided in Appendix 18 and available online on the Faculty Resources page). The library will not assist in the administration of take-home exams.

#### 4. Grades

- a. **Grading Guidelines.** You will receive memoranda each term covering the grading procedures at Cleveland-Marshall. We have an anonymous grading system and an academic policy that states all courses "shall be graded in a responsible and professional manner." Faculty meeting minutes, April 28, 1988. The policy also states:

[I]t is expected that all first-year core courses, all Perspective courses with twenty or more students, and all upper-class courses which are either required for graduation or recommended for the bar examination, shall be graded on the basis of a reasonable distribution of grades across the various grade categories. The advisory guidelines currently in effect shall serve as prima facie evidence of what constitutes a reasonable distribution, respectively, in the first year and at the upper levels; the upper-level advisory guidelines shall apply to Perspective courses. As heretofore, the Dean will have discretion to disallow any course grades which do not reflect a responsible and professional system of grading.

The grading guidelines (new in Summer 2008) are as follows:

GRADE	REQUIRED CORE CURRICULUM GUIDELINES FOR CONTRACTS, CIVIL PROCEDURE, CRIMINAL LAW, PROPERTY, TORTS & LEGISLATION AND THE REG. STATE		GENERAL GRADING GUIDELINES FOR OTHER LAW COURSES	
	STANDARD %	RANGE PERMITTED %	STANDARD %	RANGE PERMITTED %
A	10	8-12	14	11-17
A-	10	8-12	12	9-15
B+	11	9-13	18	15-21
B	16	14-18	19	16-22
B-	10	8-12	11	8-14
C+	13	11-15	11	8-14
C	12	10-14	9	6-12
C-	5	3-7	2	0-6
D+	5	2-10	2	0-7
D	5	2-8	2	0-7
F	3	0-6	0	0-5

The Advisory Grade Distribution guidelines set forth the range—in terms of percentages—of As, B+s, Bs, etc. for each course. Grades fitting within the ranges are prima facie evidence of the reasonable grade distribution required by our academic grading policy. See *Id.* The ranges provide a certain amount of flexibility to the professor while also establishing uniform standards that prevent one professor from routinely awarding no grade lower than a B and another professor teaching the same course from refusing to give any grade

higher than a C+. The Grade Distribution Form is available online on the Faculty Resources page.

After you have completed your grading, you must fill out and turn in to Marcie Rechner, our Records Administrator, for every course, the Advisory Grade Distribution form on which you calculate the number and percentage of grades in each grade category. A copy of the Advisory Grade Distribution Form is attached as Appendix 18. (This form is provided to you with the grading memo at the end of each term.) The completed form must be reviewed and approved by Associate Dean Sundahl before the grades can be accepted by the school. Please indicate the high “A” in each class when you submit your grades as many honors and awards are based on these designations.

- b. **Anonymity.** Student exams are graded anonymously. All precautions should be taken to protect anonymity. Students should be warned not to place their names or any other identifying marks on their exams. The anonymity of the grading process is facilitated through the use of exam numbers. Students fill out exam number cards at Student Records in the Student Services Center and deposit them in a box. The cards are compiled into a list matching students with exam numbers. Students use the same number for each exam they take at the end of a particular term. Students must, however, use a different number for midterm and final exams.
- c. **Upper Level Writing Requirement and Courses Requiring Papers.** Obviously, no anonymity exists in courses where students write a paper rather than take an exam, since you work closely with individual students as they select their topics, prepare outlines, and submit various drafts to you for approval throughout the course. Cleveland-Marshall has specific criteria for student papers which satisfy the Upper Level Writing Requirement. See Appendix 6.
- d. **Other Factors Affecting Final Grades.** Many professors base course grades solely on student performance on the midterm and/or final exam. Although an accepted practice, this should not be viewed as a limitation on the methods used to assess a student's performance in a class. For example, you can give more frequent exams or quizzes, require formal class presentations on particular subjects, assign writing and research projects, or base part of the grade on

general class participation. Three caveats are warranted. First, as previously noted, ABA accreditation standards require class attendance, so a student's grade should not be adjusted upward for merely showing up for class. The grade can be adjusted downward for poor attendance, and you have the right to withdraw a student administratively from class if absenteeism becomes extreme. Second, you must state in your written syllabus provided to students at the start of the course the factors that will affect their final grades. Finally, you are highly encouraged to provide written feedback to students on their exams and other assignments explaining the reason for the grade you assign.

- e. **Turning in Grades.** Your grades are due approximately 21 days from the Friday of the week your exam is given. We will notify you well in advance as to the exact date.

It is imperative that you turn your grades in on time. Late grades have a number of serious consequences apart from student anxiety about their grades. We cannot determine who keeps or loses their scholarships; we cannot determine who will be academically dismissed; we cannot determine who has satisfied their graduation requirements; we cannot provide the Ohio Supreme Court with the final law school certification of completion required for students to take the Bar; we cannot determine Dean's List or class rankings, the latter of which affects the Law Review and Journal—knowing who has qualified for membership and who may participate in the write-on competition.

After you have graded your exams, give the list of exam numbers and corresponding grades to the Records Administrator; she will return the list to you with the students' names matched with their exam numbers. You can then make adjustments in the final grade for each student based on other criteria that you made known to your class in your syllabus, such as class participation and attendance. You then return the list of exam numbers, names and final course grades to the Records Administrator for processing. Our Records Administrator, Marcie Rechner, enters grades for each course into CampusNet. Due to security concerns, the Records Administrator is able to post grades only at certain limited times. This means the grades you submitted might not be posted for several days.

- f. **Grade Changes.** After you have finalized your grades, you may not change a student's grade unless you have made a computational error in the test score or final grade. In accordance with the Academic Regulations, you must submit a request to change a grade to the Academic Standards Committee, and you must provide an explanation of the computational error. See Academic Regulation 2.4(c). A student may also petition the Academic Standards Committee for a grade change. See *Id.* at 2.4(d). Assistant Dean Lifter supervises the petitioning process and will provide additional information to students or professors upon request.

Once grades are posted, students may elect to change up to two certain elective course grades to a Pass, if they received a grade higher than a C-. See Academic Regulation 4.6.

- g. **Incompletes.** A faculty member may give a student a grade of Incomplete if the student's work has been satisfactory but the student, through no fault of her own, has not been able to complete the course work. See Academic Regulation 2.2. The course work must be completed, and a final grade submitted, no later than the last day of classes of the subsequent semester. This includes the summer term; so, if you give an I in the Spring term, you must submit a letter grade by the last day of classes in the Summer term. *Id.* If the course work is not completed, a grade of F will be recorded. *Id.* A student may seek an extension by petitioning the Academic Standards Committee.
- h. **The Honor Code.** C|M|LAW has an Honor Code governing student conduct during examinations, while researching and writing papers, and in performing other school-related assignments. The Honor Code and the procedures for adjudicating possible violations are provided in the Student Handbook. It is advisable to direct your students' attention to parts of the Code that are relevant to any assignment or exam you give. It is also important that you become familiar with the procedures for handling potential violations of the Code. The current version of the Student Handbook can be found at <https://www.law.csuohio.edu/currentstudents/resources/studenthandbook>.

**5. Maintaining and Reviewing Student Exams and Papers.** Ms. Carter manages the law school system that provides students an opportunity to review their exams in the Student Services Center during specific dates and times each semester.



After your grades are finalized, please submit your exams and papers to Mr. Payton at the Student Services Center reception desk. If you prefer students contact you directly to review their exam, please tell Mr. Payton so that he can inform inquiring students from your class. Obviously, exam reviews are much more valuable to students if you have provided comments on the exams as to strengths and weaknesses.

If you wish to review an exam personally with a student, please provide your course name and the student's exam number to Mr. Payton or Ms. Carter, and they will provide the student's exam to you. Please return the exam to Mr. Payton or Ms. Carter promptly.

Ms. Carter oversees the long-term storage of exams and papers. We retain exams and papers for two years. If you elect to retain your own exams for exam review purposes, you must retain the exams for two years or give them to Ms. Carter for storage.

**6. Past Exams Online.** The library maintains a secure webpage for posting past exams. See <https://www.law.csuohio.edu/lawlibrary/instruct#exams>. Please consider placing your past exams online. When you submit your exam for copying, Ms. Carter will ask if you want your exam given to the library for this purpose. In addition, please consider putting the top A answer, or answer grid, online.

## XI. FACULTY PERSONNEL POLICIES

The "Green Book" is CSU's official source of faculty personnel policies and bylaws. It includes the standards for promotion and tenure, leaves of absence (including Family Medical Leave Act), and sabbaticals. The most up-to-date version of the Green Book is at <http://www.csuohio.edu/organizations/facultysenate> (on right side of webpage, click on *8.0: Personnel Policies and Bylaws*). In addition to the Green Book, the law school has its own policies and procedures regarding promotion and tenure. A copy of these may be obtained from the Personnel Action Committee Chair or at <https://www.law.csuohio.edu/facultystaff/pac> (click on Cleveland-Marshall Procedures and Criteria for Promotion and Tenure). Also at <https://www.law.csuohio.edu/facultystaff/pac>, you may click on Criteria, Standards, and Procedures for the Appointment of Non-

tenure-track Clinical and Legal Writing Professors. If you have questions about the terms and conditions of your employment, please consult Budget Director Jeane H. White or Dean Boise.

## **XII. OPERATIONS AND OTHER MATTERS**

**A. Bylaws.** In May 2009, the law faculty adopted Bylaws that govern membership and voting rights, faculty meetings, committees, and other related matters. A copy is attached as Appendix 13.

**B. Committees.** Committees are an integral part of faculty governance, and the tasks they perform are critical to the law school operation. As part of the annual review, the Dean will solicit faculty committee preferences. Three standing committees are the Dean's Faculty Advisory Committee, Faculty Affairs Committee (elected), and Personnel Action Committee. Other current committees are:

- Academic Standards
- Admissions
- Awards and Competitions
- Bar Exam
- Building
- Cleveland-Marshall Fund/Baker-Hostetler Chair
- Cleveland-Marshall Summer Research Grants
- Curriculum
- Faculty Appointments
- Graduate Studies, International Programs and Joint Degree Programs
- Honor Council
- Summer Teaching Grants
- Teaching
- Special Committee on Health Law Programming

Each fall the Dean provides each committee with a charge setting forth certain work that the committee should engage in. Faculty committees are free to set their own agendas and pursue activities that the committee believes are within their purview. Each committee is expected to provide the Dean with a written progress report in December and May.

**C. Consulting and Other Extramural Employment.** In October 2008, the CSU Board of Trustees adopted a new policy that requires written preapproval by the Dean for certain kinds of work outside of the law school. A copy of the policy is attached as Appendix 14.

**D. Counseling Center.** The University Counseling Center assists faculty, staff and students who want to seek psychological counseling. It is advisable to schedule appointments in advance by calling extension 2277. Interviews are confidential. The Center is located in Rhodes Tower 1235.

**E. E-Mail.** Most law school communication is conducted by e-mail. All e-mail addresses at the law school (students, faculty, and staff) are in this format: *firstname.lastname@law.csuohio.edu*. You are responsible for checking e-mail on a regular basis for announcements and other communications. We have created internal listservs for convenience:

- [adjunct.fall@law.csuohio.edu](mailto:adjunct.fall@law.csuohio.edu)  
*adjunct faculty members (to be used during the Fall Semester)*
- [adjunct.spring@law.csuohio.edu](mailto:adjunct.spring@law.csuohio.edu)  
*adjunct faculty members (to be used during the Spring Semester)*
- [all@law.csuohio.edu](mailto:all@law.csuohio.edu)  
*all law school personnel (excluding students and adjuncts)*
- [clinicians@law.csuohio.edu](mailto:clinicians@law.csuohio.edu)  
*staff attorneys/clinical faculty in the law clinics*
- [deans@law.csuohio.edu](mailto:deans@law.csuohio.edu)  
*law dean, associate deans and assistant deans only*
- [faculty@law.csuohio.edu](mailto:faculty@law.csuohio.edu)  
*tenured (including emeriti), tenure-track, legal-writing, clinical and visiting professors*
- [faculty.fullprofessorpac@law.csuohio.edu](mailto:faculty.fullprofessorpac@law.csuohio.edu)  
*all tenured full professors*
- [faculty.legalwritingandclinicalpac@law.csuohio.edu](mailto:faculty.legalwritingandclinicalpac@law.csuohio.edu)  
*composed of all current tenured professors, tenure-track professors, and legal writing and clinical professors with five-year appointments*
- [faculty.tenuredpac@law.csuohio.edu](mailto:faculty.tenuredpac@law.csuohio.edu)  
*tenured professors*

- [faculty.tenuredtenuretrack@law.csuohio.edu](mailto:faculty.tenuredtenuretrack@law.csuohio.edu)  
*composed of all current tenured and tenure-track professors*
- [law.administration@law.csuohio.edu](mailto:law.administration@law.csuohio.edu)  
*law school professional staff, assistant deans, secretaries to the Dean and Associate Deans, Assistant Director for Public Service in the Library, and Director of Technology Services*
- [law.staff@law.csuohio.edu](mailto:law.staff@law.csuohio.edu)  
*law school civil service staff*
- [legal.writing@law.csuohio.edu](mailto:legal.writing@law.csuohio.edu)  
*legal writing faculty*
- [library.staff@law.csuohio.edu](mailto:library.staff@law.csuohio.edu)  
*law library professional and civil service staff*
- [research.services@law.csuohio.edu](mailto:research.services@law.csuohio.edu)  
*research services librarians*
- [faculty.services@law.csuohio.edu](mailto:faculty.services@law.csuohio.edu)  
*faculty services staff*
- [students@law.csuohio.edu](mailto:students@law.csuohio.edu)  
*current law students*

For the most recent version of our email lists, please go to the Faculty Resources page and click on Guide to Email Lists.

**F. Campus Net.** Campus Net is the CSU online site on which you can access information about yourself and your students. The site is easily accessible from bottom of the law school home page by clicking on Campus Net. Follow the instructions on Campus Net for how to log on. For information about students in your class, look under the Instructor tab. See Class Roster supra at XI.C.1. for details.

Campus Net also contains your personal contact information (address, phone numbers, emergency contact numbers) that CSU uses to send you information. You can change that information online once you have accessed your Campus Net account.

**G. Fax.** The fax machine (216-687-6881) is located behind the Student Services Center reception workstation. Incoming faxes will be placed in your mailbox. Cover sheets for outgoing faxes are available next to the fax machine. Please see Mr. Payton if you need assistance.

**H. Faculty Meetings.** Regular faculty meetings are scheduled once a month, usually on Thursday at 4:00 p.m. in the Faculty Presentation Room, LB 60. Additional meetings are called as needed. Faculty attendance is expected, so you must inform Holli Goodman (x2300) if you are unable to attend. We welcome attendance and participation by adjunct faculty. With the exception of executive sessions, faculty meetings are open to the public.

**I. Health Services.** The Health and Wellness Services Department is located in the Union Building, 1836 Euclid Avenue, Room 263. Hours of operation: M-T 8:00-5:30 & W-F 8:00-5:00. To make an appointment, please call 687-3649. For more information, see <http://www.csuohio.edu/offices/health/>.

**J. Identification Cards.** CSU Faculty ID cards can be obtained at the CSU Vikingcard Office, located in Room 112 of Main Classroom. You do not need an appointment to get your card issued, but you should take another piece of photo identification and a copy of your teaching contract. The CSU Faculty ID card entitles you to discount tickets to athletic events and other benefits such as free use of CSU's recreational facilities, and allows you to check books out of the law and university libraries. For more information, call extension 9888 or see <http://www.csuohio.edu/services/vcard/>.

**K. myTime/myPay.** The University uses an online program for recording and reporting compensation and sick and vacation days (myTime). Faculty are expected to record sick days on their myTime tables. See <http://mycsu.csuohio.edu> and click on Employee Self Service on the right margin to access myTime.

**L. Parking.** The 17th-18th Garage (Lot WG) is located between Chester and Euclid with the entrance on East 17th Street; it directly connects to the law school via an elevated, enclosed walkway through the business school. There is a slightly closer garage south of Chester (Lot PF) with entrances on East 19th and East 21st Streets. Appropriate parking passes are required to park in certain garages on campus. For more information, please contact Parking Operations at ext. 2023 or see <http://www.csuohio.edu/services/parking/>.

**M. Receiving Mail at the Law School.** Mail can be sent to you at the university's mailing address: Cleveland State University, 2121 Euclid Avenue, LB 138, Cleveland, Ohio 44115-2214. However, in order to receive overnight or other express mail, you must use the physical street

address of the law school: **1801** Euclid Avenue, LB 138, Cleveland OH 44115. Mail addressed to faculty as well as memos and other items distributed by C|M|LAW personnel will be placed in a mailbox assigned to you in the Student Services Center behind the reception desk.

**N. Secretarial Services.** Full-time faculty are assigned a specific staff member to provide secretarial support. The Word Processing Unit is located in the first floor support area near the copying center (LB 115).

**O. Security.** You should always be alert to possible security problems. Always keep your valuable belongings out of sight in your office, and do not leave your office door open or unlocked when you are not in your office. Be careful walking around campus in the evenings. You can request an escort to walk you to your car by calling ext. 2020 on a campus phone. Please note that your phone is equipped with a quick-dial “911” button.

**P. Supplies.** You may obtain office supplies from Mr. Jackson in Support Services, LB 116.

**Q. Building Issues and Facilities and Safety Team (FAST) Coordination Center.** When a problem occurs in the building and requires immediate attention, you can call the FAST Coordination Center at x2500 to report the problem during daytime business hours (M-F, 8-5) or e-mail [fastrequest.csuohio.edu](mailto:fastrequest.csuohio.edu). Outside daytime business hours, please contact CSU Police at x2020, and they will contact the proper department on campus to address your problem. There is someone on duty in each department during the evening hours, and the Police Department will contact them for you. During daytime working hours, you can also call Sandra Natran with your building problems. She will contact the FAST Coordination Center for you or initiate a service request form if your request requires specific attention by a certain department (e.g., painting an office, carpentry work, or moving items).

## APPENDIX 1

### Cleveland-Marshall College of Law Statement on Professional Ethics and Academic Responsibility<sup>1</sup>

The basic functions of the University are the advancement and dissemination of knowledge, the development of critical intelligence in the young, and the education of citizens and professional workers for the society of which the University is a part.

The indispensable condition for the successful discharge of these functions is an atmosphere of intellectual freedom. Unless he or she is free to pursue the quest for knowledge and understanding, wherever it may lead, and to report and discuss the findings, whatever they may be, the University faculty member cannot properly perform his or her work. It is imperative, therefore, that the University maintain an atmosphere of intellectual freedom and that faculty members uphold that freedom by their own actions. To make that freedom operational, it is equally imperative that the University establish democratic mechanisms for meaningful faculty participation in the governance of the institution.

Freedom entails responsibilities. It is incumbent upon the faculty member to accept the responsibilities which are concomitant with the freedom he or she needs and, for the most part, enjoys. Those responsibilities are: (1) to students, (2) to scholarship, (3) to colleagues, (4) to the University, and (5) to the larger community which the University serves.

#### A) Responsibilities to Students

As teachers, faculty members have the responsibility for creating in the classroom or laboratory and in relations with students a climate that stimulates and encourages the students' endeavors to learn. To the best of their ability, exemplify high scholarly standards, and respect and foster the students' freedom to choose and pursue their own goals.

Regardless of rank or position, the instructor of record is required to file with the department and to provide each student with a course syllabus specifying at a minimum:

- a) the instructor's office and phone number
- b) the instructor's office hours
- c) the basis for determining the student's grade

Adequate supporting documentation regarding student performance should be continually maintained. Any changes to items a) through c) should be provided to

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<sup>1</sup> Adopted by the faculty on January 17, 2008. This Statement is derived primarily from Cleveland State University's Greenbook § 8.1.14 (Attachment C to 8.1).

the student in writing. Documentation shall be maintained for one semester.

Refusal to fulfill this responsibility after reasonable warnings and an opportunity to rectify the condition is cause for the Dean to recommend that the Chief Academic Officer initiate the procedure for sanctions.

- 1) The faculty member has the obligation to make clear the objectives of the course or program, to establish requirements, to set standards of achievement, and to evaluate the student's performance.
- 2) The faculty member has the responsibility to meet classes as scheduled and, when circumstances prevent this, to arrange equivalent alternate instruction.
- 3) The faculty member has the responsibility to teach courses in a manner that is consistent with the course description and credit published in the catalogue and with the announced objectives of the course.
- 4) The faculty member owes to the student and the University a fair and impartial evaluation of the student's work. Such evaluation should be consistent with recognized standards and must not be influenced by irrelevancies such as religion, race, sex, or political view, or be based on the student's agreement with the teacher's opinions pertaining to matters of controversy within the discipline.
- 5) Every student is entitled to the same intellectual freedom that the faculty member enjoys. The faculty member must respect that freedom. He or she may not impose restraints upon the student's search for or consideration of diverse or contrary opinion. More positively, the faculty member has an obligation to protect the student's freedom to learn, especially when that freedom is threatened by repressive or disruptive action.
- 6) The faculty member has obligations as intellectual guide and counselor to students. He or she has a responsibility to be available to students without undue delay. In advising students, he or she should make every reasonable effort to see that information given to them is as accurate as possible. The progress of students in achieving their academic goals should not be thwarted or unduly retarded because a faculty member has neglected obligations as advisor and counselor.
- 7) Faculty members should conduct themselves at all times so as to demonstrate respect for the student. They should always respect the confidences deriving from the faculty-student relationship.
- 8) The faculty member must avoid exploitation of students for personal advantage. For example, in writing and oral presentations, he or she makes due acknowledgement of their contributions to the work.



## **B) Responsibilities to Scholarship**

The faculty member's responsibilities to scholarship derive from the University's commitment to truth and the advancement of knowledge. Furthermore, society has a vital stake in maintaining the university as an institution where knowledge can be sought and communicated regardless of its popularity, its political implications, or even its immediate usefulness. The faculty member has an ethical responsibility both to make full appropriate use of that freedom in teaching and research and to guard it from abuse.

More specifically:

- 1) Faculty members are committed to a lifetime of study. Although no one can know everything, even about a limited subject, they must constantly strive to keep abreast of progress in their field, to develop and improve scholarly and teaching skills, and to devote part of their energies to the extension of knowledge in their area of competence.
- 2) The faculty member has the responsibility of being unfailingly honest in research and teaching, refraining from deliberate distortion or misrepresentation and taking regular precautions against the common causes of error.
- 3) In order to maintain or increase their effectiveness as a scholar, faculty members may find it advantageous to assume certain obligations outside the university, such as consulting for government or industry, or holding office in scholarly or professional societies. Such activities are appropriate in so far as they contribute to their development as a scholar in the field, or at the very least, do not interfere with that development. On the other hand, acceptance of such obligations primarily for financial gain, especially when such activities may be incompatible with the faculty member's primary dedication as a scholar cannot be condoned.

## **C) Responsibilities to Colleagues**

As a colleague, the faculty member has obligations that derive from common membership in the community of scholars. He or she respects and defends the free inquiry of associates and avoids interference with their work. In the exchange of criticism and ideas he or she shows due respect for the rights of others to their opinions, refraining from personal vilification. He or she acknowledges contributions of others to the work. When asked to evaluate the professional performance of a colleague, the faculty member strives to be objective.

## **D) Responsibilities to the Institution**

The faculty member's primary responsibility to his or her institution is to

seek to realize maximum potential as an effective scholar and teacher. In addition, the faculty member has a responsibility to participate in the day-to-day operation of the University. Among the faculty member's general responsibilities to the University the following may be particularly noted:

- 1) When acting or speaking as a private person, the faculty member should make clear that the actions and utterances are entirely his or her own and not those of the University.
- 2) The faculty member must never attempt to exploit his standing within the University for private or personal gain. He or she may, on appropriate occasions, cite his connection with the University, but only for purposes of identification not permitting the impression to prevail that the University in any way sponsors any of his private activities.
- 3) University facilities, equipment, supplies, etc., must never be used for personal or private business.
- 4) A faculty member has the duty to ensure that the regulations of the University are designed to achieve the University's goals as well as being in accord with the principles of academic freedom. Recognizing the importance of order within the institution, the faculty member observes the regulations of the University, but in no way abdicates the right to attempt to reform those regulations by any appropriate orderly means.
- 5) Effective faculty participation in the governance of the University promotes academic freedom and the goals of the institution. Each faculty member should take part in the institution's decision-making processes to the best of his or her ability and should accept a fair share of the faculty's responsibilities for its day-to-day operation.
- 6) During periods of disturbance or high tension on campus, a faculty member should do everything possible to prevent acts of violence and to reduce tension.
- 7) A faculty member determines the amount and character of the work and other activities he pursues outside his responsibilities within the University and his primary loyalties to it.

#### **E) Responsibilities to the Community**

As a member of the community, the faculty member has the rights and obligations of any citizen. These include the right to organize and join political or other associations, convene and conduct public meetings, and publicize an opinion on political and social issues. However, in exercising

these rights, the faculty member must make it clear that he or she does not speak for the University, but simply as an individual. The faculty member does not use the classroom to solicit support for his or her personal views and opinions.

Because academic freedom has traditionally included the faculty member's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions on the other. If such conflicts become acute, and the faculty member's attention to obligations as a citizen and moral agent precludes the fulfillment of substantial academic obligations, he or she cannot escape the responsibility of that choice, but should either request a leave of absence or resign the academic position.

**F) Service to the Legal Profession**

Faculty members are encouraged to work with the practicing bar and judiciary to improve the profession.

**G) Service to the Public**

Faculty members are encouraged to engage in pro bono and other public service activities.

**H) Annual Evaluation Process**

The law school will evaluate, on an annual basis, the extent to which faculty meet the criteria specified in (A)-(G) above through the annual reports that faculty members complete and submit to the Dean. The Dean will review these annual reports and discuss them at individual conferences with each faculty member. Pursuant to ABA Standard 404(a), faculty members need not meet these criteria uniformly.

## APPENDIX 2

### Cleveland-Marshall College of Law, Cleveland State University Policies on Standard Teaching Schedules, Variances, and Course Releases<sup>2</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>3</sup>

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

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<sup>2</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>3</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>4</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.

hours are set (for instance first year courses that are 3 credits in the fall and 2 in the spring).<sup>5</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.

**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**

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<sup>5</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. [Note: The nature of first-year courses has changed upon semesterization of these courses pursuant to curricular reform implemented in 2012.]

**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. [Note: The Dean's policy regarding course releases for named professors may have changed. Please check with the Dean.]**

*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>6</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>7</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 Fulbright 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 preceding five years.**

**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

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<sup>6</sup> See Greenbook, §8.1.2.A.1.c

<sup>7</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.

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.



## APPENDIX 3

### COLLEGE OF LAW CRITERIA FOR GRADUATE FACULTY MEMBERSHIP<sup>8</sup>

I. A faculty member of the College of Law applying for Graduate Faculty membership must have demonstrated scholarship through publication within the preceding five years of:

A. two works from the following categories:

- (1) an article or a substantial and substantive book review essay published in a law review, or
- (2) a law-related article published in a scholarly journal of other disciplines or as a chapter in a book, or
- (3) a Uniform Law, Model Statute, Restatement, or American Law Institute Reporter's Study or equivalent work of which the candidate was a principal;

or,

B. a substantive book or monograph, treatise, or textbook or casebook containing significant original substantive material.

II. A faculty member of the College of Law applying for a renewed term on the Graduate Faculty must have demonstrated scholarship as defined in Section I (above) accomplished since the beginning of the member's last term of membership on the Graduate Faculty."

The Graduate Faculty application Guidelines and our college Criteria can also be found on the university's web page at:

[http://www.csuohio.edu/gradcollege/faculty/membership/application\\_guidelines.pdf](http://www.csuohio.edu/gradcollege/faculty/membership/application_guidelines.pdf)

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<sup>8</sup> College of Law Criteria for Membership on the Graduate Faculty (as enacted by Graduate Council on December 12, 2005)

## APPENDIX 4

### NEW COURSE PROPOSALS

#### MEMORANDUM

TO: Persons Interested in Proposing a New Course at Cleveland-Marshall College of Law

FROM: Phyllis L. Crocker, Professor of Law and Associate Dean for Academic Affairs

RE: New Course Proposals<sup>9</sup>

DATE: 11 November 2008

Individuals interested in teaching a new course at Cleveland–Marshall must present a proposal to the Curriculum Committee for its approval. Proposals must be submitted no later than the end of the second week of classes in the semester prior to the one in which you wish to teach the course. If the Committee approves the course, the Dean’s office will determine, in consultation with the individual, if and when the course may be offered.

The proposal must contain the following: a complete description of the proposed course, including the subject matter and goals of the course, the number of credits sought, the basis for assigning a grade in the course. It is advisable to include the proposed textbook, a tentative syllabus, and list of readings.

In deciding the number of credit hours, consider the scope of the course as well as the class meeting times. In the fall and spring semesters, two credit hour courses typically meet once a week for one hour forty minutes; three credit hour courses typically meet twice a week for one hour fifteen minutes per session, a three credit hour course could also meet once a week, on a Saturday for example, for two and one-half hours. A seminar or other upper level course that requires preparation of a ULWR paper (see attachment D) may meet for the hours required for a two credit course while offering the course for three credits.<sup>10</sup>

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<sup>9</sup> This memo is based on an April 19, 2004 memo from Peter Garlock, Chair of the Curriculum Committee to the faculty, and has been supplemented as policies have changed.

<sup>10</sup> A professor may also permit students to take a seminar or upper level course for two credits if a student does not write a paper satisfying the ULWR and for three credits if a student writes a paper satisfying the requirement.

In the summer term, a two-credit course meets twice a week for one hour forty minutes; a three-credit course meets three times a week for one hour forty minutes, or twice a week for two and one-half hours. The summer term is only seven weeks long, hence the longer class times.

Depending on the type of course, you may also want to consider whether it satisfies our criteria for designation as an administrative law course (see Attachment A) criteria), as a perspective course (see Attachment B), as a seminar (see Attachment C) or a skills course (see Attachment E). If so, your description must include a statement of how the course will satisfy that requirement. [Note: The administrative law designation has been deleted in accordance with curricular reforms adopted in 2012.]

In deciding the basis for assigning a grade in the course you have a number of options to consider: a final examination (in-class or take-home), a final paper, a series of small papers or quizzes, group or individual presentations, or a combination. In addition you might want to count class participation as part of the final grade, or if students will participate in group exercises, you will want to decide how to grade those. You must identify your basis for assigning grades in the course.

If you decide that you want students to submit a paper, you may consider whether you want the paper to count toward satisfying the Upper Level Writing Requirement (see Attachment D). Each student must complete the ULWR in order to graduate. Typically, students satisfy the ULWR through independent study with a faculty member or a seminar. If you want the course paper to satisfy the ULWR you must explain how you will accomplish that.

If the Committee votes to approve the course, the course shall be approved on an experimental basis. The Spring or Fall semester after teaching the course the instructor shall inform the Committee whether the course should be adopted permanently. In the absence of a request for permanent approval, the course shall be dropped from the curriculum. An instructor seeking permanent approval shall provide the Committee with a statement indicating why the course is successful enough to be continued, a syllabus for the course, a list of readings if possible, whether and how the course has changed from its original conception, and anything else relevant to the committee's decision. At that point the Committee shall decide whether the course shall be adopted on a permanent basis or discontinued. The Committee shall report that decision to the faculty. Unless there is faculty objection, the course shall become a permanent part of our law school course offerings and shall be added to the Student Handbook.

For good cause an instructor may seek approval of the Committee to teach the course a second time as an experimental course before requesting approval as a permanent course.

## ATTACHMENT A

### **DESCRIPTION OF, AND CRITERIA FOR, THE PERSPECTIVE COURSE<sup>11</sup>**

The basic goal of a perspective course is to provide students with a viewpoint on the nature and function of law that is different from traditional doctrinal analysis of American law, whether that analysis involves cases, statutes, codes, constitutions, or other traditional sources of law. A perspective course should help students understand how law shapes and is shaped by forces outside the legal system, including such forces as economics, politics, culture, ideas, society, and religion. Many students come to law school with deficient training in the humanities and social sciences, and a perspective course may help them understand how other disciplines illuminate the study of law. Students can also gain understanding of how our legal system works by studying another legal system or body of law, or by studying the theory or history of law.

It is important to note what a perspective course is not. The course is not intended to be a study of a traditional law subject that incidentally draws on the methodology of another discipline. It is not intended merely to investigate a specialized area of law or the law as it applies to a particular group of people. The course is not designed merely to provide an introduction to the institutions of American government, including courts, or to methods of legal analysis. Such courses, while important and useful, do not provide the kind of broadening experience that forces students to reflect critically on the nature of law or legal institutions.

#### Criteria

A perspective course should meet one of the following criteria:

1. A study of the theory of law, including courses that examine theory from a critical perspective.
2. A study of the history of law and legal institutions.
3. A study of law with the primary focus on the methodology of another intellectual discipline, such as economics or social science.
4. A study of the law of another legal system, for example, national, regional, international, or religious. Such courses should, where possible, have a focus that enables students to compare American law and legal institutions with those of other arenas.

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<sup>11</sup> Approved by the faculty on May 17, 2001.

## ATTACHMENT B

### **CRITERIA FOR DESIGNATION OF A COURSE AS A SEMINAR**<sup>12</sup>

1. A seminar is a small class, enrollment in which should normally not exceed fifteen students, that is designed to examine intensively a single topic or a limited range of topics within a general area of law. A seminar is not designed to offer a comprehensive survey of a field of law.
2. A seminar is designed to foster maximum interchange in discussion between students and instructor and among students.
3. A seminar shall require a substantial paper or equivalent written product.
4. A grade in a seminar may be based entirely on the paper, or on some combination of a paper, class participation, final examination, or other relevant factors.
5. A seminar may be given for two or three credits.

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<sup>12</sup> Approved by the faculty on Oct. 21, 2004.

## ATTACHMENT C

### **UPPER LEVEL WRITING REQUIREMENT<sup>13</sup>**

The purpose of the Upper Level Writing Requirement is to have each student undertake at least one rigorous writing experience prior to graduation, in addition to Legal Writing, Research and Advocacy (L504) and the third semester of legal writing. Although the focus of this requirement is writing skills, effective legal writing requires application of the broad spectrum of skills essential to effective lawyering generally. Thus, research, analysis, and organization are important components in the preparation of any quality product of legal writing. For this reason, the goal of the Upper Level Writing Requirement is to require each student to demonstrate his or her ability to apply each of these skills in producing one substantial, cohesive piece of legal writing prior to graduating from law school.

1. Students may satisfy this requirement by completion of any one of the following:
  - a. A seminar for which a paper is required;
  - b. A specially designated upper level course for which a paper is required or offered for writing credit; or
  - c. An appropriate two or three semester-hour Independent Legal Research (L860) project.
2. The Upper Level Writing Requirement is satisfied by the completion of a paper, brief, casenote, or other piece of legal writing that combines writing, research, analytical and organizational skills into one substantial written product under the direction of a faculty supervisor. As a general rule, “faculty supervisor” means full-time tenured or tenure-track faculty member, full-time legal writing professor, or full-time clinical professor.
3. What constitutes a “substantial” written product is left to the discretion of the instructor, subject to review by the Curriculum Committee at the time the course is submitted for approval.<sup>14</sup>

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<sup>13</sup> The Upper Level Writing Requirements were approved by the faculty in November 1997 and amended in May 1999.

<sup>14</sup> Please note the following as a point of comparison for courses other than Independent Research in which a student may satisfy the ULWR:

The text page minimum for Independent Legal Research (L860) projects completed to satisfy the Upper Level Writing Requirement should ordinarily be 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, per credit hour, but in no case less than 10 pages, exclusive of footnotes or endnotes, per credit hour. Faculty may, in their discretion, define a “page” in terms of font size, margins, approximate number of words, etc.

4. To complete the Upper Level Writing Requirement, it is assumed that the student will undertake exhaustive library or other approved investigation under the supervision of a faculty member. In order to insure a meaningful one-on-one consultation and critique between the student and instructor, it is strongly urged that the instructor:
  - a. Require the student to meet regularly with the faculty sponsor during the course of the project;
  - b. Require the student doing an Independent Legal Research (L860) project to obtain the faculty sponsor's written approval of a proposal prior to signing up for credit;
  - c. Require the student to submit and discuss an outline of the writing project prior to commencing the first draft;
  - d. Provide written comments concerning submitted drafts and discuss those comments in a meeting with the student;
  - e. Require the student to submit a detailed research path of one or two pages with the rough draft, indicating the full extent of the student's research and sources used and showing unproductive investigation as well as that which produces materials bearing on the problem;
  - f. Require the student to familiarize himself or herself with the concept of plagiarism;
  - g. Make clear to the student that the Upper Level Writing Requirement is unrelated to, and independent of, any non-curricular requirements, such as those needed for acceptance of the paper by a student journal.
5. Any instructor wishing to designate a course as satisfying the Upper Level Writing Requirement must first obtain authorization from the Curriculum Committee.
6. Faculty have discretion, while awarding a passing grade to a student enrolled in a course to determine that nonetheless the student has not satisfied the Upper Level Writing Requirement. Students should be advised of this faculty option.
7. Copies of papers submitted in satisfaction of the Upper Level Writing Requirement shall be retained by the administration in the same manner as final examinations.

## ATTACHMENT D

### **CRITERIA FOR SATISFYING THE SKILLS COURSE REQUIREMENT**

In order to graduate every student must complete one skills course “providing substantial instruction in professional skills generally regarded as necessary for effective and responsible participation in the legal profession. A professional skills course must engage each student in skills performances that are assessed by the instructor.”<sup>15</sup>

This new requirement was prompted by the A.B.A. adding the professional skills requirement to those skills that we are already required to, and do, provide substantial instruction: substantive law, legal analysis and reasoning, legal research, problem solving and oral communication, writing in a legal context, and the professional ethics. See ABA Standard 302(a) (4). Examples of the types of professional skills contemplated by this new requirement are: “[t]rial and appellate advocacy, alternative methods of dispute resolution, consulting, interviewing, negotiating, problem solving, fact investigation, organization and management of legal work, and drafting.” Interpretation 302-2 to A.B.A. Standard 302(a) (4), A.B.A. Standards for Approval of Law Schools (2007).

To satisfy the experiential skills course requirement, a course must meet the following criteria:<sup>16</sup>

1. A substantial (at least 50% of class time) and regular part of the course consists of providing each student with multiple opportunities to engage in Experiential Learning.
2. Experiential Learning is defined as:
  - a. exercising lawyering skills in real-world or simulated real-world settings,
  - b. interacting personally and immediately with others to work toward resolution of a legal matter, and
  - c. receiving substantial individualized feedback on the assigned lawyering skill tasks.
3. Examples of lawyering skills include:
  - a. Trial advocacy
  - b. Advocacy before appellate courts, administrative agencies, or legislative bodies
  - c. Alternative dispute resolution
  - d. Counseling
  - e. Interviewing
  - f. Negotiation

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<sup>15</sup> Adopted by the faculty as a new graduation requirement on May 8, 2008. This requirement applies to students admitted to the College of Law beginning in the 2008-09 academic year.

<sup>16</sup> Adopted by the faculty on April 26, 2012.



- g. Investigating and organizing facts
- h. Organization and management of legal work
- i. Drafting

A proposal to create a course that satisfies the skills requirement must include the following description:

1. The skills taught,
2. The skills performances each student will engage in,
3. The class time devoted to those skills, and
4. How the professor will assess each student's skills performance.

## APPENDIX 5A

### Syllabus Sample: Conflict of Laws (Assistant Professor Brian Ray)

#### CONFLICT OF LAWS SYLLABUS I

Professor Brian Ray  
L 632, sec. 1  
MW 2:45-4:10  
LB 66

#### Required course materials

Currie, Kay, Kramer, Roosevelt Conflict of Laws 7<sup>th</sup> ed. 2007)  
Occasional supplements

#### My availability

My office is located on the first floor: Room 153. My phone number is: 687-2528 and my e-mail is: brian.ray@law.csuohio.edu. My office hours are MW 4:15-5:15. These hours are not exclusive. You should feel free to make an appointment at any time or just stop in whenever my light is on.

#### Course Overview

Conflict of laws deals principally with three questions: Which state's courts have jurisdiction over a dispute? Which state's laws apply to a dispute? Can judgments by the courts of one state be enforced in another state? These questions can arise between states of the United States, between federal and state courts and between foreign states

This course will focus on the development of choice-of-law rules in the United States and cover, to a lesser extent, other areas of conflict of laws, including jurisdiction and recognition/enforcement of judgments. We will deal with choice of law both in interstate and international settings and include some comparisons with European legal systems.

#### Class attendance and preparation

Attendance at and preparation for class are required. I understand that there are times when because of illness or personal matters you may be unable to attend class or you may not be prepared for class. To account for these times, each student can miss class or "pass" when called on four times over the course of each semester. If you miss class and/or "pass" more than four times, I reserve the right to lower your grade or withdraw you from the course. If you cannot prepare for class on a particular day, please e-mail me before class. I will not call on you, but that will count as one of the four absence/pass days.

Absences to observe religious holidays do not count as missed classes if you inform me in advance that you will be absent.

### Grades

An 8-hour, open-book, take-home exam will constitute 80% of your final grade. Participation in class will make up the remaining 20% of your grade.

I may also distribute practice exercises at certain points in the semester. I will provide feedback on these exercises, but they will not be part of your grade

### Assignments

The assignments listed here are somewhat tentative and may change depending on how quickly we move through the material for each day. To account for that, I have only listed specific assignments through February 15. I will distribute the second installment of the syllabus later in the semester.

- |                 |   |
|-----------------|---|
| January 12-21:  | The Traditional Model<br><i>Jurisdiction Selecting Rules</i><br>CB: 1-39                                  |
| February 2-4:   | The Traditional Model<br><i>Escape Devices — Characterization &amp; Substance/Procedure</i><br>CB: 39-61  |
| February 9-11:  | The Traditional Model<br><i>Escape Devices — Renvoi, Public Policy, Penal Laws &amp; Tax</i><br>CB: 61-84 |
| February 16:    | Modern Approaches<br><i>Statutory Solutions &amp; Party Autonomy</i><br>CB: 891-118                       |
| February 18-23: | Modern Approaches<br><i>Interest Analysis — Introduction &amp; False Conflicts</i><br>CB: 118-67          |
| February 25:    | Modern Approaches<br><i>Interest Analysis — Unprovided-For Case &amp; True Conflicts</i><br>CB: 167-204   |
| March 9:        | European Conflicts<br>Guest Lecture by Professor Milena Sterio<br>Assignment TBA                          |

## APPENDIX 5B

### Syllabus Sample: Evidence (Adjunct Professor David Neel)

#### SYLLABUS

Spring 2009 Evidence — LB 207

David W. Neel, Esq., Lecturer

dwneel.law@gmail.com

216-522-0011

Tuesdays & Thursdays 7:30 - 9:10 p.m.

#### **Course Materials:**

The required book for this course is:

Waltz, Park & Friedman's *Evidence, Cases and Materials* (Foundation, 11<sup>th</sup> ed., 2008) ("WP")

The following book is recommended but not required:

Graham C. Lilly, *Principles of Evidence* - This book will give you sensible and fairly straightforward information about black letter rules of evidence and some useful information about the policies underlying those rules. (Other excellent hornbooks are available. Use the hornbook that suits you best.)

#### **Office Hours:**

Please call me directly at 216-522-0011 to schedule an appointment.

#### **Course Goals:**

When you complete this class, you should possess a fairly sophisticated understanding of the Rules of Evidence. More than any other course (in my humble opinion), the study of evidence law trains you to think more like a lawyer. If you study, participate, practice, interact with your peers and reflect throughout the term, then by the end of the course you will be thinking more like a lawyer. That, primarily, is the goal I set before you, in addition, of course, to learning the rules of evidence.

#### **Class Attendance Policy:**

Class attendance is mandatory; however, if you have another important commitment that a reasonable person would say should take precedence over this class, then you may miss a class. You do not have to advise me beforehand or tell me the reason. You are allowed four such absences. Passing when called upon counts as an absence. (See also following section.) If you miss more than four classes for any reason, I reserve the right to administratively withdraw you from the course or to impose lesser sanctions

including, but not limited to, lowering your final grade in this class, in my sole discretion.

### **Class Participation:**

I expect you to be prepared for each class. Unsatisfactory preparation, as determined in my sole discretion, counts as an absence. Each of you will be called upon at least once to present an assigned case to the class and to discuss assigned problems from the casebook.

- Your case presentations should be no more than 5 minutes in length. A guideline for your presentation is as follows:
- Basic facts leading to litigation - E.g., In *Old Chief v. United States*, the defendant was arrested after a fight involving a gun. He had a prior conviction.
- Proceedings below — E.g., The government charged Old Chief with, among other things, a violation of 18 U.S.C. §922(g)(1), which makes it unlawful for anyone to . . . . Old Chief objected to admission of evidence that . . . . The government responded that . . . . The court ruled that . . . . On appeal, the U.S. Court of Appeals for the Ninth Circuit held that the district court did not abuse its discretion by . . . . The U.S. Supreme Court granted certiorari.
- Specific issue(s) before the court ruling on the case — E.g., At issue was evidence pertaining to one element required to prove a violation of 18 U.S.C. §922(g)(1)
- The court's ruling on each issue — E.g., The S. Ct. reversed the court of appeals' decision.
- The court's reasoning for its decision.
- Doctrine, black letter law or analysis that the case establishes, stands for or approves.

### **Grading:**

A total of 200 points is possible in this class based upon the following distribution:

- 80% (160 possible points) of your grade is based on the final exam.
- 20% (40 possible points) is based on your class participation.

### **Assignments:**

For every, assignment, read the applicable Federal Rule(s) of Evidence ("FRE") in Appendix A of WP and the corresponding Advisory Committee Note(s) in Appendix B.

## **Relevance**

1. 1/13/2009 WP 1-70
2. 1/15 WP 72-107; FRE 401-03
- 1/20 No Class
3. 1/22 WP 384-418; FRE 403-06
4. 1/27 WP 418-38; FRE 403-06, 104(a)-(b)
5. 1/29 WP 439-63; FRE 412-15
6. 2/3 WP 463-84; FRE 407-11

## **The Hearsay Rule and Its Exceptions**

7. 2/5 WP 100-03, 106-12; FRE 801(a)-(c). Skim FRE 803(3)
8. 2/10 WP 112-25; FRE 801(a)-(c)
9. 2/12 WP 125-32, 137-45; FRE 801(a)-(c), 602, 104(a); Questions 1-2, p. 145; FRE 804(b)(2), 104; Skim FRE 803(3) and 807
10. 2/17 WP 146-60; FRE 803(1), 803(2), 803(3), 805; Questions p. 159
11. 2/19 WP 160-72; FRE 801(d)(2), 805
12. 2/24 WP 173-88; FRE 801(d)(2), 104 (Note: The final sentence of the present FRE 801(d)(2) was added in 1997, after the *Bourjaily* decision)
13. 2/26 WP 188-201; 98-100, 202-10; FRE 804(a), 804(b)(1), 804(b)(3)
14. 3/3 WP 210-22; FRE 803(3), 105. Prepare the answer hypotheticals on pp. 221-22 before class
15. 3/5 WP 222-37; FRE 803(4). Questions, pp. 227-28
16. 3/10 WP 237-53; FRE 801(d)(1), 803(5)-(6), 611, 612
17. 3/12 WP 254-67; Questions, pp.260-61; FRE 106, 803(5)-(7), 805, 806
18. 3/17 Spring Recess —No class
19. 3/19 Spring Recess —No class

- 20. 3/24 WP 267-92; FRE 803(6)-(10); Hypothetical, p.289; Questions 1-3, 7, pp. 290-92
- 21. 3/26 WP 304-15, Questions 1-3, p. 315; FRE 804(b)(6), 807; WP 97-98, 315-20; 359-66; Handouts, Crawford case and state case(s)

**Witnesses — Competency, Impeachment and Expert Witnesses**

- 22. 3/31 WP 486-506; FRE 607, 611, 615; WP 506-19; FRE 608 Questions 1-5, pp. 515-16
- 23. 4/2 WP 519-41; Hypos, pp. 536-37; FRE 608-09, 806
- 24. 4/7 WP 541-65; FRE 608-609, 610, 613, 801(c) WP 566-71; Review pp. 62-70 (trial objections); preview 795-812;
- 25. 4/9 WP 795-827; FRE 701-06
- 26. 4/14 WP 827-61
- 27. 4/16 WP 862-86

**Documents — Authentication and Best Evidence Rule**

- 28. 4/21 WP 686-99; FRE 1001-1008 and 901-03
- 29. 4/23 Review for Final
- 30. 4/28 Review for Final
- 31. 4/29 Reading Period Begins
- 32. 5/3 Reading Period Ends
- 33. TBD Exam

## APPENDIX 6

### Upper Level Writing Requirement and Independent Legal Research Standards

The Upper Level Writing Requirement and Independent Legal Research (L860) Standards, as approved by the faculty in November 1997 and amended in May 1999 and supplemented in November 2006 are as follows:

#### A. Upper Level Writing Requirement

The purpose of the Upper Level Writing Requirement is to have each student undertake at least one rigorous writing experience prior to graduation, in addition to Legal Writing, Research and Advocacy (L504) and the third semester of legal writing. Although the focus of this requirement is writing skills, effective legal writing requires application of the broad spectrum of skills essential to effective lawyering generally. Thus, research, analysis, and organization are important components in the preparation of any quality product of legal writing. For this reason, the goal of the Upper Level Writing Requirement is to require each student to demonstrate his or her ability to apply each of these skills in producing one substantial, cohesive piece of legal writing prior to graduating from law school.

1. Students may satisfy this requirement by completion of any one of the following:
  - a. A seminar for which a paper is required;
  - b. A specially designated upper level course for which a paper is required or offered for writing credit; or
  - c. An appropriate two or three semester-hour Independent Legal Research (L860) project.
2. The Upper Level Writing Requirement is satisfied by the completion of a paper, brief, casenote, or other piece of legal writing that combines writing, research, analytical and organizational skills into one substantial written product under the direction of a faculty supervisor. As a general rule, “faculty supervisor” means full-time tenured or tenure-track faculty member, full-time legal writing professor, or full-time clinical professor.
3. If the written product consists of an Independent Legal Research (L860) project, it must satisfy the page requirements for L860, as listed in Section B below. What constitutes a “substantial” written product in other courses shall be left to the discretion of the instructor, subject to review by the Curriculum Committee at the time the course is submitted for approval, as stipulated in paragraph 5.
4. To complete the Upper Level Writing Requirement, it is assumed that the student will undertake exhaustive library or other approved investigation under the supervision of a faculty member. In order to insure a meaningful one-on-one



consultation and critique between the student and instructor, it is strongly urged that the instructor:

- a. Require the student to meet regularly with the faculty sponsor during the course of the project;
  - b. Require the student doing an Independent Legal Research (L860) project to obtain the faculty sponsor's written approval of a proposal prior to signing up for credit;
  - c. Require the student to submit and discuss an outline of the writing project prior to commencing the first draft;
  - d. Provide written comments concerning submitted drafts and discuss those comments in a meeting with the student;
  - e. Require the student to submit a detailed research path of one or two pages with the rough draft, indicating the full extent of the student's research and sources used and showing unproductive investigation as well as that which produces materials bearing on the problem;
  - f. Require the student to familiarize himself or herself with the concept of plagiarism;
  - g. Make clear to the student that the Upper Level Writing Requirement is unrelated to, and independent of, any non-curricular requirements, such as those needed for acceptance of the paper by a student journal.
5. Any instructor wishing to designate a course as satisfying the Upper Level Writing Requirement must first obtain authorization from the Curriculum Committee.
  6. Faculty have discretion, while awarding a passing grade to a student enrolled in a course or in Independent Legal Research (L860), to determine that nonetheless the student has not satisfied the Upper Level Writing Requirement. Students should be advised of this faculty option.
  7. Copies of papers submitted in satisfaction of the Upper Level Writing Requirement shall be retained by the administration in the same manner as final examinations.

**B. Independent Legal Research (L860) Standards**

1. The minimum number of credit hours of Independent Legal Research (L860) that will satisfy the Upper Level Writing Requirement is two credit hours.
2. The text page minimum for Independent Legal Research (L860) projects completed to satisfy the Upper Level Writing Requirement should ordinarily be 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, per credit hour, but in no case less than 10 pages, exclusive of footnotes or endnotes, per credit hour. Faculty may, in their discretion, define a "page" in terms of font size, margins, approximate number of words, etc.

3. Independent Legal Research (L860) may also be taken for one hour of credit, usually requiring a minimum of 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, as described above, but such projects will not satisfy the Upper Level Writing Requirement.
4. A maximum of three semester hours of Independent Legal Research (L860) credit may be elected to count toward the J.D. or LL.M. degree.
5. No faculty member may sponsor more than six (6) students per academic year, exclusive of the summer term, in Independent Legal Research (L860) without the approval of the Dean or his or her designate.

**C. Supplementary Guidelines Regarding Law Review and Journal Notes**

In November 2006 the faculty adopted additional guidelines for faculty supervision of Law Review and Journal Notes:

- 1) supervisory faculty of notes for L860 credit should attempt to coordinate their schedule of topic, outline, bibliography and draft submissions with that of the journal for which the note is being written;
- 2) the law review and the journal should make available to every faculty member each fall a written schedule detailing the stages in which the writing of the note becomes due;
- 3) each faculty member is requested to be available to supervise up to three notes for L860 credit;
- 4) a summary of each faculty member's research interests should be made available to the law review and journals staffs each year.

**D. 3-Credit-Hour ULWR Seminars with Reduced Class Time**

Faculty members may teach a seminar or upper level course (in which students write a paper to satisfy the ULWR) worth three credit hours but in the time block of a two-credit-hour course. This is allowed under the ABA Standards and Interpretations that permit "regularly scheduled class sessions" to include "in a seminar or other upper-level course other than an independent research course, the minutes allocated for preparation of a substantial paper or project if the time and effort required and anticipated educational benefit are commensurate with the credit awarded." ABA Interpretation 304-3(d). In light of the ABA Standard and Interpretation, faculty have the option, in a seminar or upper level course other than L860 (Independent Legal Research) in which students write a paper to satisfy the ULWR, of holding class meetings for the hours required for a two-credit-hour course while offering the course for three credit hours. This recognizes the substantial amount of time and effort that students and faculty are expected to spend on papers that satisfy the upper level writing requirement. Faculty may also offer the option to students of taking the seminar or upper level course for two credit hours if a student

elects not to write a paper to satisfy the ULWR or for three credit hours if a student elects to write a paper to satisfy the ULWR. This policy is also available online on the Faculty Resources page.

## APPENDIX 7

### **Guidelines and Requirements for Concentrations at Cleveland-Marshall College of Law**

Faculty must present proposals for new concentrations to the Curriculum Committee for approval. The Curriculum Committee will then submit the proposal to the faculty for approval.

#### **I. Guidelines<sup>17</sup>**

##### **A. For a discipline to become a Concentration at Cleveland-Marshall College of Law:**

1. There shall be at least eight courses available in the discipline, beyond foundational courses, at least four of which are offered at least annually. [Foundational courses include, for example, bar courses, courses required for graduation, and basic courses within the Concentration as determined by the faculty in that discipline.]
2. Faculty within a discipline seeking to create a Concentration shall, where appropriate, survey practitioners within the discipline to determine the needs of the practice. The purpose of this survey is to ensure that our Concentration requirements will create well-prepared graduates within the discipline.

##### **B. For a student to satisfy the requirements of a Concentration:**

1. The student shall take at least six courses in the area, no more than two of which are foundational courses.
2. The student shall complete a major project in the Concentration area. (This project might include a major writing project, such as an upper level writing requirement or its equivalent, an appropriate clinic experience, or an externship, as determined by the faculty within the discipline. This project shall be in addition to the six courses required in #1 above.)

A student who satisfies the requirements of a Concentration shall have that fact noted on his or her transcript and may indicate completion of the Concentration on a resume. In addition, the faculty may decide to provide a "Certificate of Concentration."

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<sup>17</sup> Adopted by the faculty on February 22, 2001.

## **II. Requirements for all Concentrations**

- A. A student shall attain a minimum cumulative GPA of 3.0 in Concentration courses.<sup>18</sup>
- B. A student must maintain a 3.0 GPA in all concentration courses.<sup>19</sup>
- C. A student may take no more than one course on a pass/fail basis toward completion of a Concentration, whether a substantive course for which a grade is normally given or an externship or other course that is mandatorily graded on a pass/fail basis.<sup>20</sup>

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<sup>18</sup> Adopted by the faculty on May 11, 2001.

<sup>19</sup> Adopted by the faculty on April 14, 2011.

<sup>20</sup> Adopted by the faculty on October 11, 2001.

## APPENDIX 8

### CSU Poll Worker Excused Absence Policy

In order to foster student engagement and participation in the civic sphere, Cleveland State University has encouraged students to serve as poll workers and in polling support positions for the last several national and statewide elections. In Spring 2008 the Faculty Senate of Cleveland State University adopted a policy pertaining to student absences arising because of such service in these elections.

- I.** CSU faculty members are required to
  - a.** excuse all students from class attendance and from any assignments, quizzes, and other coursework otherwise due during the period beginning at 6:00 p.m. on the evening before any statewide election and ending at 12:00 midnight on election day who **(i)** serve in any of the official poll worker and polling support positions, including the Center for Election Integrity official observer or monitor positions (which can include, for example, polling place translators and technical support workers with respect to the voting machines)<sup>21</sup>, and **(ii)** satisfy their notification obligations described in paragraph II, below; and
  - b.** allow such students to make up any assignments, quizzes, and other coursework otherwise due during this period, as described in paragraph II, below.
- II.** Any CSU student who desires to exercise the excused poll worker service option must
  - a.** have officially applied and been selected to serve;
  - b.** be scheduled for training that will be completed at least two days prior to the election;
  - c.** inform the faculty members whose classes are affected in writing (electronically or in whatever manner the particular faculty member requests) no later than the second Friday before the election;
  - d.** arrange with each affected faculty member to make up any coursework or quizzes that were missed due to the absence; and
  - e.** provide official documentation to each affected faculty member at a later appropriate point that confirms the student's service as a poll worker or in a polling support position.

At all times, the responsibility for making up coursework rests with the student.

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<sup>21</sup> Dean Mearns decided, in Fall 2008, based on available C.S.U. policies and information received from the C.S.U. administration, that this policy applies to students who work as B.O.E. poll workers and to those who volunteer as election observers or monitors for a bona fide organization such as the Democratic or Republican Party, or the Lawyers Committee for Civil Rights Under the Law.

## APPENDIX 9

### CLEVELAND STATE UNIVERSITY TRAVEL POLICY AND PROCEDURE July 1, 2001

#### I. PURPOSE

- 1.1 The purpose of the University Travel Policy is to facilitate travel of faculty, staff and students by the most expedient means and at the most reasonable cost.

#### II. BASIC POLICY

- 2.1 With prior approval, the University will pay all or a prearranged portion of reimbursable expenses for travel to attend an important meeting for one or more of the following purposes:
- a) to represent the University on official business;
  - b) to present a professional paper;
  - c) to chair a national or regional committee meeting; or
  - d) to participate in professional development activities.
- 2.2 This policy applies to all University travel regardless of the source of funding.
- 2.3 Reimbursements for travel outside the USA will be made at the appropriate US currency rate of exchange.

#### III. AUTHORIZATION OF TRAVEL

- 3.1 To obtain authorization for travel for which reimbursement is expected, the top portion of the Travel Approval and Expense Report must be completed indicating the purpose, date, and duration of the trip, estimated total expense, portion to be paid by the University, and bear the appropriate supervisory approval signature.

#### IV. PREPAYMENT OF EXPENSES

- 4.1 To request prepayment of common carrier transportation, either:
- a) Contact one of the authorized travel agencies and make your travel arrangements. Instruct the travel agency to deliver your tickets to your department along with an invoice. Attach the original invoice to a Small Order Form or to a Purchase Requisition (if the amount of the invoice exceeds the maximum limit for a Small Order Form). Forward Small Order Forms to Accounts Payable; Purchase Requisitions should be sent to Purchasing Services. Use of a PCard is also permitted.
  - b) Purchase your tickets directly (from the carrier, from a web site, or from a travel agent) and obtain a receipt showing proof of payment. Attach the receipt to a Small Order Form or to a Purchase Requisition (if the amount of the invoice exceeds the maximum limit for a Small Order Form). Forward Small Order Forms to Accounts Payable; Purchase Requisitions should be sent to Purchasing Services. Use of a PCard is also permitted.
- 4.2 To request prepayment of conference registration fees, the traveler shall submit a completed Small Order Form or a Purchase Requisition (if the amount of the registration fee exceeds the maximum limit for a Small Order Form), along with the original registration form and a copy of the registration form. Forward Small Order Forms to Accounts Payable; Purchase Requisitions should be sent to Purchasing Services.

Accounts Payable will submit the registration form along with a check. Use of a PCard is also permitted.

- 4.3 When airfare and lodging are purchased as a package from a travel-related web site, lodging may be reimbursed in advance of travel, provided that the traveler demonstrates that booking lodging in this manner has saved the University money.
- 4.4 All other travel expenses shall be paid for by the traveler and original receipts submitted for reimbursement on the Travel Approval and Expense Report.
- 4.5 Faculty and staff who are traveling out of the country for an extended period may, with the approval of the appropriate Vice President, receive a travel advance.
- 4.6 Lodging for students may be prepaid by submitting either a Purchase Requisition or a Small Order Form.

## **V. ALLOWABLE TRANSPORTATION**

### **5.1 Common Carrier**

- a) Reimbursement for travel by air, rail, bus, or other common carrier shall not exceed the cost of coach fare or the economy rate in the chosen method of travel.
- b) The traveler shall be personally liable for any charges assessed due to his/her failure to cancel reservations within the time limit specified by carriers, unless the failure is due to circumstances beyond his/her control.
- c) Expenses claimed under this section must be supported by an original receipt.

### **5.2 Personal Automobile**

- a) A traveler may be reimbursed for the use of a privately owned automobile at the federal government rate then in effect. The current mileage rate can be found on the University's web site.
- b) Reimbursement for use of a privately owned automobile shall not exceed the round trip coach air fare of all persons traveling in the car or the mileage allowance, whichever is the lesser.
- c) Mileage is payable to only one of two or more persons traveling on the same trip in the same vehicle. The names of all persons traveling on the same trip and in the same vehicle must be listed in the designated section of the Travel and Expense Report.
- d) The mileage rate provided for in subparagraph (a) of this section is meant to cover all expenses incurred in using a privately owned vehicle for University business except those covered under subparagraph (a) of section 5.4.
- e) When a traveler is away from CSU's campus for the entire day, the total number of business miles driven that day may be reimbursed.
- f) When a traveler is on CSU's campus part of the day, reimbursement will be for the total number of business miles driven, less the traveler's round-trip daily commute.
- g) Mileage while commuting to and from work will not be reimbursed.



- h) No traveler may be reimbursed for expenses on the mileage basis unless he/she carries motor vehicle liability insurance with coverage equal to or greater than that required by the Ohio Revised Code Section 4509.51.

### 5.3 Rented Automobile

- a) With prior approval, the traveler may be reimbursed for the rental of an automobile used for official University business; and for gasoline purchased for the rented automobile. Original receipts must be submitted.
- b) The traveler must read and comply with the rental agreement's provisions covering driver eligibility, use of seat belts, and other restrictions.
- c) Reimbursement for use of a rented automobile shall not exceed the round trip coach air fare for all persons traveling in the car.
- d) Insurance requirements for rented vehicles vary based on vendor and location. Refer to the University's Driving and Motor Vehicle Policy for more information.
- e) The University has an exclusive agreement with Enterprise for rentals made in northeast Ohio. Under this agreement, Enterprise provides vehicles at discounted rates that include liability insurance. The traveler should visit the Department of Risk Management's web site for more information.

### 5.4 Other Transportation Expenses

- a) Reimbursement may be claimed for parking charges, ferry and taxi fares, and bridge, highway and tunnel tolls.
- b) Each item of expense claimed under this section must be listed on the Travel Approval and Expense Report. An original receipt is required for each item of expense greater than five dollars (\$5.00).

### 5.5 Frequent Flyer Credits

- a) Frequent flyer credits earned by university employees for travel on university business cannot be used for personal travel. These credits must be applied towards future university travel.

## **VI. ALLOWABLE LODGING EXPENSE**

6.1 The employee will be reimbursed for the actual reasonable expense for lodging in a hotel or motel. Reimbursement is for room and applicable taxes only. Reasonableness is determined by the appropriate supervisor. Use of a PCard is permitted.

6.2 Original itemized receipts are required to support the reimbursement claim for the expense of lodging.

6.3 Cost of lodging of members of the traveler's family is not reimbursable.

6.4 Tips associated with lodging are incidental expenses as defined in Paragraph 7.7.

## **VII. MEALS AND INCIDENTAL EXPENSES**

7.1 The traveler will be reimbursed for meals and incidental expenses according to the Federal Standard Meal Allowance (FSMA) then in effect. Receipts are not required. When one or more meals are provided, the FSMA reimbursement must be adjusted accordingly.

- 7.2 Allowable reimbursements vary by city. Rates for most major cities can be accessed from the University's web site.
- 7.3 Generally, there will be no reimbursement for meals unless the traveler is away from home over night. However, with supervisory approval, when the traveler is away from home for more than 12 hours and lunch is not provided, the traveler may be reimbursed for the lunch portion of the applicable FSMA (indicate times of departure and return on the Travel Approval and Expense Report).
- 7.4 Reimbursement for the day of departure and the day of return is equal to 75% of the FSMA.
- 7.5 If the travel is to more than one location in one day, use the FSMA for the city where the traveler has overnight accommodations.
- 7.6 There will be no reimbursement for alcoholic beverages.
- 7.7 Tips and gratuities are included in the FSMA.
- 7.8 Actual and reasonable expenses for a qualified business meal may be claimed for the traveler and non-university guest(s). The traveler must submit an original itemized receipt along with an explanation of the business purpose of the expense. An overnight stay is not required.

#### **VIII. MISCELLANEOUS EXPENSES**

- 8.1 Expenses incurred for conference registration fees, stenographic fees, storage of baggage, fax or telephone calls for official University business, and rental of equipment or temporary meeting facilities necessary for the conduct of official University business may be reimbursed.
- 8.2 Miscellaneous expenses must be itemized separately on the Travel Approval and Expense Report. **Original receipts must be submitted for all miscellaneous expenses.**

#### **IX. REPORTING AND DOCUMENTATION OF EXPENSES**

- 9.1 All requests for reimbursement of travel should be made on the standard CSU Travel Approval and Expense Report. If additional space is required, a supplementary schedule may be attached.
- 9.2 The Travel Approval and Expense Report must be submitted after completion of travel unless prepayment of registration by CSU is the only expense incurred.
- 9.3 The Travel Approval and Expense Report should be completed and filed with the appropriate supervisor within two weeks of the travel completion date.
- 9.4 The Travel Approval and Expense Report must be signed by the traveler and the expenses approved in accordance with Section 3.1 of this policy. The approvals received prior to the trip were intended only to authorize the travel. The Travel Approval and Expense Report is then forwarded to Accounts Payable.
- 9.5 If the trip is cancelled and there has been any prepayment of fees by CSU, the department will be charged for these expenses. If Cleveland State University is due a refund, it is the responsibility of the department to follow-up with the vendor and ensure that credit is received.
- 9.6 If a receipt is lost, the traveler must provide a written statement indicating that it was lost. This statement must be signed by the traveler.

- 9.7 If the traveler received a travel advance, original receipts must be submitted and remaining funds returned to the University within two weeks of the travel completion date. If funds are not returned within a reasonable time, the full amount of the travel advance will be taxed to the traveler and included on his/her W-2. Subjecting the advance to taxation does not relieve the traveler from the responsibility of accounting for the advance and returning any unused funds.

**X. AUDITS OF TRAVEL EXPENSES**

- 10.1 The Department of Audits will periodically audit a sample of Travel Approval and Expense Reports. Violation of travel policies could lead to suspension of reimbursement for travel expenses by the University and to disciplinary action.

Policy amended October 24, 2008.

## APPENDIX 10

### SUMMER RESEARCH GRANT CRITERIA

#### MEMORANDUM

January 2011

**TO:** Law Faculty

**FROM:** Summer Research Grants Committee  
Susan Becker  
Sheldon Gelman  
Alan Weinstein, Chair  
Heidi Gorovitz Robertson (ex officio)

**RE:** Summer 2011 Research Grant Requests

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Tenured, pre-tenured, legal writing, and clinical professors, are invited to submit a funding request for a research grant proposal for the Summer of 2010. The number of available research grants to be awarded and the dollar amount of each grant will be determined by the Dean's office based on budgetary constraints. The format for application and the criteria for selecting meritorious applications are described below. Applicants should submit **four (4) paper copies** of their proposal to **Alan Weinstein** by **noon on Monday, February 21, 2011**. Please do not e-mail your proposals.

#### FORMAT FOR APPLICATIONS

Each applicant should submit a brief description (no more than two pages) of the proposed project, the methodology to be used, and the place of the project in the particular scholarly field. In addition, the applicant must report the following information regarding **the immediately preceding three projects for which summer grants have been awarded**: the title(s) and date(s) of each of the three most recently funded research proposals, a brief description of the draft(s) or published writing(s) that resulted from each grant (even if the money was used to fund different research from that originally proposed in the grant request), and the following details regarding the resulting work product:

- If the applicant has published any articles or chapters, the applicant should include a reprint or copy with his/her application.
- If the applicant has published any books, the applicant should provide a copy of the inside title page and table of contents. If the book does not have a table of contents, then please indicate the number of pages.

- If the applicant has produced any articles, chapters, *etc.*, that have either been submitted or accepted for publication but not yet published, the applicant should identify the titles of the articles or chapters, their length, and the journal and volume/issue in which each is scheduled to be published. If the work has not yet been accepted for publication, the applicant should describe where the piece is in the submission process.
- Finally, for any writing projects that are still in draft form, the applicant should identify the working title of the draft(s), the nature and anticipated length of the final product(s), the anticipated date(s) of completion, and provide a copy of the draft manuscript(s).

If you have submitted any of the above materials within the past two years, the Committee likely has it in on file and there is no need for you to re-submit unless we make a request. Please note that the Committee has had to defer review of some applications in the past due to inaccurate or incomplete information about an applicant's prior grant history, so responding promptly and completely to any request from the Committee will allow us to review your application in a timely manner.

Please note that a faculty member who applies for a summer research grant after the expiration of a professorship or similar position that included an automatic award of one or more summer grants is subject to the same productivity criteria as other grant recipients. For the first three summer grant applications submitted following the end of the faculty member's named Professorship, the applicant shall identify the scope and status of all works-in-progress, publications and/or summer teaching projects that were supported by any automatic summer grants that would be included as part of the "three previous grants" reporting period required of all applicants.

### **CRITERIA FOR JUDGING THE MERIT OF PROPOSALS**

In making recommendations to the Dean regarding whether summer research grant proposals are worthy of funding, the Summer Research Grant Committee judges the merit of grant applications by considering both the overall quality of the applicant's proposed project and the applicant's record of past productivity. Pre-tenured faculty members have a preference in the award of grants. Because the purpose of the summer research grant program is to provide a sufficient financial incentive to devote the majority of the summer to scholarship rather than to other paid employment, anyone who accepts paid summer employment for a duration of the equivalent of more than two weeks is not eligible for a summer research grant.

A faculty member on a nine or ten month contract who is teaching during the summer under the College's flexibility in teaching load policy, and thus the summer teaching is part of the standard teaching load and not for additional compensation, is eligible to apply for a summer research or teaching grant. A faculty member who applies under these circumstances is not eligible for a summer research grant, however, if s/he accepts paid

employment for a duration of the equivalent of more than two weeks during the semester when his/her teaching load has been reduced as a result of teaching in the summer.

The Committee will be guided by the following principles in its review of grant requests. The purpose of these guidelines is to provide greater transparency to faculty members regarding the decision process, not to bind the discretion of the Committee in extraordinary circumstances that are not foreseen in these guidelines.

Both articles and books (including textbooks and monographs) may be supported with summer research grant money. In general, a substantial article or book (whether on the originally described topic or a different topic) must be completed and submitted for publication before a second grant will be awarded. In the case of an article, however, a second grant may be awarded prior to completion of an article if it can be shown that substantial progress has been made on a substantial article. The faculty member shoulders the burden of proving that this standard has been satisfied. In no event will a third grant be awarded before completion and submission for publication of a substantial article. In the discretion of the Committee, two shorter works may be considered the equivalent of a single, substantial article.

In the case of a book, a second grant may be awarded prior to completion of the book if it can be shown that substantial progress has been made, and a third grant may be awarded prior to completion of the book if it can be shown that substantial additional progress has been made since the award of the second grant. Generally, a fourth grant will not be awarded before completion of a book. If, however, the faculty member publishes at least one substantial article while also working on the book, the Committee may take this productivity into account in determining whether to recommend the award of additional grants for the book.

Abandonment of a project does not change the principles described above; an alternative substantial article or book (as the case may be) must be completed and submitted for publication before subsequent grants will be awarded. Co-authored articles and books are subject to the same principles that apply to articles and books wholly authored by the faculty member.

**Example 1:** In Year 1, Faculty Member A is awarded a grant to write an article on Topic X. After several months of work, Faculty Member A abandons work on Topic X and begins work on a new article dealing with Topic Y. In Year 2, Faculty Member A submits a grant request to continue work on Topic Y and satisfies his burden of proving that “substantial progress” has been made on the article. The Committee should recommend funding the grant. In Year 3, Faculty Member A, having not yet completed the work on Topic Y (or a substantial article on another topic), submits a grant request to continue work on Topic Y (or to start a new project on Topic Z). The Committee should recommend denial of the grant request. No further grants should be awarded until Faculty Member A has completed and submitted for publication a substantial article to satisfy his outstanding obligation under the prior two grants.

**Example 2:** In Year 1, Faculty Member B is awarded a grant to write a book. In Year 2, Faculty Member B submits a grant request to continue work on the book and satisfies her burden of proving that “substantial progress” has been made. The Committee should recommend funding the grant. In Year 3, Faculty Member B submits a grant request to continue work on the book and satisfies her burden of proving that “substantial additional progress” has been made since submission of the prior grant request. The Committee should recommend funding the grant. During Year 3, however, Faculty Member B instead writes and submits for publication a substantial article. In Year 4, Faculty Member B submits a grant request to continue work on the book. While generally a fourth grant will not be awarded for the writing of a book, the Committee may take into consideration the publication of the substantial article in Year 3 in deciding whether to recommend funding the grant. Because Faculty Member B’s outstanding obligation under the Year-3 grant was satisfied by the completion of a substantial article, the Committee should recommend funding the grant for Year 4 (which would be the third and final grant allocable to the book, absent publication of a substantial article instead, as in the prior year).

## APPENDIX 11

### SUMMER TEACHING GRANT CRITERIA



#### Cleveland-Marshall College of Law

2121 Euclid Avenue, LB 138

Cleveland, OH 44115

Telephone: (216) 687-2344

Fax: (216) 687-6881

## Memorandum

January 26, 2009

**TO:** Full-Time Faculty, consisting of Permanent Tenured & Tenure-Track Faculty and Legal Research and Writing Faculty<sup>22</sup>

**FROM:** The Teaching Committee (Janice Aitkin, Michael Borden, Patricia Falk, Brian Glassman, Michelle Lapp, Chris Sagers)

**RE:** Summer Teaching Enhancement Grants

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Faculty members interested in submitting a Summer Teaching Enhancement grant proposal for the summer of 2009 should submit an application to Chris Sagers by **5 p.m. Monday, February 23rd, 2009**, either in hard copy or by email. The amount of a Teaching Enhancement Grant will be the same as C-M Summer Research Grants.

The purpose of Summer Teaching Enhancement Grants is to encourage both excellence and innovation in teaching. These are related concepts yet not necessarily synonymous. Possible differences between grants that focus on “innovation” and those that further

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<sup>22</sup> Persons eligible to apply for grants are all full-time faculty members whose primary duties include teaching and who are not otherwise under contract with the law school during the summer. Legal research and writing professors are eligible. Persons who are not eligible include (1) administrators, librarians, and clinicians on 12 month contracts; (2) faculty under contract to teach one or more standard courses during the summer; (3) and faculty who have summer research grants. Should a member of the Committee apply for a grant, that member will be ineligible to consider approval of grant applications. The Dean may substitute another faculty member for the sole purpose of determining approvals of grant applications.



“excellence” in teaching are described below. Innovation means something we have not done before. Thus, it is difficult to determine in the abstract what types of innovations faculty might appropriately propose. As a general guideline, summer teaching grants will not be available for the work regularly expected of law professors. For example, grants are not available for standard preparation for a course new to the instructor.

An applicant awarded both a Summer Research Grant and a Teaching Grant will have one week to decide which grant to accept in order to permit the committee whose grant is not selected adequate time to decide whether to award a grant to another applicant. If the applicant does not select a grant within that time, the chairs of the Teaching Committee and the Summer Research Grant Committee shall meet and agree on which grant to withdraw.

Below follows detailed information regarding submission of a Summer Teaching Enhancement Grant proposal.

## **INSTRUCTIONS AND CRITERIA FOR TEACHING ENHANCEMENT GRANTS**

Applications should propose projects that explicitly address the law school’s teaching and learning priorities, and/or the University’s teaching and learning priorities, including but not limited to one or more of the following:

- improvement to the practice and theory of teaching in general
- specific improvement to a particular course or courses
- development of a course not currently offered
- development of a new teaching methodology
- development of an interdisciplinary course
- improvements which make a positive impact on bar passage outcomes
- internationalization of an existing course
- increasing the availability of online resources in a course or courses
- incorporating newer or newly available technologies
- provide opportunities to involve practicing attorneys whose presence will enrich the students’ learning experience

Applications should address the following requirements:

- Applications will include a clear description of the proposed project and the outcomes in terms of one or more of the priorities above, or other priorities identified by the applicant.
- Proposed projects will be substantially completed within 12 months of notice of funding.
- Applicants will undertake to produce either a publishable article detailing the by-products of the research, or a demonstration project. A demonstration project may consist of, but is not limited to a webpage for open access through project home pages established on the law school’s website, a broadly disseminated annotated bibliography of materials relevant to the course improvements, or an electronic discussion forum of the project.

- Whether applicants undertake to research and write an article or to prepare a demonstration project, applicants must make a faculty presentation describing the work. Applicants will indicate the proposed date (an approximation) for the faculty presentation in their proposals.

### **STANDARDS for judging the merit of proposals**

The Teaching Committee judges the merits of the applications for summer teaching enhancement grants by considering both the overall quality of the applicant's proposed project and the extent to which the applicant's proposal meets the criteria stated above. The Teaching Committee may also consider other factors such as the number of students impacted by the project, whether the project will result in long-term improvements to teaching and the extent to which the project helps to promote collaboration between or among law school faculty teaching in the same or in different substantive areas.

### **APPLICATION FOR SUMMER TEACHING ENHANCEMENT GRANT**

1. Name
2. Title of Project
3. Indicate type of project, referencing one or more of the law school's teaching and learning priorities, and/or the University's teaching and learning priorities, or priorities identified by the applicant.
4. How many students will be affected? At what level? Over what period of time?
5. Will your project promote collaboration between or among law school faculty?
6. How will you evaluate the success of this project? (Please check and briefly explain)
  - Student Evaluation
  - Student Questionnaire
  - Assessment Techniques
  - Other (explain)
7. Will your project result in long term improvements to your teaching? Briefly explain.
8. Proposed date for faculty presentation:
9. Detailed project description: Please attach no more than 2 double-spaced, typed pages. Be sure to (a) write for highly educated reviewers who are not necessarily experts in your teaching area; (b) address the requirements articulated in the section entitled "Instructions and Criteria for Teaching Enhancement Grants" on pages two and three.

## **APPENDIX 12**

### **SABBATICAL APPLICATIONS**

*Excerpt from CSU Faculty Handbook (p. 29):*

A full-time University faculty member with at least seven academic years of teaching service (may be cumulative, summer teaching does not count) and who has been granted tenure by the date of the leave may be granted professional leave (sabbatical) not to exceed one (1) year (100 percent pay for a one-semester leave, 66.7 percent pay for a two-semester leave; except in the College of Law, 11/12ths of pay for a one-semester leave, 66.7 percent for a two-semester leave). This leave may be for further education, research, or other professional program improvement benefits both the faculty member and the University (Bylaws 8.1.8(A3); Agreement 21.1-3).

Applications for professional leave are normally made in the fall term, prior to November 15th, and require a written plan that describes in detail the project's purpose and expected outcomes, semester(s) included, any grant or fellowship connected with the leave, and a current curriculum vitae. Procedural and review steps that follow the submission of a professional leave proposal can be reviewed in the CSU-AAUP Contract (Agreement 21.4) and the Faculty Senate Bylaws (Bylaws 8.1.8(C)).

September 19, 2008

TO: Members of the Faculty

This is to notify all eligible University faculty of the opportunity to apply for Professional Leave for the academic year 2009-2010, according to conditions specified in Article 21 of the collective bargaining agreement and Section 8.1.8 C) of the CSU Faculty Personnel Policies. Eligibility criteria for Professional Leave are as follows:

1. Completion of six academic years of service at CSU at the time of the initiation of the leave; [Note: As of 2012, the Collective Bargaining Agreement permits a sabbatical after seven years' service.]
2. Completion of six academic years of service at CSU following completion of a Professional Leave; [Note: As of 2012, the Collective Bargaining Agreement permits a sabbatical after seven years' service following prior sabbatical.]
3. Tenure effective as of the date the Professional Leave becomes effective.

The Faculty Professional Leave Program is designed to provide faculty with an extended period of from one to two academic semesters to pursue an individual program of professional development. This will be the thirty-second year that CSU is inviting applications for this program, with continuing mutual benefits to our faculty colleagues and the University.

Faculty who apply for Professional Leave should be aware of the following:

1. Under the governing state legislation, this program must operate on a "no cost" basis. The college must indicate in writing that it is able to cover the responsibilities of the faculty member at no added cost.
2. The most crucial factor in granting Professional Leave is the merit of the proposal. In the faculty review of applications at the department and college levels, the quality of the proposal is the primary criterion. Proposals must follow the guidelines precisely and be realistic in terms of what can be accomplished.
3. As specified in Article 21.4 E of the collective bargaining agreement: "If the number of proposals exceeds the number that can be supported without additional cost or if all applicants cannot be accommodated because of bona fide instructional obligations, then the Dean may limit the number of proposals that may be recommended by the college." Section 8.1.8 C)4)e) of the CSU Faculty Personnel Policies has an identical stipulation for colleges without collective bargaining faculty.
4. Article 21.2E of the faculty collective bargaining agreement states that "...faculty members taking professional leave agree to return to Cleveland State University for at least two (2) semesters (excluding summer) after completing their professional leave or to refund the compensation paid by the University during the leave, unless this obligation is specifically waived or deferred by the University." Section 8.1.8C) 2) e) of the Faculty Personnel Policies has an identical stipulation.

5. Professional Leave salaries are as follows:
- one semester Professional Leave (100% of academic year salary);
  - two semester Professional Leave (66.67% of academic year salary).

In submitting proposals for Faculty Professional Leaves, **the attached form should serve as the cover sheet, and a current curriculum vitae should accompany the proposal. Please include, immediately following the cover sheet, a one-paragraph abstract of the proposal.**

The faculty collective bargaining agreement stipulates the due date for applications for Professional Leave: November 15, 2008. Therefore, I would like to request everyone's cooperation in observing the following timetable:

<b>November 17, 2008</b>	In Colleges with departments, faculty proposals are due in departmental offices. In Colleges without departments, faculty proposals are due in the office of the Dean.
<b>December 8, 2008</b>	Department faculty committees' recommendations and Chairs' recommendations are due in the Dean's Office.
<b>February 20, 2009</b>	College faculty committees' recommendations and Deans' recommendations are due in the Provost's Office.

You will find on reserve at the University Library Reserve Desk copies of several applications recommended as models. I also encourage those of you who will be eligible for the program next year, or in the near future, to investigate other sources of support for your period of leave. In this regard, the University Office of Sponsored Programs and Research would be pleased to be of assistance.

Sincerely,

Mary Jane Saunders,  
Provost and Senior Vice President for Academic Affairs

MJS/lco

Attachment

cc: Deans and Department Chairs/School Directors  
Elizabeth Cline, Associate Director, Office of Sponsored Programs and Research

## FACULTY PROFESSIONAL LEAVE PROGRAM

### Application Form Academic Year 2009-2010

Name: \_\_\_\_\_ Rank: \_\_\_\_\_  
College: \_\_\_\_\_ Department: \_\_\_\_\_  
Date of hire: \_\_\_\_\_ Date tenure effective: \_\_\_\_\_  
Total years of full-time academic service<sup>23</sup> at CSU. \_\_\_\_\_  
Date(s) of previous professional leaves(s) if any. \_\_\_\_\_

#### SEMESTER(S) FOR WHICH LEAVE IS REQUESTED: *(Check one and specify)*

- One semester (Specify F, S): \_\_\_\_\_  
 Two semesters: \_\_\_\_\_

#### TYPE OF PROPOSAL: *(Check one)*

- Curricular Design  
 Research/Scholarship/Creative Achievement  
 Teaching Improvement  
 Other *(Please specify)* \_\_\_\_\_

**PROPOSAL:** A short summary/abstract of the proposal for professional leave, written for an educated layperson, must be attached to this form. The full proposal must not exceed five (5) typed pages, and should discuss, answer, or contain the following:

1. major objectives to be achieved during the leave period and their relationship to your ongoing responsibilities as a faculty member at CSU;
2. a specific outline of the project to be initiated or continued in fulfillment of these objectives;
3. expected outcomes from the completion of this project;
4. criteria for evaluating the relative success of the project upon its completion;
5. additional sources of support (e.g., research grants) that you are exploring or have explored relative to the requested period of professional leave.

Applications given a favorable review at the departmental level **must be accompanied by a statement from the chairperson indicating how arrangements will be made to cover teaching and other responsibilities of the faculty member.** Applications that are given a favorable review at the college level must be accompanied by a statement from the Dean assuring that all leaves in the College are recommended on a "break even" or "no cost" basis.

<sup>23</sup> Academic Year = two semesters of full-time academic service in rank, excluding summer term. Leaves of absence should not be counted. Periods of less than full-time service may also be accumulated as partial credit towards eligibility.

## **APPENDIX 13**

### **BYLAWS**

#### **Cleveland State University**

#### **Cleveland-Marshall College of Law**

\* \* \*

#### Bylaws of the Faculty of the College of Law

##### ARTICLE I — NAME

The name of this organization is The Faculty of the College of Law (“the Law Faculty”).

##### ARTICLE II — MEMBERSHIP

###### SECTION 1. MEMBERSHIP GENERALLY

The membership of the Law Faculty is as follows: the President of the University, ex officio; the Vice President for Academic Affairs, ex officio; the Dean and Associate Deans of the College of Law; all persons assigned to the College of Law with the faculty rank of Professor, Associate Professor, Assistant Professor, Emeritus Professor, Clinical Professor, and Legal Writing Professor.

###### SECTION 2. VOTING RIGHTS

All members of the Law Faculty, except ex officio members and emeritus professors, are eligible to vote on all matters except as follows. Clinical Professors and Legal Writing Professors are not eligible to vote on matters related to hiring, tenure or promotion of tenured or tenure-track faculty, or the hiring or retention of the Dean.

##### ARTICLE III — OFFICERS

###### SECTION 1. THE DEAN

The Dean of the College of Law is the chief executive officer of the College of Law and is the chairperson of the Law Faculty. The Dean or the Dean’s designated representative shall preside at faculty meetings of the College of the Law.

## SECTION 2. THE SECRETARY

The Dean of the College of Law will appoint a Secretary of the Law Faculty. The Secretary will notify each member of the Law Faculty of the time, place, and agenda of each faculty meeting, and will keep accurate minutes of all such meetings.

## ARTICLE IV — MEETINGS

### SECTION 1. REGULAR MEETINGS

The Law Faculty will meet at least twice during each of the Fall and Spring semesters. The Dean (or, in the Dean's absence, his or her designated representative) will call meetings and may call additional meetings as the need arises.

### SECTION 2. ADVANCE NOTICE OF ALL MEETINGS

All meetings must be called and the preliminary agenda announced by written or electronic notice to all members of the Law Faculty not less than 48 hours prior to the time set for the meeting.

### SECTION 3. QUORUM FOR MEETINGS

Forty percent of the voting members of the Law Faculty who are not on professional or personal leave constitutes a quorum. Faculty excused from attending a specific meeting are not considered faculty 'on professional or personal leave' when calculating the number of faculty necessary to constitute a quorum.

### SECTION 4. EXECUTIVE SESSION

A. The Law Faculty can convene an executive session for consideration of personnel matters and any other matter requiring confidentiality.

B. Forty-percent of the members of the Law Faculty eligible to vote on the issue who are not on personal or professional leave constitutes a quorum for an executive session.

## ARTICLE V — COMMITTEES

The members of the Law Faculty have an important responsibility to participate actively in the governance of the College of Law. One of the principal means through which the members of the Law Faculty satisfy that responsibility is participation in committees in the College of Law.

### SECTION 1. COMMITTEES

The following are the committees of the Law Faculty:



A. The Dean's Faculty Advisory Committee. The elected Faculty Senators from the College of Law constitute this committee.

B. The Faculty Affairs Committee. The Faculty Affairs Committee must consist of at least six persons, including at least one full Professor, at least one Associate Professor, at least one Assistant Professor and at least one member of the legal writing or clinical faculty. Each member of the Committee is elected for a two-year term. Law Faculty with an administrative position in the Law College or University are ineligible to serve on the Faculty Affairs Committee.

C. The Personnel Action Committee (PAC). The PAC will consist of all tenured members of the Law Faculty. The members of the PAC will elect by majority vote a Chair and Vice-Chair of the PAC. The Chair and Vice-Chair must be full professors without an administrative position in the Law College or University at the time of election.

D. Other Committees. Appendix A lists all other currently constituted committees of the Law Faculty.

## SECTION 2. CREATING AND DISBANDING COMMITTEES

Upon recommendation of the Faculty Affairs Committee or the Dean, the Law Faculty may, by majority vote at a regular faculty meeting, create additional standing committees. All other committees or subcommittees may be created: (a) by the Dean, or (b) by the Law Faculty, after consultation with the Dean, by majority vote at a faculty meeting. All committees and subcommittees, except the PAC, may be disbanded by majority vote at a faculty meeting

### ARTICLE VI — ROBERT'S RULES OF ORDER

The rules contained in the most recent version of ROBERT'S RULES OF ORDER will govern the Law Faculty in all regular and special faculty meetings, to the extent that they are not inconsistent with these bylaws or with the special rules of this faculty or the bylaws of the Faculty Senate.

### ARTICLE VII — VOTING BY SECRET BALLOT

Voting for election to the Faculty Senate, election to the Faculty Affairs Committee, election of the Chair and Vice-Chair of the PAC, amendment of these bylaws and all personnel action decisions will be by secret ballot. Any faculty member can request a secret-ballot vote on any other issue. Voting will be by secret ballot on that issue if any other faculty member seconds the request.

### ARTICLE VIII — AMENDMENT

Any member of the Law Faculty may propose amendments to these bylaws. A proposed amendment to these bylaws must be submitted in writing at a faculty meeting

and referred to the Faculty Affairs Committee. At a subsequent faculty meeting, not sooner than thirty days after the submission of the proposed amendment, the Faculty Affairs Committee will report its recommendation regarding the proposed amendment. The Law Faculty will determine by majority vote whether to submit the amendment to a secret ballot. A vote of two-thirds of those casting secret ballots is required to amend. These procedures will not be required for amendment of the “Other Policies and Procedures” referenced in Article IX.

#### ARTICLE IX —OTHER POLICIES AND PROCEDURES

These bylaws incorporate by reference all other policies and procedures adopted by the Law Faculty or established by the Dean, the Provost, President or Board of Trustees of CSU, including, but not limited to, policies and procedures for hiring, promotion, tenure and professional leaves.

Approved by faculty vote May 14, 2009.

## APPENDIX A—LIST OF CURRENTLY CONSTITUTED COMMITTEES

The following is a list of the currently constituted committees of the Law Faculty other than those listed in Article V, Section 1:

**Academic Standards**

**Admissions**

**Awards**

**Bar Exam**

**Building**

**Clerkship/Fellowship Committee**

**Cleveland-Marshall Fund/Baker Hostetler Scholars**

**Cleveland-Marshall Summer Research Grants**

**Curriculum**

**Faculty Appointments**

**Graduate Studies, International Programs & Joint Degree Programs**

**Honor Council**

**Summer Teaching Grants**

**Teaching**

**Special Committee on Health Law Programming**

## APPENDIX 14

### CONSULTING AND OTHER EXTRAMURAL EMPLOYMENT

#### PERSONNEL POLICIES AND BYLAWS

##### 8.1.10 Consulting and Other Extramural Employment (Non-Bargaining Unit Members Only)<sup>24</sup>

1) Faculty members are frequently called upon to render professional counsel or service to public or private agencies for which compensation is direct and in excess of the terms of University contracts. Such services are encouraged if they fulfill a responsibility of the University to the community at large and provide invaluable professional experiences. It is understood, however, that such activities shall in no way limit the extent or quality of a faculty member's obligation to the University or his or her profession. There are three levels of such activities:

- A) Activities that have a minimal impact on the faculty member's University or professional obligations, e.g., keynote speeches, paid reviews of research articles, books or creative works, and tenure reviews for other universities.
- B) Activities that have a somewhat substantial one-time impact on the faculty member's University or professional obligations, e.g., teaching short courses or workshops, consulting on projects for business, government or nonprofit organizations, expert testimony and self-employment.
- C) Activities that have a substantial and continuing impact on the faculty member's University or professional obligations, e.g., long-term consulting relationships with business, government or nonprofit organizations, expert testimony and self-employment.

The activities described in part A) above are exempt from the pre-approval requirements specified in the remainder of this article but shall be included in the annual spring semester report of extramural employment.

Before performing activities described in parts B) and C) above, the faculty member must obtain the written approval of his or her supervisor; such approval not to be unreasonably denied. In no event shall she or he accept a regular salary or annual retainer for counsel or services without the written consent of his or her supervisor.

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<sup>24</sup> Approved by the CSU Board of Trustees, October 23, 2008.

Faculty members shall not engage in any outside employment activity which competes directly with the University in its pursuit of grants, awards, projects and other sources of funding. In addition, outside employment will not be undertaken which violates Ohio's ethics laws governing public employees.

The use of the name, symbol, or address of Cleveland State University in any extramural employment agreement is prohibited. University facilities, equipment, and materials may be used for such purposes only with the prior express consent of the Administration and according to explicit terms for reimbursement.

The faculty member's supervisor shall at all times be kept informed in writing of the extramural employment of full-time faculty members. Faculty shall submit a report of such activities, indicating the number of hours and for whom the work was performed, to his or her supervisor in the spring semester of each academic year. Consulting activities should make a contribution to the enrichment of the teaching and/or research competence of the faculty member.

- 2) If the faculty member's supervisor believes that a faculty member's outside activities interfere with the extent or quality of the faculty member's obligation to the University or his or her profession or compete directly with the University in its pursuit of grants, awards, projects and other sources of funding, or if the faculty member fails to abide by the procedures set forth in Section 8.1.10.1, the supervisor and the faculty member shall discuss the situation in an attempt to resolve any problems or misunderstandings. After such consultation, the supervisor may order suspension or termination of any outside employment. Such orders to suspend or terminate outside employment may be appealed to the Provost. During the grievance procedure, the order of the supervisor affecting outside employment normally shall not force suspension or termination of existing contractual obligations, but shall prohibit the faculty member from extending or renewing any existing contractual obligation, or accepting any new outside employment. Nevertheless, if the supervisor determines that continuing the outside employment impairs the faculty member's obligation to the University or his or her profession, the faculty member shall suspend or terminate the outside employment even if the order is challenged through appeal.
- 3) Faculty members are expressly prohibited from teaching for other educational institutions, colleges or universities while under contract, unless such teaching is a part of an inter-institutional agreement entered into by Cleveland State University or the faculty member has the prior written consent of his or her supervisor.

## APPENDIX 15

### EXAM PROCEDURES MEMORANDUM<sup>25</sup>

TO: Faculty

FROM: Mark J. Sundahl, Associate Dean for Academic Affairs  
Jean Lifter, Assistant Dean for Academic Affairs  
Marcie Rechner, Records Officer

RE: Exam Procedures

DATE: April 20, 2011

#### ADMINISTRATION OF EXAMINATIONS

Each faculty member will proctor an in-class exam of a colleague at the same time as their in-class exam is being proctored by another faculty member. For this system to work smoothly, it is extremely important that exams be administered in accordance with the following procedures. **Note:** If you will not be in the building while your exam is being proctored you must be available by telephone in the event that any questions regarding your exam arise. In advance of your exam, please give Jean Lifter the telephone number at which you may be reached.

#### A. Submitting Exams and Exam Instructions

If you need help typing your exam, please allow at least five working days for typing and duplication, which will be taken care of by the word processing department through Laverne Carter, Office Manager.

On the first page of the exam, please put the course name, number, and section, instructor name and semester and leave a blank for the student exam number—all of this will facilitate collecting exams at the end of the exam (see Proctoring Responsibilities below). Please number the pages of your exam so that it will be certain each student has all of the pages of the exam.

You must complete the Exam Instruction Form for each of your exams. Please make sure that your instructions are complete. This is the document on which the proctor will rely when proctoring your exam. If your exam is administered in parts, please explain exactly how the exam is to be administered. If your exam has Multiple Choice Questions, you must specify whether students will use the Blue (up to 5 choices for the answers) or Green (up to 10 choices) scantron sheets. Also, please indicate whether copies of your exam should be given to the library (after the exam period) for inclusion in the Past

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<sup>25</sup> Amended in accordance with memorandum presented to faculty in November 10, 2011 faculty meeting.

Exams online (explained in the Faculty Manual). If we have any questions about your instructions, we will contact you before your exam.

So that we can be sure that we have all exams and complete instructions for the proctor before the start of the exam, we will need to have copies of your exam with instructions for the proctor at least **24 hours** before the scheduled beginning time of the exam. This means that you cannot bring the exam in with you on the day of the exam. You must have the exam and instruction form copied in time for it to be delivered to Jean Lifter 24 hours before the scheduled start time of the exam. So, for example, if your exam is scheduled for Monday at 9 a.m. Jean Lifter must have the exam by Friday at 9 a.m. (As you can tell, we are not counting weekends in the time frame.) You will need to give the exam to Laverne Carter sufficiently prior to that for her to have the exam copied. The exams are copied and secured so that no students have access to them prior to the exam.

#### B. Proctoring Schedule

Proctoring assignments and exam rooms are noted on the exam schedule. Please keep a copy of the exam schedule with you when you proctor in case you need to ask the professor whose exam you are proctoring a question about the exam. Every exam will be given in one room—those handwriting and those taking on computer will take the exam in the same room. We will not provide a separate room for hand writers—we have not needed one in the past. If it becomes apparent to you that a student needs a separate room to hand write the exam, please send the student to Jean Lifter’s office during the day and to the Student Services reception desk in the evening. We will have a space for students to take the exam.

#### C. Electronic Devices and Other Personal Effects

Students are not permitted to bring any electronic devices other than their personal computer to an exam (e.g., cell phones, Personal Digital Devices (PDAs), mp3 players, cameras, or digital or tape recorders). Students may not keep book bags, purses, or briefcases at their table during the exam. If a student brings a bag, purse or briefcase to the exam, they must be left at the front of the exam room and may not be accessed during the exam. If a student has an emergency that requires the student to make or receive a call during an exam, the student should inform Dean Lifter and arrange to have the call made or received from the Student Services Center. Neither the law school nor the proctor shall be responsible for items left in the front of the room.

#### D. Proctoring Responsibilities

1. On the day of the exam, please pick up the exams, exam instructions, and class roster from Jean Lifter’s office.
2. Please bring blue books/blank paper (and scantron sheets and pencils if required) to the exam. The blue books/blank paper will be for all students—blue books for students who are handwriting the exam and blank paper for outlining

for computer exams. Bluebooks, blank paper, and scantron sheets are available in the Copy Room. Pencils may be obtained from the Records Office.

3. Please plan to stay in the exam room for the entire exam.
4. Remind the students that electronic devices (as described above in Section C) are not permitted in the exam room. Tell the students that if they have any bags, purses, or briefcases, they must place the items in their locker or place them in the front of the room before taking the exam.
5. Before the exam begins, please ask that students not sit next to each other, but at least one seat apart if possible. Also, please make sure that students have turned off their cell phones.
6. Please make sure that each student initials the class roster and indicates on it whether s/he is handwriting or taking the exam on computer. Please do this before the exam begins or when students are turning in their exams at the end, but **not** during the exam itself. Please assure the students that this form will not be submitted to the course instructor but is for administrative use only to make sure that all exams are properly submitted.
7. At the beginning of the exam session, once you have distributed the exam please:
  - a. ask students to make sure that they have all the pages of the exam – if there is a problem with the copies, please immediately see Dean Lifter or the staff person at the Student Services Center reception desk;
  - b. ask students to put their exam numbers on the front of the exam questions;
  - c. ask any student writing the exam to write their exam number and the name of the class on their bluebooks;
  - d. if scantron sheets are being used, ask the students (i) to write their exam number on the sheet and bubble in the appropriate numbers and (ii) to write the name of their professor in the NAME box on the sheet – they should *not* fill in the bubbles for the professor's name.
  - e. inform the students that during the last five minutes of class students must remain in their seats and may not leave even if they have finished the exam (although they are free to leave prior to the five-minute warning);
  - f. instruct students to turn in their exam materials by (i) tucking all materials inside the exam materials “jacket” and (ii) placing the materials in a single pile as they leave;



- g. inform the students that the exam will be timed according to the classroom clock; and
  - h. write the time that the exam will end on the blackboard or whiteboard.
- 8. If a student has a question about the exam that requires information from the course professor, you, and not the student, may find the professor and ask for clarification. The student may not leave the exam room for this purpose.
- 9. Students who leave the exam room to use the restroom must leave all exam materials and their cell phones in the exam room.
- 10. If a student has computer problems during the exam, please make note of any significant period during which s/he was unable to work on the exam and extend, for that student, the time allowed on the exam. After a maximum of 20 minutes, a student with computer problems should be advised to switch to answering in a blue book and will be allowed to continue working on the exam for no more than the time lost, up to 20 minutes, after the regular exam ends. Tech staff can be reached during exams by dialing 216/523-7555 or x7555 from a University phone line; if not assisting students in another exam room, they will be in the law library – LL 112 (Eric or Dan); LL 114 (Greg); or LL 115 (Rick).
- 11. Five minutes before the end of the exam, announce to the students that five minutes remain and that they are to stay in their seats until the end of the exam.
- 12. At the end of the exam, announce that time is up and instruct all students to stop working on the exam. Except as indicated in paragraph 9, above, do not extend the time for any student.
- 13. At the end of the exam, have the students turn in their exam materials one at a time. For large classes, call students to line up and hand in their materials row by row in order to ensure an orderly process. When the students hand you their exam materials, make sure that:
  - a. each student turns in the exam questions (with their exam numbers on them);
  - b. if students have filled out a scantron sheet, they put the name of their professor in the NAME boxes on the sheet (they should not fill in the bubbles on this section of the sheet);
  - c. each student's exam materials are tucked into his/her exam "jacket"; and
  - d. this package of materials is placed on a single pile (which pile will then be delivered to Dean Lifter or the Student Services Center per

paragraph 13 below).

14. For daytime exams, please return the exam materials to Dean Lifter's office. For evening exams, please return the exam materials to the staff person at the Student Services Center reception desk. Please return the exams promptly after the end of the exam.

#### E. Picking Up Your Exams

Once any computer exams have been printed, the Records Office will confirm that all exams are accounted for by comparing the exam numbers for all students on your roster with the blue book and/or printed exams. The Records Office will take into account exams yet to be taken due to rescheduling or exams taken under accommodations. Thereafter you will be notified that your exams are ready for pick up and grading. We anticipate that your exams will be available the day after you give the exam—allowing time for the exams to be printed and cross-checked. (Rescheduled and/or accommodated exams may, of course, come thereafter.)

## APPENDIX 16

### EXAM INSTRUCTION FORM

#### EXAM INSTRUCTIONS

**YOU MUST SUBMIT THIS FORM, WITH YOUR EXAM, AT LEAST 24 HOURS BEFORE THE TIME SCHEDULED FOR YOUR EXAM TO JEAN LIFTER**

COURSE NAME \_\_\_\_\_ SEMESTER & YEAR \_\_\_\_\_

No. & Sec. \_\_\_\_\_ ROOM \_\_\_\_\_

DATE & TIME OF EXAM \_\_\_\_\_ INSTRUCTOR \_\_\_\_\_

**TIME ALLOWED FOR EXAM** (INCLUDING ANY OPTIONAL EXTRA TIME YOU ALLOW STUDENTS)

\_\_\_\_\_

**MATERIALS STUDENTS MAY HAVE DURING THE EXAM**

CLOSED BOOK \_\_\_\_\_

OPEN BOOK-- SPECIFY BOOKS OR MATERIAL ALLOWED

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SPECIAL INSTRUCTIONS FOR ADMINISTERING YOUR EXAM**

(E.G., DO YOU REQUIRE STUDENTS TO SPEND A CERTAIN AMOUNT OF TIME READING THE EXAM AND OUTLINING BEFORE THEY MAY BEGIN WRITING OR DO YOU REQUIRE THAT THEY ANSWER AS CERTAIN PART OF THE EXAM, TURN IT IN AND THEN ANSWER ANOTHER PART OF THE EXAM?) IF YOU GIVE MULTIPLE CHOICE QUESTIONS, SPECIFY WHETHER STUDENTS WILL USE BLUE (UP TO 5 CHOICES FOR THE ANSWERS) OR GREEN (UP TO 10 CHOICES FOR THE ANSWERS) SCANTRON SHEET.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**LIBRARY REVIEW COPIES:**

PLEASE WITHHOLD TWO COPIES OF THIS EXAM FOR LIBRARY FILING PURPOSES. \_\_\_ Yes \_\_\_ No

I GRANT PERMISSION FOR MY EXAM(S) TO BE PLACED ON THE LAW SCHOOL WEB SITE. ACCESS TO THE EXAMS WILL ONLY BE GIVEN TO THE FACULTY, STAFF AND LAW STUDENTS OF CLEVELAND-MARSHALL LAW SCHOOL. \_\_\_ Yes \_\_\_ No

**FACULTY SIGNATURE** \_\_\_\_\_

## APPENDIX 17

### TAKE-HOME EXAM FORM

TAKE-HOME EXAMS
-----------------

Date \_\_\_\_\_

Professor \_\_\_\_\_

Course \_\_\_\_\_

- 1) When may students begin to pick up exams?
  
- 2) Do you prefer the sign-in/sign-out sheet by *name* or *exam number*?
  
- 3) How much time do students have to complete the exam?
  
- 4) Deadline to submit all exams:
  
- 5) Are students allowed to keep their copy of the actual exam, or do they have to return it with their completed examination?
  
- 6) Please explain any additional requirements:
  
- 7) Contact number for professor: \_\_\_\_\_

Please note: Instructor will be notified when exams are ready to be picked up.

## APPENDIX 18

### GRADE DISTRIBUTION FORM

#### ADVISORY GRADE DISTRIBUTION FORM

COURSE NUMBER \_\_\_\_\_ SECTION NUMBER \_\_\_\_\_ COURSE TITLE \_\_\_\_\_ COURSE INSTRUCTOR \_\_\_\_\_ SEMESTER & YEAR \_\_\_\_\_

*INSTRUCTIONS:* Complete this summary for each course, whether subject to the guidelines or exempt. Do not include “W” or “I” grades in the totals or percentage calculations, but indicate the number of each in the spaces provided. Make no entries in the final column on the right under the heading “Verified.” Submit this summary form together with your final grade lists. No grades will be submitted to the University Registrar for official recording until this summary has been completed and verified.

GRADE	REQUIRED CORE CURRICULUM GUIDELINES FOR CONTRACTS, CIVIL PROCEDURE, CRIMINAL LAW, PROPERTY, TORTS & LEGISLATION AND THE REG. STATE		GENERAL GRADING GUIDELINES FOR OTHER LAW COURSES		ACTUAL		
	STANDARD %	RANGE PERMITTED %	STANDARD %	RANGE PERMITTED %	NO.	%	VERIFIED
A	10	8 – 12	14	11 – 17			
A-	10	8 – 12	12	9 – 15			
B+	11	9 – 13	18	15 – 21			
B	16	14 – 18	19	16 – 22			
B-	10	8 – 12	11	8 – 14			
C+	13	11 – 15	11	8 – 14			
C	12	10 – 14	9	6 – 12			
C-	5	3 – 7	2	0 – 6			
D+	5	2 – 10	2	0 – 7			
D	5	2 – 8	2	0 – 7			
F	3	0 – 6	0	0 – 5			
Totals	100		100				

Number of “W” (WITHDRAW) grades submitted \_\_\_\_\_

Number of “I” (INCOMPLETE) grades submitted \_\_\_\_\_

Number of “P” (PASS) grades submitted \_\_\_\_\_

SIGNATURE OF  
INSTRUCTOR \_\_\_\_\_

APPROVED FOR  
REGISTRAR SUBMISSION \_\_\_\_\_

DATE \_\_\_\_\_

DATE \_\_\_\_\_

## APPENDIX 19

### QUIZ/PAPER/EXAM VIEWING FORM

QUIZ / PAPER / EXAM VIEWING
-----------------------------

Date\_\_\_\_\_

Professor\_\_\_\_\_

Course\_\_\_\_\_

- 1) Student will identify by: Name\_\_\_\_\_ *-or-* Exam Number\_\_\_\_\_
- 2) How long will materials be available to students?\_\_\_\_\_
- 3) Students must review materials in the Student Services Center? Yes\_\_\_ / No \_\_\_

*- or -*

Students may keep materials? Yes\_\_\_ / No \_\_\_

*- or -*

Students may check out materials under these conditions:

- 4) Please explain any additional requirements:

Please note: Materials will be returned to instructor at the end of requested viewing period or at the beginning of the next semester.