

NORTHEASTERN UNIVERSITY SCHOOL OF LAW
WORKLOAD POLICY

May 2020

To take effect in Academic Year 2021-22

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Section 1. Workload Assignments to Serve the Goals and Aspirations of the School of Law

This policy describes guidelines for the allocation of workload among full-time faculty members at Northeastern University School of Law, in accordance with the Faculty Senate Workload Policy Directive adopted on April 5, 2017 and the Workload Distribution Guidelines issued by the Office of the Provost, updated on September 13, 2017. This policy will supplant the previously adopted workload policy of March 2018.

The School of Law's mission is to be a global leader in experiential legal education, providing students of law with the knowledge, skills, and ethical and social values essential to serving clients and the public interest. Through teaching, scholarship, and public service, we work to promote social justice and enhance understanding of law's impact on individuals, enterprises and communities, at home and around the world. In striving to achieve these goals, full-time faculty members have workload responsibilities defined below in terms of teaching, research/scholarship/professional development, and service.

Section 2. Types of Appointments and Distribution of Duties

Subject to modifications in Section 3 below, workload responsibilities are allocated among full-time faculty members under the following guidelines:

A. Tenured Faculty & Untenured Tenure-Track Faculty

40% Teaching

Tenured and untenured tenure-track faculty shall teach (a) a 1L podium course and at least two upper level courses, for a total load of 10-13 credits, or (b) at least four upper level courses, for a total load of 12-13 credits, in an academic year. For faculty whose typical teaching is primarily within the clinics, the teaching expectation is defined below in 2(B) for clinical faculty.

Courses that meet the above requirements are on-load. Additional courses beyond the minimum required to meet both the credit and course minimums (including one and two credit courses) are an overload, with monetary compensation commensurate with credits. Team-taught courses are a partial load, proportional to the number of faculty teaching,

such as a half-load for each of two faculty, or other equitable division of workload as agreed by the faculty.

As part of their teaching responsibilities, all full-time faculty members should also be available to students for supervision of student work and for general academic advising. Supervision of student work usually includes review and evaluation of independent study projects and papers submitted for the law school's Rigorous Writing Requirement, and may include coaching student participation in moot court and other competitions. Responsibilities may also include serving as faculty advisor for a student organization.

Teaching Portfolio and Service Courses: After the 2021-22 transition year, all faculty shall be prepared to teach a service course as part of their teaching portfolio and are encouraged to consider their teaching portfolio as encompassing four or more courses that they are prepared to teach. Tenure-track faculty shall not be required to change their teaching portfolio until after receiving tenure. Service courses consist of (1) 1L courses and (2) upper level courses that we expect many law students to take, that are offered multiple times per year, and that a broad range of faculty could reasonably be asked to teach, regardless of individual faculty specialty. The following upper level courses are currently defined as service courses: Professional Responsibility, Evidence, Administrative Law, and Corporations. Over time, the definition of service course may change depending on enrollment and the number of times the course is taught each year. Faculty who teach two service courses in a year shall have the option to teach a limited-enrollment course as part of their workload.

40% Research/Scholarship (50% for untenured tenure-track faculty)

As specified in NUSL regulations concerning tenure and promotion, scholarly product normally consists of work published or accepted for publication. The scholarly product may also include unpublished work, including documents produced in the practice of law (e.g., briefs, legal opinions or memoranda, study reports for governmental agencies, etc.), and written materials produced for clinical legal education (e.g., course schemata, simulations, and problems). For purposes of the present policy, research and scholarly activity may also include knowledge translation (e.g., via blogs and social media, participation in interdisciplinary endeavors, creative activity manifested in performances or exhibitions, efforts to obtain internal and external funding, and engagement of students in scholarship).

20% Service (10% for untenured tenure-track faculty)

Service includes leadership of and engagement in committees, professional organizations, and groups both within and outside the university.

Tenured faculty members typically receive two committee assignments or service assignments involving an approximately equivalent time commitment. Untenured tenure-track faculty members typically receive one committee assignment, or two lighter service assignments involving an approximately equivalent time commitment.

Administrative and program responsibilities that do not entail a course release (see Section 3 below) are service assignments that fall within this workload allocation. Appointment to serve as the chair of a committee with a particularly intensive work

schedule in a given year or to head a particularly demanding program, center, or institute may be treated as a single assignment equivalent to two standard committee assignments.

B. Full-Time Teaching Faculty and Clinical Faculty

60% Teaching

All teaching faculty and clinical faculty shall teach 16 to 18 credits per academic year, which may be averaged over two years. A first-year course of four or five credits is treated as the workload equivalent of six credit hours.

The presumption is that professors in the Legal Skills in Social Context Program teach two law offices during the fall and spring terms. The presumption is that clinical faculty will teach two terms of an eight-credit clinic with a limited enrollment of at least eight students each term. Teaching faculty and clinical faculty may teach a combination of clinical and non-clinical courses that satisfy the 16 to 18 credit requirement. Team-taught clinic courses are considered a full load for each professor in a clinical course, so long as each professor supervises and teaches a full load worth of students (that is, at least eight students). When a teaching faculty member's assigned teaching responsibilities involve academic instruction for students in class sessions without course credit (such as in the Academic Support Program), the teaching assignment is converted to credit hours for purposes of this workload policy, based on the time allocated.

Courses that meet the above requirements are on-load. Additional courses beyond the minimum required to meet both the credit and course minimums (including one and two credit courses) are an overload, with monetary compensation commensurate with credits. Team-taught courses are a partial load, ordinarily proportional to the number of faculty teaching, such as a half-load for each of two faculty, or other equitable division of workload as agreed by the faculty.

All full-time faculty should be available to students for supervision of student work and for general academic advising as a part of their teaching workload. Supervision of student work usually includes review and evaluation of independent study projects and papers submitted for the law school's Rigorous Writing Requirement, and may include coaching student participation in moot court and other competitions. Responsibilities may also include serving as faculty advisor for a student organization.

20% Professional Development

Teaching and clinical faculty members are expected to remain current in their fields, engage in professional development programs, and attend relevant conferences. Professional development activities may, but do not necessarily, include work involving research and scholarship as defined for tenured and tenure-track faculty. The proportional allocation of workload to professional development for teaching faculty members, including research and scholarship, reflects the scope of their responsibilities as teaching specialists in understanding and developing innovations in legal education and training students for evolving roles in the legal profession. Similarly, the proportional allocation of workload to professional development for clinical faculty reflects the scope of their responsibilities as teaching specialists with an emphasis on experiential education who are maintaining legal practice skills, updating their substantive knowledge and

participating in understanding and developing innovations in legal education and training students for evolving roles in the legal profession.

20% Service

Service includes leadership of and engagement in committees, professional organizations and groups both within and outside the university. Within the School of Law, teaching and clinical faculty typically receive two committee assignments, or service assignments involving an approximately equivalent time commitment. Administrative and program responsibilities that do not entail a course release (see Section 3 below) are service assignments that fall within this workload allocation. Appointment to serve as the chair of a committee with a particularly intensive work schedule in a given year or to head a particularly demanding program, center, or institute may be treated as a single assignment equivalent to two standard committee assignments. The proportional allocation of workload to service reflects the scope of teaching faculty responsibilities to explore innovations in legal education and to provide expertise as teaching specialists to committees, professional organizations, and groups as they respond to changes in the legal profession.

C. Other Faculty & Relevant Loads

1. Professors of Practice

Professors of Practice have workload responsibilities similar to Teaching Faculty or Clinical Faculty, depending on the nature of their role, but specific duties may vary according to the terms of their contracts.

2. Research Professors

Research Professors have workload responsibilities defined by the terms of their contracts.

3. Full-Time Faculty with Joint Appointments

Faculty members holding joint appointments with other university units who have their tenure home in the School of Law will receive a workload reduction at the School of Law proportional to the percentage of their appointment in the other unit. The School of Law Dean and Associate Dean for Academic Affairs will engage in regular consultations with their counterparts in other academic units to ensure that the faculty members holding joint appointments are not subject to conflicting or excessive workloads, keeping in mind the nature of the faculty member's appointment. To accommodate curriculum needs and schedules in different units, as well as appointment percentages that do not readily lend themselves to proportional reduction on an annual basis, workload distributions may be shifted or otherwise adjusted as needed over multiple academic years. Jointly appointed faculty with their tenure home outside the School of Law will have a workload within the School of Law as determined by consultation between the deans of the respective academic units.

4. Full-Time Faculty with 50% or More Administrative Load

Full-time faculty with 50% or more administrative load are not covered in this workload policy. These positions include the Dean and the Associate Dean for Academic Affairs.

D. Summer Teaching

1. One Term Off. All faculty who hold academic-year contracts are entitled to one term off from the workload responsibilities described above each academic year, which may be during any term of the School of Law's year-round schedule. The term off is scheduled in consultation with the Associate Dean for Academic Affairs and no faculty shall be required to teach more than four consecutive terms.
2. Summer Teaching Requirement. To ensure that the School of Law provides a year-round upper-level curriculum, all full-time faculty for whom summer teaching is appropriate given the nature of their teaching, are expected to be available to teach every fourth summer term. Faculty not asked to teach in a given summer that they were required to make themselves available shall make themselves available to teach in the summer term two years thereafter. This requirement shall be subject to the following transition policy:
 - (a) Summer 2020 faculty. Faculty who taught in Summer 2020 need not make themselves available for summer teaching until Summer 2024.
 - (b) Summer 2021 faculty.
 - (i) Faculty who did not teach in Summer 2020 will be expected to make themselves available for teaching in Summer 2021, consistent with the March 2018 Workload Policy. However, given the special needs of the 2021-22 transition year, fewer than the usual number of faculty will be asked to teach in Summer 2021. Voluntary requests to teach on-load in Summer 2021 will be considered if appropriate, given curricular needs.
 - (ii) Faculty who teach in Summer 2021 need not make themselves available for summer teaching until Summer 2025.
 - (c) Backup faculty for 2022 and 2023. Faculty who do not teach in Summer 2020 or Summer 2021 are expected to make themselves available to teach in either Summer 2022 or Summer 2023, at the discretion of the Associate Dean for Academic Affairs. Such faculty will be asked to teach only if summer on-load teaching is appropriate, given the nature of their teaching and curricular needs, and only if faculty volunteers are insufficient to ensure an appropriate amount of full-time teaching coverage. Faculty who teach in either Summer 2022 or Summer 2023 shall make themselves available for summer teaching in Summer 2026 or Summer 2027, respectively.
3. Summer Teaching Incentives.
 - (a) Clustering. Faculty who wish to teach on-load in the summer term more often than every fourth summer will be accommodated in that preference if possible to do so given curricular needs. Faculty who teach in a given summer will have the option to cluster their teaching load, so as to have two consecutive terms without teaching, subject to curricular constraints.
 - (b) Earning Release Credits.
 - (i) Summer Teaching: As an incentive to encourage summer teaching, any faculty who teaches a 3, 4, or 5 credit course in the summer shall receive 1 Release Credit. Faculty who teach a 6 to 8 credit course in the summer shall receive 1.5 Release Credits. A maximum of 2 Release Credits can be earned in one summer term.

- (ii) Overload Compensation: Any faculty who teaches a 1 or 2 credit course in any term as an overload may opt to receive Release Credit equivalent to the number of course credits they teach in lieu of monetary compensation.
 - (iii) Maximum Release Credits: Release Credits accumulate until a faculty member has a maximum of 10 Release Credits or until the faculty has a request granted to exchange a designated number for a course release. If a faculty member has exchanged fewer than all of their accumulated Release Credits for a course release, the faculty member's unused Release Credits will persist.
- (c) Using Release Credits. Release Credits may be exchanged in a subsequent year for a course release if the release is consistent with curricular needs and is approved by the Associate Dean for Academic Affairs. Release credits are also subject to the following provisions:
- (i) Release Credits shall be exchangeable for a course release on a one-to-one basis (Release Credits to course credits for a specific course), except that a course release from a 1L podium course shall require 5 Release Credits, regardless of the number of credits of the 1L podium course.
 - (ii) Any request to use Release Credits for a course release shall be made during the period in which the Associate Dean is discussing teaching assignments for that requested term with the faculty member, and shall be accompanied by a brief proposal about how the faculty member will reallocate the time that would otherwise be devoted to teaching the released course toward other aspects of their workload, as described in this policy.
 - (iii) A course release obtained under this provision shall not affect service obligations.
4. Reevaluation of Summer Teaching Requirement. In Spring 2023, the faculty shall assess the success of summer teaching incentives in ensuring that there are a sufficient number of full-time faculty engaged in summer teaching and evaluate the feasibility of eliminating the obligation of full-time faculty to make themselves available for summer teaching every fourth summer. If the faculty determine that a summer teaching obligation is not required to fulfill programmatic needs, the summer teaching requirement shall be eliminated.

Section 3. Criteria for Modifications in Workload Responsibilities of Full-Time Faculty

- A. Pre-tenure course releases: Untenured tenure-track faculty members receive one course release during their first year of teaching and a 50% release of their course load during an academic year prior to applying for tenure, the year and the course(s) to be determined in consultation with the Associate Dean for Academic Affairs.
- B. Significant administrative or other service responsibilities and other circumstances warranting workload modifications:
 - 1. The Associate Dean for Experiential Education, the Associate Dean for Research, the Associate Dean for Digital Strategy, and other faculty members with significant administrative responsibilities in a particular year may be given a release from a portion of their course teaching obligations.

2. Temporary workload modifications for full-time faculty members may also be made in order to accommodate other types of circumstances, such as retirement transition planning, developing a new course, or co-teaching a new course for the first time..
 3. When assigning service duties on a year-by-year basis, including, but not limited to, committee chair designations, the Dean will take into consideration above-average teaching obligations that do not rise to the level of an overload, including new course preparation, unusually heavy teaching-related duties (which may include a joint appointment in a school with a higher teaching load), and/or a temporary acceptance of a teaching load that includes more than one service course. This provides flexibility to acknowledge differences in teaching load that may be desirable for course scheduling and leave some faculty with more time to devote to service than others.
- C. Overload teaching: After meeting their teaching requirements under this workload policy, faculty members may arrange with the Dean and Associate Dean to teach an overload of courses and/or credits for monetary compensation. Such overload may include the teaching of short courses and intensive courses outside of the regular programming.
 - D. Course buy-outs: A faculty member may apply to the Dean to buy out an assigned course.
 - E. Sabbatical leaves: In accordance with the procedures in the Faculty Handbook, tenured faculty members may apply for a sabbatical leave.
 - F. Professional leaves: In accordance with the Faculty Handbook, full-time faculty members may apply for a professional leave. The specific conditions of such professional leaves are determined on an individual basis. A professional leave results in a proportional reduction of workload responsibilities based on the amount of time allocated to the leave.
 - G. Other leaves: In accordance with the Faculty Handbook or other University policies, which are available on the [University Policy Page](#), full-time faculty members are eligible for certain types of paid time off, including sick time, which accrues based on number of years of completed service, or other parental, family, or medical leaves. In addition, pursuant to the Policy on Leaves of Absence, full-time faculty members may obtain certain unpaid leaves of absence. When these paid and unpaid leaves will involve a significant absence from work, assigned workload responsibilities in the academic year are reduced, based on the time allocated to the leave or series of leaves.
 - H. Parental teaching relief: In accordance with the University's Policy on Parental Teaching Relief, faculty who become parents are eligible for a one-term course load reduction without a reduction in salary or benefits, in addition to any paid medical leave or unpaid family leave. The scheduling of the course reduction is arranged with the approval of the Dean and in consultation with the Associate Dean for Academic Affairs.
 - I. Single Year Options: In support of institutional objectives, on an individual basis in any given year, the Dean (or by delegation, the Associate Dean for Academic Affairs), may negotiate with an individual faculty member variations to these expectations, including, but not limited to:
 1. Teaching one of the three required 3- or 4- credit courses outside the law school; and

2. Clustering teaching (e.g., teaching four courses in one year and two in the next; or three courses in one term; or, for clinical faculty, teaching more than eight students one term, and fewer another term, all without triggering the overload compensation requirement).

Section 4. Workload Policy Review

This policy will be reviewed and updated by the faculty at least every five years.

Section 5. Transparency and Appeal Process

- A. This workload policy document will be electronically available to all full-time faculty members through the Provost’s Office. In addition, the Office of the Dean will maintain and make available to full-time faculty a list of the teaching, committee, and other administrative assignments for all full-time faculty members in each academic year.
- B. Faculty members who believe that their individual workload assignments are inconsistent with this workload policy may appeal their workload assignments by submitting a request to a committee composed of the Dean of the School of Law and two members of the faculty to be elected by the voting members of the faculty on an annual basis. Additionally, the faculty shall elect one alternate member to serve in the event that one of the elected committee members wishes to pursue such an appeal. Faculty members may also make use of the grievance process described in the Faculty Handbook and the University Ombuds.

Approved by:

Full-time faculty of the School of Law
Date: May 18, 2020



Dean James Hackney
Date: 5/18/2020

Submitted to the Provost’s Office, _____

Provost
Date: