

COLLEGE OF LAW WORKLOAD POLICY

Last Revised October 31, 2023

Approved by the Office of the Provost November 1, 2023

West Virginia University is an R1 land-grant institution that embraces the importance of rewarding excellence in teaching, research, and service. This Workload Policy and the annual Faculty Workload Plan serve as the starting points for equitably distributing faculty workload and achieving the larger academic mission of the WVU College of Law and the University.

College of Law faculty contribute meaningfully to the teaching, research, and service components of this mission. Our faculty have different strengths and our contributions differ across career stages, appointment types, and roles in the college. Though the nature of faculty work differs, it is important that work in the College is distributed, evaluated, and rewarded consistently and fairly.

A faculty member's assignments in teaching, research, and service together comprise a full-time effort (1.0 FTE). All faculty who are 1.0 FTE must meet minimum standards required of West Virginia University and the College of Law. This full-time effort reflects the level and type of activity assigned, as well as the faculty member's appointment type and career pathway, as described more fully below.

Each faculty member should fully understand the initial workload expectations outlined in their appointment letter and any workload responsibilities that change during their career. These guidelines seek to increase transparency and fairness when assigning faculty teaching, research, and service.

I. Workload Responsibilities

A faculty member's responsibilities contribute in varied ways to the University and College of Law missions, yet all faculty members have an obligation to foster the quality and viability of our programs. Therefore, the full-time effort for each faculty will be assigned with primary focus on the College's needs and its responsibilities to students completing the College's accredited and/or University-approved degrees and educational programs. Given this constraint, not all pathways described below will be available to faculty seeking reassignment.

For the purposes of promotion and tenure and annual evaluation, an area of significant contribution equates to a minimum of .30 FTE (30% effort), an area of outstanding contribution equates to a minimum of .70 FTE (70% effort), and an area of reasonable contribution equates to a minimum of .05 FTE (5% effort) and a maximum of .2 FTE (20% effort).

a. Teaching

Typically, a .10 FTE (10% effort) in the College of Law equates to teaching one 3-credit hour course. A 1-credit hour course equates to .033 FTE (3.33% effort), a 2-credit hour course equates to 0.067 (6.7% effort), and a 4-credit hour course equates to .133 FTE (13.3% effort).

Tenure-track Faculty Traditional Focus. Tenured and tenure-track faculty teach between 30% and 50% of their full-time effort. Unless otherwise approved by the Dean in a Faculty Workload Plan, tenured and tenure-track faculty must teach at least one course on the College of Law's core curriculum list (see Appendix A).

Teaching-track Faculty Traditional Focus. Teaching-track faculty typically teach 80% of their full-time effort. Unless otherwise approved by the Dean in a Faculty Workload Plan, all teaching-track faculty must teach at least one course on the College of Law's core curriculum list (see Appendix A).

Other Faculty. Service-track, Librarian-track, and Visiting-track faculty and Lecturers teach as assigned.

When making teaching assignments, the Associate Dean for Academic Affairs will confer with the Dean, other administrators, and faculty members to determine College accreditation needs, student needs for progression toward graduation, faculty expertise and interest in teaching different subjects, and other relevant factors. Flexibility is necessary for workload equity and to support faculty pursuits like sabbaticals and institutional and professional service. In some cases, faculty members may develop new areas of expertise and teach courses they have not taught before or have not taught frequently. Pathways and rationales for course assignments greater than or less than the identified typical loads will be documented in the faculty member's annual Faculty Workload Plan. If a faculty member believes their workload is consistently inequitable, they should discuss their concerns with the Associate Dean for Academic Affairs, and, if no resolution is forthcoming, with the Dean.

In addition to credit hours, the following non-exhaustive list of factors may be considered when making workload assignments:

- Whether the course is experiential in nature (e.g., skills-based learning, simulation courses, clinic courses, or legal writing courses);
- Whether the course is in the required first-year or otherwise required curriculum;
- Whether the course anticipates an enrollment greater than 50 students;
- Whether the instructor will have to prepare a new course;
- Whether the instructor will engage in innovative teaching methods and create new materials;
- Whether the course is being co-taught or supported by other instructors;
- Whether the course includes intensive formative and summative assessment.

The equivalencies in Part II below offer generalized guidelines for faculty. The College of Law's needs and personnel availability will impact assignment decisions. From time to time, teaching assignments may be adjusted, with approval from the Dean, for reasons specific to individual faculty members, contingent upon compatibility with an overriding obligation to meet the needs of the College. Such reasons may include, but are not limited to: mission-critical duties as assigned, contractual pre-tenure or post-tenure leaves, sabbaticals, innovative project development, accreditation or program certification duties, and service supporting our land-grant mission.

A faculty member desiring a teaching reduction for medical or family leave should request leave through the Provost's Office. Board of Governors Faculty Rule 4.5 *Modification of Duties for Certain Full-Time Faculty; Extension of the Tenure Clock* may apply.

No faculty member may have all teaching reassigned if teaching is a significant contribution area in their Faculty Workload Plan and promotional pathway (except for faculty members who are awarded an academic year sabbatical).

b. Research

As specified in the College of Law's Promotion and Tenure Guidelines, faculty research and producing legal scholarship serve the College's mission by increasing legal knowledge, advancing the law and the legal profession in West Virginia and beyond, and building the College of Law's scholarly reputation among its peers. Consistent with our Promotion and Tenure Guidelines, the most common modes of legal scholarship are law review articles and books (including casebooks and monographs). Publications in other forms will be considered equivalent scholarly work when they involve substantially similar effort to producing a long-term research project and when they make a significant contribution to legal scholarship. Some common and non-exhaustive examples include peer-reviewed publications in related

fields, published empirical legal studies, published multi-jurisdiction surveys, and submitted grant proposals.

Tenure-track Faculty Traditional Focus. Tenured and tenure-track faculty are expected to be active scholars and are assigned between 30% and 50% effort in research. Faculty members with 30% effort assigned to research are expected to publish one high quality law review article or its equivalent every two years, those with 40% effort are expected to publish two high quality law review articles or their equivalent every three years, and faculty with 50% effort are expected to publish at least one high quality law review article per year. As active scholars, faculty are expected to work on scholarship throughout the academic year, maintain an on-going scholarly agenda, stay current on scholarship and developments in their field(s), attend and present at scholarly conferences, and integrate scholarship with their teaching where possible. For the purposes of annual evaluation, faculty should describe scholarly efforts over multiple years, if applicable, in their Faculty Workload Plan.

Other Faculty. Teaching-track, Service-track, Librarian-track, and Visiting-track may be assigned research effort as needed or as requested.

No faculty member may have all research reassigned if research is a significant contribution area in their Faculty Workload Plan and promotional pathway.

c. Service

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

All College of Law faculty members, regardless of appointment and rank, must serve on at least one mission-critical College committee (or University, state, or professional service organization equivalent) and will have remaining service obligations as assigned to the College, the University, the state, and/or to professional service organizations. All College of Law faculty members are expected to foster community, respect, and engagement with our mission through event attendance, extracurricular activity, student support, and/or participation in or development of college-wide initiatives.

College committees designated as mission-critical may vary from year to year based upon College needs and typically will include Faculty Review Committee, Academic Planning (including curriculum and assessment), and Diversity, Equity, and Inclusion committees. Faculty Appointments committee will be mission-critical in years when the College seeks applicants to faculty positions. The Dean may approve other service as mission-critical in individual Faculty Workload Plans.

No faculty member may have all service reassigned if service is a significant contribution area in their Faculty Workload Plan and promotional pathway.

II. Course Equivalencies and Multiple Pathways

WVU’s Procedures for Faculty Appointment, Annual Evaluation, Promotion and Tenure allow faculty members with the same appointment and title (e.g., tenured Professor) to meet 100% full-time effort in significantly different ways. A table of workload equivalencies helps to equitably balance faculty workloads. Faculty can pursue different pathways to success where a chosen pathway is: (1) agreed upon by the faculty member and the Dean as consistent with the needs of the College and WVU; and (2) approved by the Provost.

Table 1: Areas of Teaching, Research, and Service that Might be Credited Toward Part of Workload – Common Examples

Percent Effort	Teaching Equivalencies
3.33	1 credit doctrinal, skills, or externship course
6.7	2 credit doctrinal or skills course
10	3 credit doctrinal, skills, or externship course
13.3	4 credit doctrinal or skills course
20	2-3 credit first-year legal writing course LAWR (1 section of < 25 students, one semester)
30	6 credit clinical course (one semester)
Other	By petition to ADAA

Percent Effort	Research Equivalencies
50	1 article (or equivalencies) per year plus active scholar
40	2 articles (or equivalencies) per 3 years plus active scholar or 3 book chapters per 2 years plus active scholar
30	1 article (or equivalencies) per 2 years plus active scholar

10	2 submitted grant proposals
Other	By petition to ADFRD

Percent Effort	Service Equivalencies
80	Major administrative role within the College, involving significant academic, programmatic, or supervisory duties, plus more than one College committee, plus University, state, or national-level service to the profession
20	Serving on two or more College committees, plus University, state, or national-level service to the profession
10	1 large grant award
Other	By petition to Dean

Table 2: College of Law Sample Pathways for Tenured Faculty

PATHWAY	TEACHING	SERVICE	RESEARCH
Pathway 1 Tenured Professor Traditional Focus (Active Research)	40% 12 credit hours	20% Serving on two or more College committees plus University, state, or national-level service to the profession.	40% 2 published articles in law review journals (or equivalent) per 3 years plus engaged as an active scholar.
Pathway 2 Tenured Professor Teaching Focus (Reduced Research)	50% 15 credit hours	20% Serving on two or more College committees plus University, state, or national-level service to the profession.	30% 1 published article in law review journals (or equivalent) per 2 years plus engaged as an active scholar.
Pathway 3 Tenured Professor Research Focus (Reduced Teaching)	30% 9 credit hours	20% Serving on two or more College committees plus University, state, or national-level service to the profession.	50% 1 published article in law review journals (or equivalent) per year plus external grant submissions or other high research activity.

Table 3: College of Law Sample Pathways for Teaching and Service Faculty

PATHWAY	TEACHING	SERVICE	RESEARCH
Pathway for Teaching Faculty	80% 24 credit hours	20% Serving on two or more College committees plus University, state, or national-level service to the profession.	0% No research assigned but must stay up to date in discipline.
Pathway for Teaching Faculty (Clinical)	80% 2 clinical courses (6 credit hours per course) and 6 additional credit hours	20% External grant administration, clinic administration and outreach, legal work for cases not involving students, Serving on College committees and/or University, state, or national-level service to the profession.	0% No research assigned but must stay up to date in discipline.
Pathway for Teaching Faculty (Legal Analysis Writing and Research)	80% 2 sections per semester of LAWR or other equivalent writing courses	20% Serving on two or more College committees plus University, state, or national-level service to the profession.	0% No research assigned but must stay up to date in discipline.
Pathway for Service Faculty	20% 6 credit hours	80% Significant service to the College, University, public, or profession.	0% No research assigned but must stay up to date in discipline.
Pathway for Teaching, Service Faculty with Administrative Focus	0-50% Up to 15 credit hours	0-80% Significant service to the College, University, public, or profession including external grant administration, clinic administration and outreach, legal work for	0-20% No research assigned or assigned as needed or 1 article per 4 years. Must stay up to date in the discipline

		cases not involving students, Serving on College committees and/or other University, state, or national-level service to the profession.	
--	--	---	--

APPENDIX A
CORE CURRICULUM LIST (as of 10/31/2023)

Core curriculum courses are courses central to the J.D. program curriculum. Typically, this list includes required courses in the first year, upper level required courses with substantial enrollment, required capstone courses, courses covering material on the bar examination with substantial enrollment, and courses with substantial enrollment that provide a foundations or gateway to well-established practice paths. This list will be revised when necessary.

Courses with substantial enrollment have a rolling average of at least 25 students for the past three offerings of the course.

Required Courses and Capstones

LAW	Course Title
764	Administrative Law
715	Appellate Advocacy
779	Business Transactions Drafting
793	Civil Procedure 1
725	Constitutional Law 1
703	Contracts 1
705	Criminal Law
655	Full Time Law & Public Service Externship
641	Introduction to Legal Research
varies	Law Clinics
700	Legal Analysis/Rsch/Writing 1
711	Legal Analysis/Rsch/Writing 2
742	Professional Responsibility
707	Property 1
709	Torts 1
756	Trial Advocacy

Bar-Tested Courses

LAW	Course Title
729	Business Organizations
619	Crim Procedure: Adjudication
618	Crim Procedure: Investigation
726	Constitutional Law 2
727	Evidence
769	Family Law
776	Sales and Secured Transactions
709	Torts 1
716	Wealth Transfers

Pathway Courses

LAW	Course Title
750	Alternative Dispute Resolution
726	Constitutional Law 2
762	Federal Courts
747	Health Care Law
719	Income Taxation I
788	Interviewing Counseling and Negotiation
771	Labor Law
714	Remedies

