

**University of South Carolina School of Law
Coleman Karesh Law Library
Process and Standards for Retention of Instructor Librarians¹**

The University of South Carolina is a comprehensive research institution offering academic programs in diverse fields. University faculty exercise pivotal responsibility in the development, delivery, and evaluation of these programs. The University of South Carolina recognizes the importance and contribution of non-tenure-track faculty to the educational, research and service missions and success of the University.

The non-tenure-track law library faculty is primarily a service rather than a teaching or research faculty. Its members are partners with the teaching faculty and administration in maintaining and enhancing the quality of instruction, research, and service at the School of Law and the University. In keeping with University policies, the Law Library's policies and procedures for non-tenure track faculty are designed to contribute to the academic excellence of the School of Law and the University by fostering high standards of librarianship. Non-tenure-track law library faculty in particular are engaged in service and administration to the law library's patrons – faculty, students, the members of the bar and the general public.

I. Policies and Procedures

A. General.

1. Non-tenure-track faculty members are defined in University Policy ACAF 1.06 Academic Titles for Faculty and Unclassified Academic Staff. Non-tenure-track faculty members are engaged in instruction either inside or outside the classroom, service, and administration. The general guidelines for appointments to non-tenure-track positions are governed by ACAF 1.16 on Non-Tenure-Track Faculty.

2. Non-tenure-track faculty members are not eligible for tenure nor does any of the time that is spent in a non-tenure-track position count toward the probationary period for tenure.

3. Appointments of non-tenure-track faculty shall be in writing and shall specify the beginning and ending date of appointment. Termination of employment before the end of the contract or appointment period can be for lack of satisfactory performance, just cause, and/or insufficient funds.

B. Duration of Contracts. An Instructor Librarian begins employment at the School of Law with a series of three one-year contracts as an initial probationary period, followed by presumptively renewable five-year contracts that may be renewed an unlimited number of times. An evaluation process, described below, must precede each contract renewal. The length of appointment must be stated in the offer letter or letter of re-appointment and may not exceed five (5) years.

C. Evaluation Procedure

¹ Per Academic Affairs Policy 1.06, the applicable title for non-tenure-track librarians is Instructor Librarian.

1. One-Year Contract Renewals.

a. During the initial 90 days of the Instructor Librarian's first year of employment, the Instructor Librarian may be terminated for lack of satisfactory performance as determined by the Department Head of the Unit in which the Instructor Librarian is employed with the agreement of the Associate Dean and Director of the Law Library ("Library Director") and the Dean of the School of Law (the "Dean"). Any notice of termination shall be given prior to the end of the initial 90 day period.

b. Prior to the end of the first year and in the second year of an Instructor Librarian's employment, the Department Head of the Unit in which the Instructor Librarian is employed shall review the Instructor Librarian's performance based on the standards in Part II below, communicate with the Instructor Librarian about the review, and then make a recommendation to the Library Director regarding renewal of the one-year contract. A library faculty vote is not required for one-year contract renewals. The Library Director in turn shall make a recommendation to the Dean who shall make the final decision regarding appointment. Any notice of renewal or termination shall be delivered to the Instructor Librarian in writing at least 90 days prior to the termination date of the one year contract.

2. Commencement and Renewal of Five-Year Contracts.

Prior to the end of the third year of an Instructor Librarian's employment, a review shall be conducted in the manner set forth below.

a. **Instructor Librarian Committee.** To assist in the review of Instructor Librarians eligible for long-term contracts, the Library Director will appoint a Instructor Librarian Committee consisting of the Library Director, the Department Head to whom the candidate reports, and two professional librarians who perform similar work to the candidate under review. If there are an insufficient number of librarians who perform similar tasks in the Law Library, the Library Director in consultation with the appropriate supervisory librarian may select professional librarians from other library units within the University of South Carolina system. The Committee will review the Instructor Librarian's performance and service and make recommendations regarding commencement or renewal of five-year contracts to the Library Director consistent with the process described below.

b. **Committee's Review Process.** In determining whether to grant the initial five-year contract, the Committee will review the Instructor Librarian based on the Standards in Part II below and make a recommendation to the Library Director. The Library Director shall forward the Committee's recommendation along with the Director's own recommendation to the Dean who shall then act upon the recommendations and either offer or not offer the five-year contract. If a five-year contract is not offered after three years, another one-year contract may be offered, at the Library Director's discretion with the agreement of the Dean, and the Instructor Librarian will be eligible for reconsideration of a five-year contract at the end of that additional year. No additional one-year contracts will be permitted.

Renewals of the five-year contracts will be presumptive. During the fourth year of a Instructor Librarian's five-year contract, the Instructor Librarian Committee will review the Librarian, bearing in mind the presumption of renewability, and make a recommendation regarding renewal to the Library Director. The Library Director in turn shall make a recommendation to the Dean who shall make the final decision regarding appointment.

Any notice of renewal or termination shall be delivered to the Instructor Librarian in writing at least one year prior to the termination date of any five year contract.

II. Standards for Retention

The entire actual and potential contribution of the candidate to the operation of the Law Library and to the mission of the University of South Carolina School of Law is to be evaluated according to these standards.

A. Renewal of One-Year Contracts. To receive renewal of a one-year contract, an Instructor Librarian must demonstrate (1) proficiency in librarianship, (2) effective cooperation and collaboration with Law Library team members, and (3) engagement in one of the categories of professional development activities and service, as defined below.

The Department Head's review of the Instructor Librarian shall take into account the candidate's written statement about his or her performance, first-hand experiences in working with the Instructor Librarian in his or her assigned area, the candidate's collaborative efforts with other library personnel, recommendations from faculty, statements from administrators and colleagues, as well as any other information relevant to the Instructor Librarian's performance. Documentation may be obtained through a variety of means and solicited and unsolicited written opinions may be used.

B. Commencement and Renewal of Five-Year Contracts.

1. Commencement of Five-Year Contracts. To qualify for a five-year contract, the Instructor Librarian must have become a significant asset to the Law Library, based upon (1) excellent librarianship, (2) effective cooperation and collaboration with the Law Library team members, and (3) consistent service, as defined below.

Excellent librarianship requires the criteria relevant to "librarianship" as described herein, plus the ability to introduce, organize, develop and implement new ideas in the candidate's area of expertise for the advancement of the law library and its operations.

Consistent service requires a yearly engagement in one or more of the types of activities listed under "Professional Development and Service" and "Other Considerations," as defined below.

2. Renewal of Five-Year Contracts. Five-year contracts are presumptively renewable. If the Law School decides not to renew a five-year contract, it carries the burden of showing that the Instructor Librarian is no longer a significant asset to the Law Library in terms of one or more of the following areas: excellent librarianship, effective cooperation and collaboration with the Law Library team members, and consistent service.

C. Definitions

The following definitions shall be used in evaluating the performance of an Instructor Librarian under this policy.

1. Librarianship

Librarians facilitate scholars' access to information in support of the research and teaching missions of the University. Increasingly, the environment for librarianship is technological, resources are digital, and student and faculty use is by remote access. Librarians need to be conversant with library goals, standards, conventions and values, be able to interpret these within the School of Law's context, and be able to translate these factors into appropriate services and collections. By its nature, librarianship work is a collaborative endeavor, but librarians also are expected to demonstrate individual creativity and initiative. Candidates for the appointments governed by this Policy must demonstrate knowledge that contributes to the profession and to academic excellence.

Librarians have a broad range of individual assignments. Their goals and responsibilities in a variety of different units will be recognized in the evaluation process. Areas of demonstrated expertise may include, but are not confined to, the following areas of librarianship:

Acquisitions

Acquisitions is the function of the library concerned with ordering and receiving materials in all formats, including the management and tracking of resources, such as the demand-driven acquisition of electronic materials. It consists of the policies and procedures by which collection development decisions are implemented.

Documentation for Acquisitions includes, but is not limited to:

- Description of responsibilities
- Samples of communication with librarians, teaching faculty, and vendors (e.g. setting up approval plans, etc.)
- Periodic reports of activity
- Encumbrance and expenditure records
- Statistics for questions from external entities and agencies

- Records regarding orders generally, including records of cooperative purchases with other libraries/entities
- Periodic reports regarding expenditures that comply with University and state regulations, policies and procedures

Bibliographic Control

Bibliographic Control is the process by which library materials are described and classified and MARC and metadata records are loaded into the online catalog so that users may locate the materials within the collection.

Documentation for Bibliographic Control includes, but is not limited to:

- Description of responsibilities
- Samples of cataloging or editing of records
- Periodic statistics of cataloging activities
- Samples of communication with librarians at USC and at other libraries that provide evidence of improving the cataloging process for patrons' access to USC library materials
- Project proposals and updates

Coordinating Activities

Coordinating activities are those that combine assigned areas of budgeting authority, supervising responsibility and personnel evaluation. Other duties include significant amounts of broad-based planning, policy development, data analysis, and report writing related to the functioning of the Library. Coordinating activities do not replace or exclude the other criteria for effectiveness as a librarian.

Documentation for Coordinating Activities includes, but is not limited to:

- Evidence of contribution to effective management and coordination of library activities (including the name of area supervised or coordinated and number of personnel supervised or coordinated)
- Evidence of the formation and implementation of library policies (policy manuals)
- Leadership and management skills as evidenced in the planning and implementation of library services
- Maintenance and monitoring of the quality of library service
- Assessment reports for areas supervised or coordinated
- Description of budget responsibilities (how much money and for what purposes)
- Periodic reports
- Documentation of significant projects completed through memorandums, reports, minutes of meetings, etc. and via electronic media such as wikis, web pages, LibGuides, etc.

Library Systems/Technology

Library Systems and Technology involves using the best current technology to create and maintain systems that develop or improve access to information and resources. This requires an understanding of computer hardware and software so that the systems will be customized to serve the needs of the library's users.

Documentation for Library Systems/Technology includes, but is not limited to:

- Description of responsibilities
- Evidence that a system has been customized to the needs of USC library users
- Projects that illustrate the use of computers or technology for the dissemination of information (for example the design of web pages, new networks, new databases)
- Design of reports generated through a computer which supply information to the library

Circulation and Access Services

Circulation and Access Services is the process by which library materials are distributed, lent, and delivered to users. Other duties in this area include the management of the interlibrary loan and document delivery program for all materials requested by users, shelf maintenance, and management of the physical collection of materials generally.

Documentation for Circulation and Access Services includes, but is not limited to,

- Description of responsibilities
- Periodic statistical reports of activities, such as circulating items, interlibrary loan requests, document deliveries, and reservations of library spaces
- Reports regarding management of the collection, such as the shifting of the collection
- Reports / notices regarding items checked out to users, overdue items and lost items
- Samples of communication evidencing the improvement of the circulation process and interlibrary loan and document delivery services
- Periodic reports of departmental activities

Competence in librarianship shall be documented by candidate statements, recommendations from faculty, and evaluations and statements from administrators and colleagues, and any other information relevant to the librarian's performance.

2. Professional Development and Service

Professional development activities lead to new knowledge, to increased problem solving, to best practices, and to original theories. Librarians develop professionally in the following categories:

- Inquiry, with research on such topics as organization of information, user information needs, library contributions to learning, preservation and access, navigating cyberspace, and related topics;
- Integration with work, such as adapting administrative/management techniques to libraries and identifying relevant best practices;
- Application of the above to the successful practice of librarianship.

Competence should be documented by accomplishments, such as publications, presentations, inventions, service improvements and honors from professional societies.

3. Other Considerations

Committee service in the law library and university, contributions to the welfare of the Law Library, Law School, university community, and to the larger community will be considered as they relate to the two categories above.

D. Termination.

1. Notwithstanding the above, termination of employment of an Instructor Librarian before the end of the contract period can be for lack of satisfactory performance, just cause, and/or insufficient funds as defined in the University of South Carolina ACAF Policy 1.16 on non-tenure-track faculty.

2. Just cause for termination shall include, but not be limited to: professional incompetence, unacceptable performance after due notice, unethical or unlawful conduct, misconduct that interferes with the capacity of the employee to perform effectively the requirements of employment, and falsification of credentials or experience. Instructor Librarians terminated for just cause are not eligible for the standards of notice afforded to those terminated due to non-reappointment.

A supervisor may act to terminate an Instructor Librarian for just cause only with the prior concurrence of the Library Director and the Dean. Termination for cause must be preceded, where feasible, by written notice of the specific cause or causes for termination, the effective date of the termination, a written explanation of the cause for termination, and a reasonable opportunity for the non-tenure-track faculty member to respond.

3. An Instructor Librarian may be immediately suspended and required to vacate the premises of the University if, in the discretion of the Dean, such action is necessary to prevent injury, damage, or disruption. In the event the Dean is unavailable and a perceived threat is imminent, action should be taken by the Library Director and the Dean shall be notified of that action immediately. The required notice, explanation, and opportunity to respond must be given however, as soon as possible following the suspension.

III. Promotion

Library faculty do not have rank and are not eligible for promotion, regardless of tenure status.

IV. Voting Rights

Instructor Librarians do not have voting rights within the Law Library. As with tenure-track faculty members, voting rights of non-tenure-track faculty members at the university-level of

governance, including matters of tenure and promotion, are specified in the USC Columbia *Faculty Manual*.

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