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ABSTRACT

The objective of this research was to collect statistical data on the present faculty status of academic law librarians. A survey of a random sampling of member schools of the Association of American Law Schools was conducted on the issue of faculty status for academic law librarians in response to the ever-growing need and demand for recognition and equality. The results of the study imply that some action on the part of university/law school administrators and/or boards of trustees is necessary to close the gap between the wishes (and possibly the demands) of academic law librarians and actual personnel policies as they presently exist. The results also indicate that communication between academic law librarians and their administrators must be forthcoming if any real changes can be made. Finally, the results of the questionnaire impose an obligation on the directors of academic law libraries to join together and focus on this issue. The chi-square analysis and survey instrument are appended. (Contains 31 references.) (TMK)

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ACADEMIC LAW LIBRARIANS AND THE QUEST FOR FACULTY STATUS:
A SURVEY FOR THE 1990's

A Master's Research Paper submitted to the
Kent State University School of Library Science
in partial fulfillment of the requirements
for the degree Master of Library Science

by

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November, 1990

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all of the law librarians who generously took the time to participate in the survey.

I. INTRODUCTION

A. Statement of the Problem

Faculty status and tenure for academic librarians has been and continues to be a noteworthy subject. This is shown by the number of books and articles written about it over the years. In the case of the academic law librarian, this problem is even more noticeably acute. As competition has increased, so has the need for professional credentials beyond the M.L.S. degree. In most cases, this means the earning of the Juris Doctor degree (J.D.) Other related issues enter into this quandary, however, including but not limited to issues of autonomy, tenure, public service, publishing, and the like.

In 1980, the Academic Law Libraries Special Interest Section of the American Association of Law Libraries held a panel session to discuss the status of academic law librarians. It was characterized then as a "complex and emotional subject", and one which was deemed worthy of much further elucidation and recommendation.¹ This undoubtedly resulted in part from the Association of American Law School's 1972 decision not to provide any guidance on the issue of faculty status for academic law librarians.²

¹ AALL Panel Discussion, James F. Bailey, Moderator. "Status of Academic Law Librarians," Law Library Journal 73 (Fall 1980): 882.

² Alan W. Ogden, "Tenure for the Law Library Director: Bane or Blessing?" Law Library Journal 74 (Summer 1981): 515.

B. Need for the Study (Justification)

In response to this ever-growing need and demand for recognition and equality on the part of academic law librarians, survey research was conducted into the issue of faculty status for academic law librarians. Although this type of research has been undertaken in the past, it is still a timely subject, As the Literature Survey section of this paper indicates, law librarian status has dominated the employment-related concerns of this profession for some time. Survey research into the actual practices of academic law libraries and attitudes of the pertinent parties is a viable method which provides data to support the cause of law librarians who are seeking faculty status in academic law libraries. As was noted in the initial study of 1973, there existed a dearth of data with which to analyze the situation. An absence of current data has existed for the past 12 years, since the 1978 study. Therefore, the survey research which was conducted for this paper provides needed data to bridge the gap created over the past decade or more. Further, in view of the recent blows dealt to faculty tenure by the courts and some institutions, a close examination of this information can enable the library profession to determine whether faculty status is still desirable. This research differs from the earlier studies in that it addresses the topic of faculty status for all of the law librarians on the staff of a law school library, not merely the law librarian or Director.

C. Limitations

This research was limited to the conducting of a written mail-back questionnaire on a random sampling of the 176 member schools of AALS as listed in the 1989-90 Directory and a statistical analysis of a portion of the questionnaire results. There was an additional internal limitation in terms of the participants chosen from each institution. A questionnaire was mailed to the Director/Head Librarian at these institutions, as well as to another staff librarian within each library who is not in a position as Director, Associate Director, or Assistant Director.

D. Hypothesis

The hypothesis for this research is: academic law librarians as a group are highly desirous of obtaining faculty status, including tenure and autonomy, at most of the law school libraries in the United States but have met with resistance. The objective of this research is to collect statistical data on the present state of this situation from a random sampling of AALS member schools. It is hoped that the results of this research will prove useful by supporting the academic law librarian in his/her struggle to attain faculty status at his/her individual institution.

II. PLAN FOR THE STUDY

A. Literature Review

In reviewing the literature for this project, evaluated articles or research directly concerned with faculty status for

academic law librarians were evaluated, as well as on aspects related to it. This search yielded much in the way of the traditional academic librarian's argument for or against faculty status (as opposed to academic law librarians specifically). Indeed, this situation has proven to be the most analogous to the academic law librarian's position, therefore, it is useful to review this information for an historical perspective as well as to get a grasp on the problem as it currently exists. It is appropriate to examine academic libraries' policies and attitudes on this topic since most law libraries are part of a larger academic institution whose personnel policies frequently govern the entire organization. In addition to this information on academic librarians, past research projects were also located which directly address this issue in the context of the academic law library itself. These are discussed in detail in this section.

The literature reviewed herein was obtained through several search methods. The standard research tools, including Library Literature, Library and Information Science Abstracts, and Education Index, were used. The Index to Legal Periodicals and Legal Resource Index were used online via Lexis. Legaltrac on CD-ROM, which is the law component of Infotrac, was searched. Subject searches on various online public access catalogs were done in order to obtain monographs on this topic. This search was limited to the past twenty years (1970-1990), and articles of current interest and historical value were selected. This

section begins with a review of material concerning academic librarians and then moves on to the research dealing specifically with academic law librarians.

In 1987, Krompart and DiFelice undertook a review of surveys relating to faculty status from 1971 to 1984.³ It is a good starting point, as it attempts to valuate the contribution which faculty status surveys have made to the resolution of this problem as a whole. The authors picked a sampling of 36 surveys which have been produced between 1971-84. 1971 was a pivotal year in this controversy as it was the year that the Association of College and Research Libraries espoused their "Standards for Faculty Status of College and University Librarians".⁴ In brief, these Standards support faculty rank, status, and tenure for librarians in Colleges and Universities. Krompart and DiFelice examined the surveys which have been done since that time in order to evaluate the compliance progress of college and university libraries and to determine whether or not the survey literature had any effect. While blatantly predicting the unsuccessful fulfillment of ACRL's Standards during this century, the authors did decide that surveys, their results, and the literature they produce have had an impact on progress in this

³ Janet Krompart and Clara DiFelice, "A Review of Faculty Status Surveys, 1971-1984," Journal of Academic Librarianship 13 (March 1987): 14-18.

⁴ "Standards for Faculty Status for College and University Librarians," College and Research Libraries News No. 8 (September, 1972): 209-12.

situation.⁵ Stating that surveys on this topic have been around for quite some time and reached a peak in 1968, the authors believe that they represent almost the entirety of evidence on this particular topic.⁶ In fact, these authors attribute the creation of ACRL's standards in 1971 to the nudging factor that these surveys had. Thus, as a means to prompt change, or at least create an awareness, Krompart and DiFelice are in favor of the continued use of surveys.⁷ They were not, however, without criticism of the way some library surveys are prepared and completed. Most importantly, they criticized the practice of querying directors only, while ignoring the opinions of the staff librarians themselves. A few outstanding surveys have, however, incorporated data received from non-management librarians in academic institutions. Krompart and DiFelice hail these as exemplary and urge their proliferation.

Another valuable article explored the possibility of an alternative to faculty status. In her 1985 article for the Journal of Academic Librarianship,⁸ Joan M. Bechtel discusses the notion of "professional status" for academic librarians. This is something which is not new, but does offer some kind of solution for certain situations. Bechtel details the dilemma

⁵ Krompart and DiFelice, p. 16.

⁶ Krompart and DiFelice, p. 14.

⁷ Ibid., p. 16.

⁸ Joan M. Bechtel, "Academic Professional Status: An Alternative for Librarians," Journal of Academic Librarianship 11 (November 1985): 289-292.

faced by Dickinson College when librarians were unable to fit into one of the three available employment status groups at the school: faculty, administrative, and clerical. Following much trial and error, including the premature granting of faculty status and tenure (which proved to be disastrous due to misunderstandings on all sides), the status of "Academic Professional" was created. This status covers various diverse positions at Dickinson which do not fall into one of the above categories. Included are librarians, media center professionals, computer service personnel, among others. Although Bechtel acknowledges that these are diverse groups, they are united by their mission to serve the academic community in an indispensable and professional way, but in a way that is different from teaching faculty or pure administrators. This status has been in place at Dickinson since 1981. In the opinion of the Bechtel, it has proven to be highly beneficial to everyone concerned. It has resulted in equitable pay scales, a voice in College governance through faculty meetings, availability of professional development opportunities and grant funding, sabbatical leaves, and other privileges, without being unduly held to some of the more rigorous requirements of faculty status which are arguably inappropriate to librarians. This includes the regular publishing and original research mandate which follows from the granting of faculty status. Bechtel feels that librarians and librarianship has prospered at Dickinson since 1981 due to this status. It allows for librarians to continue their own

professional development while still maintaining active library service.

This leads into another important issue for librarians when discussing faculty status and that is the research and publication requirement. It is well known that teaching faculty function under the "publish or perish" onus for most of their professional lives. Librarians are finding that, at institutions which have granted them faculty status, this obligation is concurrent with the achievement of faculty status. Often this is "unfamiliar territory" for librarians.⁹ Mitchell and Swieszkowski conducted an interesting study in 1985 which showed that contrary to common belief, librarians performed very well in this realm, with an 81.5% tenure approval rate for academic librarians. This high rate reflected success in the research and publication aspect of achieving and maintaining faculty status by academic librarians.¹⁰

In 1987, DuBoer & Culotta and Werrell & Sullivan reviewed the literature on the faculty status issue in academic libraries.¹¹ Both teams identify essentially the same items as

⁹ W. Bede Mitchell and L. Stanislava Swieszkowski, "Publication Requirements and Tenure Approval Rates: An Issue for Academic Librarians," College and Research Libraries 46 (May 1985): 249-55.

¹⁰ Ibid., p. 249.

¹¹ Kee DeBoer and Wendy Culotta, "The Academic Librarian and Faculty Status in the 1980's: A Survey of the Literature," College and Research Libraries 48 (May 1987): 215-223.

Emily Werrell and Laura Sullivan, "Faculty Status for Academic Librarians: A Review of the Literature,"

having dominated the literature in this regard. They are: publication and scholarship (including favored journals); sabbaticals or other leaves for professional development; contributions to the field; and governance/collegiality. Their assessment reinforces the tone of most of the literature on this topic. The literature on academic law librarianship itself reveals that research similar to that conducted herein has been undertaken in the past. There were two articles published which reported on the results of a survey designed to assess the state of affairs regarding faculty status and autonomy for law school librarians. They are described below.

In 1974, James F. Bailey and Matthew F. Dee published an article in Law Library Journal entitled "Law School Libraries: Survey Relating to Autonomy and Faculty Status."¹² This article reported on initial research performed through the administration of a survey questionnaire. These authors began by acknowledging the small amount of earlier work done in this particular field and then lamented the absence of any substantial data. Thus, they set out to survey the 154 head law librarians at all of the institutions listed in the 1972 edition of the Association of American Law Schools' Directory of Law Teachers. They sent out a questionnaire with queries relating to such issues as credentials of staff; budget allocation; decision-making privileges apart

College and Research Libraries 48 (March 1987): 95-103.

¹² James F. Bailey and Mathew F. Dee, "Law School Libraries: Survey Relating to Autonomy and Faculty Status," Law Library Journal 67 (1974): 3-31.

from University administration; staff members with tenure or currently pursuing it, and so forth. In sum, a rather comprehensive questionnaire was prepared and administered. The researchers claimed a response rate of 88%. The raw data was analyzed by noting the number of answers per question and then converting them into percentages. Following each question was a brief "summary analysis" which contained editorial commentary by the authors. In addition, there were several pages of excerpts from the "additional comment" section of the questionnaire, as well as some quotations from earlier literature on the subject of law librarianship in general. The researchers concluded that the breadth of the study contraindicates a "neatly packaged set of conclusions" at the end. They suggest that the reader go over each question and response rate individually.

Although problematic in many respects from a statistical viewpoint, this study is not totally devoid of any research value. It was the first major attempt by law librarians to study what, by 1972, had become a burning issue for the academic sector, namely faculty status and autonomy. The extraordinarily high response rate indicates the great interest which this topic and questionnaire generated. Thus, as an initial study, it remains relevant.

Some five years later in 1978, one of the first study's researchers, James Bailey, teamed with Oscar M. Trelles to update

the earlier survey.¹³ As they state in their introduction, many law librarians have lamented that the 1973 statistics are . . . somewhat outdated and have urged that an update be done on the subject.¹⁴ As head academic law librarians themselves, these authors were in an enviable first-hand position to be acutely cognizant of the rabid interest in this topic via their own personal contacts and through the many letters and requests they received following publication of Bailey's original article. The result was an updated questionnaire in 1978 on the subjects of librarian status, tenure, and autonomy. The authors, having learned from some earlier mistakes in the 1973 survey, slightly modified the questions in 1978. In addition, by 1978 there were 167 members in the AALS (versus 1973's 154 members.) The authors state that they were modestly hopeful for a response rate comparable to the 88% rate of the 1973 survey. Much to their surprise and delight, they realized a 95% rate of return the second time around. These sheer numbers and a sampling of the comments underscore the emotion and strong feelings which typify the academic law librarian's struggle for perceived equality within the law school setting.

While enlightening in many respects and certainly broader than the 1973 survey, the results of this research were reported

¹³ James F. Bailey, III and Oscar M. Trelles, II, "Autonomy, Librarian Status, and Librarian Tenure in Law School Libraries: The State of the Art, 1978," Law Library Journal 71 (1978): 425-462.

¹⁴ Bailey and Trelles, p. 425.

in much the same manner as the initial study. That is, percentages were listed per question as "raw data". A brief "summary analysis" followed each question and responses, with very rough generalizations (i.e., one-third of the respondents; 12% of the people; 25 law libraries, etc.) Disappointingly, there was no real statistical analysis done in this follow-up study either. Thus, although there were statistics listed for each question, there was a noticeable absence of any interpretive results. Perhaps the most interesting part of this article was the somewhat unorthodox practice of including a large number of representative comments from respondents at the end of each questionnaire item. These provided more insight into the respondents' attitudes than was reflected in any of the listed figures. Readers would likely be most appreciative of these authors' decision to include the comments in their published study.

The foregoing summarizes the major research studies which have been conducted on the topic of faculty status for academic law librarians. As of the date of the last research done in 1978, this issue was still being debated in law schools, law libraries, and at professional association meetings, to no apparent resolution. Since the 1981 article by Bailey and Trelles, however, any further research which has been done in academic law libraries have not been located, although the subject is still much in the minds of the academic law librarians currently practicing in the field. Therefore, a gap in relevant

information has continued to grow over the past 10 years, indicating an area which needed to be updated.

B. Data Collection Methods

As stated earlier, the method of data collection which was used for this project was a written, mail-back questionnaire. It consisted of a combination of factual and attitudinal questions designed to elicit responses which reflect the current status of academic law librarians, as well as their feelings on this topic. The first seven questions, which were printed on the front side of the questionnaire, were factually based and designed to measure the status quo. Questions 8-11, appearing on the reverse side of the questionnaire, were opinion questions, designed to elicit the feelings of the respondents.

The total target population for the administration of this questionnaire was the 176 member law schools of the Association of American Law Schools (AALS). From this total population, a random sample was selected. This reduced the number to a smaller representative group. 1/4 of the schools, which equals 44 member institutions, were actually surveyed. Within each institution, a questionnaire was mailed to the Director/Head Librarian and to one librarian on the staff. These names were found in the AALL member directory for 1990.

In making the random selection of schools for participation in this survey, the following procedure was followed. All of the 176 schools were listed in alphabetical order. In order to obtain a listing of 44 schools (1/4), the name of every fourth

institution was extracted for inclusion into the sample. The result was a listing of 44 AALS member law schools. The AALL (American Association of Law Libraries) Directory was then consulted for the actual names of the librarians who were targeted to receive questionnaires. The AALL is a "sister" organization of the AALS which represents Law Libraries. In addition, non-academic law libraries are eligible for membership into AALL. For this research study, however, the participants were limited to academic law libraries.

Within each of the 44 institutions selected, another sub-selection needed to be made. As stated earlier, all Directors received a questionnaire. In addition, a questionnaire needed to be sent to one staff law librarian within the same institutions. The third name from each list of staff law librarians was then selected. Their titles varied. Therefore, the sample of staff law librarians includes a conglomeration of Reference Librarians, Circulation Librarians, Government Documents Librarians, Cataloging Librarians, Serials Librarians, Acquisitions Librarians, and ILL Librarians. In order to allow for ease in collating and tallying the returned questionnaires, the paper was color-coded. All of the directors received white questionnaires, while the staff law librarians received blue ones. Of course, each questionnaire contained identical questions. Further, in terms of anonymity, it was preserved in the following manner. The questionnaire requested no names. The return envelopes were provided and did not have any return address on them. In order

to insure that it would be possible to compare the responses from parties employed in the same libraries, however, a way needed to be devised to code the questionnaires without names. Thus, each was assigned a number. For example, the first law library picked was number 4 on the random list. The white questionnaire mailed to the Director of law library number 4 was coded "4A", while the blue questionnaire mailed to the staff law librarian at law library number 4 was coded "4B". This process was continued throughout the pairs of questionnaires. In this way, the names of the parties involved would not be known unless the initial list was checked and numbers were matched with law library names, and then the directory checked to match the law library name with the employees' names. When the questionnaires began to come back, they were put in order according to this code number. Interestingly, anonymity did not seem to be as great a factor as had first been imagined from the respondents' viewpoint. A space was left for people to indicate whether they wanted to receive a copy of the survey summary report. Most of the respondents indicated that they wanted a copy of the summary and listed their full name and address. Several attached business cards to the questionnaire when they returned it. Many informal notes of good will regarding the success of this research were also received, as well as good wishes regarding future career opportunities. One law library director even enclosed her card with a note offering assistance and advice on career and job opportunities in the field of Law Librarianship. In conclusion,

the sampling technique, mailing strategy, and design of the survey instrument were largely successful. More detailed analysis of the actual instrument questions follows in the Analysis Section.

The balance of this research paper analyzes this data according to the following format. The primary section of analysis is a question-by-question review of the two groups' responses. In the Appendix, the actual statistical analysis may be found. Nominal data was collected. Descriptive statistics have been employed in this project in the form of a Chi-square test. This test was conducted on the raw data obtained from the key question (No. 8) asking whether respondents felt that the law library director and all law librarians on staff should have faculty status. This test was only conducted to compare the responses of the two groups of respondents. These statistics are graphically displayed in the Appendix.

C. Definition of Terms

AALS -- This refers to the Association of American Law Schools, which is the most widely recognized professional association for law school faculty and administrators.

Faculty status -- This refers to the employment and professional terms and conditions under which faculty members are appointed at most institutions of higher education.

Tenure -- This refers to the "status granted after a trial period to a teacher protecting him from summary dismissal."¹⁵

Autonomy -- Loosely defined, this refers to the intellectual freedom and other unfettered privileges enjoyed by faculty members at institutions of higher education.

Academic Law Librarian -- This refers to a librarian who is employed in a library at a College of Law.

Dual degree -- This refers to the academic credentials of a Master's in Library Science Degree and a Juris Doctor Degree

D. Work Plan

Time Line:

The following time line was observed in carrying out this project:

August 20-31, 1990:

Randomly selected members of sample group.

Printed questionnaires, cover letter, and envelopes.

September 21, 1990:

Mailed out questionnaires. Listed 10/15/90 as deadline for return.

September 30 --October 15, 1990:

Received returned questionnaires through the mail.

October 15 -- October 20, 1990:

Sorted and tallied questionnaires.

¹⁵ Webster's New Collegiate Dictionary, Springfield, Massachusetts: 1979, Henry Bosley Woolf, Editor in Chief: 1193.

November 1 -- 10, 1990:

Analyzed data.

Prepared report of findings and finished final project paper.

Budget:

The actual budget for this project included the following costs:

\$50.00	Postage
<u>\$23.00</u>	Printing and Envelopes
\$73.00	Total

E. Expected End Results

It was anticipated that the results of this survey would support the research hypothesis that academic law librarians are greatly interested in obtaining faculty status at their respective institutions. It was further anticipated that it would show that although most of these librarians probably already have some sort of professional status written into their employment contracts, academic law librarians still feel that the protection and privilege enjoyed by law faculty members have been unfairly denied to them as a group. Finally, it was believed that it would show that although over a decade has passed since they were last polled, interest in resolving this problem has not waned but rather has escalated.

III. DEVELOPMENT OF THE ARGUMENT

A. Objective Evidence and its Meaning

A total of 44 academic law libraries was selected to receive questionnaires. As stated previously, this represented 25% of AALS member institutions. An actual total of 88 questionnaires was mailed out. This included 2 questionnaires per institution: one questionnaire for the Director and one questionnaire for the staff law librarian which had been selected. In order to insure that the recipients each received his/her own copy, the questionnaires were all mailed out in individual envelopes, each addressed to one individual name.

The number of returned questionnaires is itemized as follows:

White Survey Instruments: for law library Directors

34 of 44 were returned completed. This equals a response rate of 77%.

Blue Surveys Instruments: for staff law librarians

30 of 44 were returned completed. This equals a response rate of 68%.

1 of the 44 was returned by the Law Library not filled out, with a note that the addressee no longer worked at the organization.

These response rates to the survey instrument were indeed encouraging. It has been noted that mail-back questionnaires suffer from many drawbacks. One of the major causes of failure when using this method is a very poor response rate. One public

library director even admitted that his library discards about 95% of all surveys it receives.¹⁶ Thus, to have realized a response rate of 77% and nearly 68% from each of the two groups was exciting. This high response rate was somewhat anticipated, however. The two benchmark studies on the subject of faculty status for law librarians which were done during the 1970's each produced very high response rates, 88% and 95% respectively.¹⁷ Although the response rate to this questionnaire was slightly less, it is still outstanding, particularly in light of the kind of attitude voiced by the public library director noted above, which, it is hoped, represents the minority view!

An explanation of the success of this survey in terms of eliciting interest and response and thus, the meaning of the results, can be attempted by this researcher. At the very least, it seems to demonstrate that the issue of faculty status for academic law librarians will not go away -- it is still alive in the minds of the constituency. Even without knowing the actual results of the questionnaires, the fact that these participants took the time to fill out and return the questionnaire shows that strong feelings exist, one way or another. Perhaps because this is a personnel issue, it may always retain its lure. On a greater level, there is also the aspect of ego and visibility to this type of an issue. Assertion of position or a sense of professional pride is something that has been lacking among

¹⁶ Busha and Harter, p. 63.

¹⁷ Bailey and Trelles, p. 427.

librarians for a long time. Librarians, as a group, tend to be less vocal than others regarding their status and position in society, or in their own working environment, for that matter. It may be that the success of this survey can be attributable to a long-repressed need to speak out on an issue relating to power and professional self-esteem, even if only anonymously. This is, of course, mere speculation, but it may account for the fact that this questionnaire was completed and returned, whereas another one might have been ignored.

B. Tabulation of Available Evidence

This section will provide a review of each question which was on the survey instrument. A copy of the survey instrument itself is included in the Appendix. Percentages for each response are listed, as well as additional commentary where appropriate.

As a preface to this section, some preliminary comments concerning the questionnaire are warranted. On the whole, the questions were well received by the respondents. There were, however, some minor problems which should be noted. To begin, an opening statement or introductory message on the questionnaire sheet which defined the term "faculty status" might have been advisable. Responses were received from at least 5 recipients (mostly from the director group) who expressed difficulty in completion of the survey instrument due to the lack of a definition of this term. However, even those who complained about this defect still were able to provide useful data via the

questionnaire. They either explained or qualified their responses in the "additional comments" section at the end of the questionnaire. In designing and writing the survey instrument, the imposition of too many limitations or guidelines (i.e., definitions) was intentionally avoided in an effort to encourage candid and heartfelt responses. However, in this case, since the term "faculty status" apparently has so many different meanings to so many different people, perhaps a definition would have proved beneficial.

Another problem which was encountered seemed to exist with question number 5, which apparently came across as too confusing to some participants. Many respondents either left it blank or answered it inconsistently with number 6, the question to which it was linked. Question number 5, which read "Do only certain librarians in your library have some type of professional, administrative, or contract status which differentiates them from clerical/support staff and the other librarians?", was intended as a check of question number 2, which inquires if all law librarians had faculty status. Thus, if a respondent answered yes to number 2, then number 5 should have been answered no, and vice versa. However, in almost half of the cases, the responses to number 2 and number 5 appeared inconsistent with one another. This confusion held true for both groups of respondents, so it apparently was a poorly constructed question for all parties concerned. Therefore, it became necessary to discard the responses to questions 5 & 6. The responses to question 2 were

retained, as this question was much simpler and clearer. Further, number 2 garnered the information this researcher was actually seeking. Questions 5 and 6 would only have provided a more closely shaded refinement of the response to question 2, a refinement which was later determined by this researcher to have relatively little overall value to the study.

Finally, question number 1 merely ascertained the position or title of the respondent. This was done as a check against the color-coded method (blue versus white) which was used in printing the questionnaires. As it turned out, the color coding accomplished its intended purpose perfectly, with all "blue" respondents circling "D" (staff) law librarian, while all "white" respondents circled "A" Director/Head Librarian.

In view of these adjustments, the questions which will be analyzed for content are numbers 2, 3, 4, 7, 8, 9, and 10.

Question No. 2: Do all of your librarians presently have faculty status within your institution?

Directors: 38.2% (13 persons) responded yes.

61.7% (21 persons) responded no.

Law Librarians: 40% (12 persons) responded yes.

60% (18 persons) responded no.

This is a critical question on the questionnaire in relation to the research hypothesis. The research hypothesis which triggered this study held that most law librarians do not presently have faculty status at their respective institutions.

The percentage analysis noted above seems to support that portion of the original hypothesis. The slight discrepancy between the responses of the two groups might be traceable to a difference in perception of "faculty status". This underscores the necessity of defining terms for the respondents, as mentioned earlier. Still, though, this difference is marginal. Thus, although this researcher will admit to possible qualitative differences among types of faculty status, the statistic for this question alone indicates the acknowledgement or awareness of the distinction known as "faculty status" on the part of nearly all of the respondents.

Question No. 3: Does the Director/Head Librarian have faculty status within your institution?

Directors: 97% (33 persons) responded yes.

3% (1 person) responded no.

Law Librarians: 100% (30 persons) responded yes.

0% (0 persons) responded no.

The almost perfect 100% affirmative response to this question was also anticipated. The one response from the director group who responded negatively was from a large Canadian law school which is a member of the AALS. She elaborated upon her negative response in the open-ended section of the questionnaire. She basically described the status of "law librarians" at her institution as more of "academic status" rather than "faculty status". This description in itself is

quite revealing, and was brought up frequently in various responses.

In the 1973 survey by Bailey and Trelles, of the 158 directors' responses received to a comparable question, 150 answered yes and 8 answered no.¹⁸ This translates into a 94.9% director group which had already achieved faculty status by 1978, and 5% who did not. This roughly parallels the response percentages of the survey done for this study, some 12 years later. In fact, it shows an increase in those directors who have attained faculty status, indicating a commitment to awarding faculty status to law library directors on the part of law school and/or university administrators and Boards of Trustees.

The blue group (staff law librarians) obviously are aware of the faculty status of their directors, with 100% reporting in the affirmative to this question. The response of the Director at the Canadian law school who replied that she did not have faculty status was compared to the response of her staff law librarian; the staff law librarian answered "yes" to that question. Again, this could be a definitional or perceptual problem.

Question No. 4: Do all of your librarians have some type of professional, administrative, or contract status which differentiates them from the clerical/support staff?

Directors: 100% (34 persons) responded yes.

Law Librarians: 96.6% (29 persons) responded yes.

3.3% (1 person) responded don't know.

¹⁸ Bailey and Trelles, p. 452.

The responses to this question were indeed heartening. They showed that, at the very least, librarians are recognized as professionals. The one respondent who replied "don't know" added the comment "not necessary" next to this response, but failed to provide any further elucidation on her comment.

It seems that this very strong showing can be attributed to the fact that the survey targeted librarians in academic settings -- almost "academic special librarians" if you will. In these situations, librarians are at least generally considered professionals within their own field, an entity to be distinguished from the clerical and support staff. Unfortunately, this apparently does not hold true for all librarians, particularly those employed in private or smaller libraries. In discussing this matter with colleagues, it has become evident that many librarians are considered as members of the clerical staff. This seems to prevail particularly in business and corporate libraries. Even some law firms have this same opinion of their law librarians. The response to this questionnaire, however, indicates the contrary, with academia generally accepting librarians as professionals.

Question No. 7: For those librarians who have faculty status, is there a teaching and/or publishing component to their position?

Directors:	73.5% (25 persons) responded yes.
	14.7% (5 persons) responded no.
	5.8% (2 persons) responded don't know.

Law Librarians: 80% (24 persons) responded yes.
16.6% (5 persons) responded no.
3.3% (1 person) responded don't know.

This question attempted to address one of the most heated topics with regard to achieving and retaining faculty status. All in academia are familiar with the "publish or perish" onus incumbent upon faculty members, either to forge their position or to solidify it. Faculty status without this component can and is often viewed as sham or farcical.

Happily for this researcher, the publications aspect of faculty status seems to have filtered into the librarian-faculty ranks as demonstrated by this data. The high figures for this question indicate the very real importance which publications have in granting faculty status to librarians. One of the frequent comments which emerged in conjunction with this question on the instrument was that of sabbatical leaves. For those who responded that they value publications in deciding whether or not to grant faculty status, the availability of sabbatical leave was listed as essential. This held true for more staff law librarians than for directors.

As a brief departure from the questionnaire results themselves, this researcher can recall conversations which were personally had some years back with a law faculty member at an institution who was about to vote on tenure for the Law Library Director, who, incidentally, was on a faculty-rank contract and was up for tenure after four years. The law faculty member

commented that while the Director in question had indeed published, the articles were "just in those funky library journals" and as such, were not considered "real" articles or worth very much towards the publications requirement. Thus, the sub-issue of "favored journals" might also be imposed upon librarians if they are to measure up the to publications standard expected of other law faculty. This will only make an already thorny issue even thornier.

There was no truly comparable question to this one on either Bailey's 1973 or 1978 questionnaire. The question nearest in meaning was found on Bailey's 1978 instrument. It concerned the requirements necessary to achieve tenure: many 1978 respondents listed publishing and/or teaching. Now, in 1990, publication requirements are apparently necessary at a large number of institutions.

Question 8: Do you feel that all librarians in academic law libraries should be granted faculty status?

Directors:	47% (16 persons) responded yes.
	41.1% (14 persons) responded no.
	11.7% (4 persons) responded don't know.
Law Librarians:	53.3% (16 persons) responded yes.
	33.3% (10 persons) responded no.
	13.3% (4 persons) responded don't know.

This is an extremely important question, as it attempts to quantify librarians' feelings and opinions on this sensitive

issue. It is also directly related to the research hypothesis -- librarians are highly desirous of obtaining faculty status.

As these figures reveal, the director group was split almost in half between those who favored faculty status for all law librarians and those who did not. The staff law librarians were also split, but not so neatly. Interestingly, this question produced the highest percentage of "don't know" responses than did any other question on the instrument.

To effectively analyze this important question, a look at some of the additional comments by respondents is necessary.

Starting with the director group, those who responded "No" to Question 8 also had comments ranging from "not appropriate for all" to "as long as the pay is adequate and the working environment positive, faculty status is not a serious question". This latter sentiment appeared several times among directors' comments, couched in similar language or terms.

On the flip side, one liberal-minded director adamantly stated, "I feel that all law librarians in academic law libraries should have faculty status by virtue of the very nature of their roles within the school, regardless of specifics such as publications, etc." When asked to rank order criteria for granting faculty status later in the questionnaire, this particular respondent ranked "any degree combination plus publications, teaching, and administrative duties" first and "dual degree" last. Although "any degree combination plus publications, teaching, and administrative duties" was the

highest ranking response among the director group, the "dual degree" requirement took second place among them.

Within the group of staff law librarians, over half of the respondents responded that they felt all law librarians should have faculty status in law schools. Like the directors, there were several (4) who responded "don't know". This uncertainty was borne out in the additional comments section of the instrument.

Here are some representative responses which will help to explain the staff law librarians' feelings:

"Not all law librarians want faculty status, but I think there should be some kind of opportunity for those who are interested."¹⁹

Then there was the following comment:

"I am strongly opposed to faculty status or tenure for all but directors and administrators in academic libraries. I do not believe that this status is recognized by anyone in the academic community except the librarians themselves." And, from the same

¹⁹My own response to this comment is incredulity at best. This respondent describes an ideal job situation in which one would be able to pick and choose what s/he may or may not want to do. This appears a bit naive. I am not aware of this choice being available in any institution which is serious about the quality of its faculty or its curriculum. If law schools were to permit the type of situation pondered by this respondent, I would suspect that its reputation would be greatly undermined. Further, if said University were to allow librarians a "choice" in this matter but yet mandate it for teaching faculty, how seriously would the librarians ever be regarded? Thus, this respondent's solution, although candid, seems unlikely.

respondent, "The work involved for the M.L.S. was practically nothing compared to the work involved in [my] other degrees." This respondent has already earned an M.A. in Anthropology and is working on his Ph.D. He concluded, "to give librarians faculty status is nothing but a farce."

Another staff law librarian echoed this sentiment, "I don't necessarily think any librarians should have faculty status." From a "yes" advocate, the following comment was received, "Status is low in a law library without a J.D. degree. Pay is low." Other "yes" respondents noted that while they presently have "academic/professional rank" instead of pure faculty rank, it seems to work well and is "sensible" for them. Yet, these same respondents indicated that all law librarians should have faculty status. Again, a definitional/perceptual conflict or an assertiveness problem may exist here, which causes some staff law librarians to actually want more yet be willing to settle for less. Predictably, this group ranked "M.L.S. alone" as the chief criteria which a University should consider when granting faculty status to librarians.

Statistical analysis was done on this question in order to determine whether any significant difference existed between the two groups. A Chi-square test was applied. (See Appendix) The results of the Chi-square analysis indicate that no significant difference exists between the responses of the two groups. Thus, an interpretation of these statistical results yields the conclusion that both groups of respondents, directors and staff

law librarians, feel that all academic law librarians should be granted faculty status. This supports the research hypothesis which states that law librarians, as a group, are highly desirous of obtaining faculty status.

Question 9: Do you feel that only the Director/Head librarian in academic law libraries should be granted faculty status?

Directors:	17.6% (6 persons) responded yes.
	61.7% (21 persons) responded no.
	20.5% (7 persons) responded don't know.
Law Librarians:	20% (6 persons) responded yes.
	70% (10 persons) responded no.
	10% (3 persons) responded don't know.

This question was intended as a check on the preceding one. However, it also allowed for respondents to consider Deputy or Associate Director positions along with the Director when advocating faculty status. It is not clear, however, whether this distinction was made plain. Note that 61.7% of Directors replied "no" to this question, yet only 47% replied "yes" to question 8. This difference of 15% may be the percentage of law library directors who may disagree with all law librarians having faculty status, yet may feel that Associate or Deputy Directors should be granted this status. Among law librarians themselves, a commanding 70% replied "No" to this question, with only 53% responding "yes" to Question 8. Again, there is about a 17% discrepancy here, which may account for those who believe that

both top administrators in academic law libraries (the Director and the Associate Director) deserve faculty status. Because of the wording of this question and its potential confusion, these results do not have as much impact on the research hypothesis as question 8 does.

Question 10: What criteria do you think should be considered when a University decides to grant faculty status to law librarians. (Please rank order, with 1 being of greatest priority.)

For this question, the following represents the number of respondents who chose each item as Number 1. Although this question initially called for the respondent to rank order the items listed, very few accomplished this task. Most ranked their top 2 or 3 choices, while others listed only one. Many others merely placed a check mark next to a single item. If this were done, it was interpreted as the respondent's number one choice. Because of this problem, this question is analyzed according to the number of respondents who ranked each item as number "1".

Directors:	A. 17.6% (6 persons)
	B. 11.7% (4 persons)
	C. 2.9% (1 person)
	D. 2.9% (1 person)
	E. 5.8% (2 persons)
	F. 2.9% (1 person)
	G. 41.1% (14 persons)
	H. 2.9% (1 person)

Law Librarians:	A.	13.3%	(4 persons)
	B.	20%	(6 persons)
	C.	6.6%	(2 persons)
	D.	6.6%	(2 persons)
	E.	6.6%	(2 persons)
	F.	3.3%	(1 person)
	G.	16.5%	(5 persons)
	H.	10%	(3 persons)

For both groups, the item rated highest was (G) "Any degree combination plus publications, teaching, and administrative duties". The "dual degree" requirement (A.) was considered more important by the director group than it was by the staff law librarians. The "M.L.S. alone" requirement (B.) was viewed as sufficient in itself to attain faculty status more often by the staff law librarians than by the directors. The remainder of votes was cast almost equally among the other choices which began "Any degree combination + ". It is important to remember that this question measured the respondents' preferences rather than what is actually practiced at individual institutions.

IV. SUMMARY AND CONCLUSIONS

A. Summary of the Information Collected

This summary of the data collected is based upon responses to the two most critical questions on the questionnaire, namely numbers 2 and 8. While the other questions generated a great deal of very useful and illuminating data, they can be regarded as providing detail or flesh to the underlying structure.

Questions 2 and 8 make up the structure itself, as they comprise the heart of the research hypothesis: the facts regarding faculty status in academic law libraries today and the feelings which law libraries currently have on this subject. Further, all of these figures represent an average of the responses of both groups of participants -- law library directors and staff law librarians.

Of the 25% AALL-member institutions (44 schools) surveyed for this project, an average 73.8% responded to the questionnaire. The questionnaire was designed to determine:

A. The number of academic law librarians who presently have faculty status; and, B. The number of law librarians who feel that all law librarians should have faculty status.

In response to the first issue -- do all law librarians at your institution presently have faculty status, -- an average of 39.1% responded yes, while an average of 60.8% responded no. Of these respondents, an average of 98.5% indicated that the Director or Head Librarian does presently have faculty status.

In response to the second issue -- do you feel that all academic law librarians should have faculty status -- the following averages were observed. 50% of the respondents answered yes; 43% answered no; and 7% were uncertain as to how they felt about this issue. Thus, although half of the respondents surveyed felt that all academic law librarians should be granted faculty rank, only 39% responded that their institutions actually confer faculty rank upon all of the law

librarians. Further, a Chi-square statistical test shows that there was no significant difference between the wishes of the group of directors and the group of staff law librarians in regard to attaining faculty status.

B. Defense of the Hypothesis

The original research hypothesis which began this study was as follows:

Academic law librarians, as a group, are highly desirous of attaining faculty status at their respective institutions, but they have met with resistance and have been unsuccessful in achieving this goal.

The results of this questionnaire support the original hypothesis. The summary analysis in Part A of this section demonstrates this quite clearly. In addition, the statistical analysis of the evidence, as performed on the raw data, further supports the research hypothesis. Thus, the hypothesis remains intact.

C. Implications of the Study

The results of this study seem to imply several things. To begin, they imply that some action on the part of University/Law School administrators and/or Boards of Trustees is necessary to close the gap between the wishes (and possibly the demands) of academic law librarians and actual personnel policies as they presently exist. They also imply that communication between academic law librarians and their administrators must be forthcoming if any real changes can be made. Whenever the wishes

of a group are consistently ignored by those in power, feelings of dissatisfaction, helplessness, and hostility inevitably surface. This is why such issues must be squarely addressed and resolved.

Finally, the results of this questionnaire also seem to impose an obligation on the directors of academic law libraries to join together and focus on this issue. There are many special interest sections in library associations which deal with aspects of librarians' professionalism, employment activities, and so forth. These provide an ideal forum in which to discuss the issue of faculty status. It would behoove some of these groups to finally resolve the faculty status debate for their members and make appropriate recommendations to the law school community.

D. Conclusions

In 1978, Bailey and Trelles reported that aside from the Law Library Director, only 42% of academic law librarians had full faculty status, while 58% did not.²⁰ In the 12 years since their study, a random sample of 25% of AALS academic law librarians has indicated that 39% of them presently have faculty status. Both studies surveyed members of the same organization. In comparison, this problem appears to be worsening.

The 1978 questionnaire did not collect any data on librarians' feelings about this matter, aside from the open-ended comments which appeared on the questionnaires. This instrument did, however, and the results are too loud to be ignored.

²⁰ Bailey and Trelles, p. 455. 42

Academic law librarians still want the acknowledgement, recognition, and reward that come with faculty status. This issue shows no signs of disappearing. Indeed, as a growing number of law librarians either already hold or are seeking the J.D. degree credential, the argument for faculty status may well become deafening.

E. Suggestions for Further Research

The data generated by this survey research revealed several areas of potential future study, as follows:

1. Types of Faculty Status. As mentioned earlier, one of the drawbacks to this questionnaire was the failure to define "Faculty Status" for the respondents. In one respect, this oversight proved worthwhile, as it produced significant commentary on the various types of "faculty status" which exist in American law schools and law libraries today. There was so much diverse data on this subject, in fact, that in reviewing the questionnaires, it emerged as a fertile area for further exploration. Future study or comparisons can be done on the types of faculty status and their relative advantages and disadvantages to librarians.

2. Morale and Job Satisfaction Among Staff Law Librarians. In reviewing the questionnaires received from the second or "blue" group of respondents (the staff law librarians), some dissatisfaction with general job status and pay scales was sensed. A study could be done which addresses this problem.

3. Gender as it Relates to Directors of Law Libraries versus Staff Law Librarians. Among many academic law librarians, there is the underlying assumption that males occupy most of the Director positions, while the "trenches" are staffed primarily by females. Further research into this perception could be considered.

APPENDIX

CHI-SQUARE APPLICATIONTable 1: Observed Frequencies

	Yes	No	Don't Know	Total
Law Library Directors	16	14	4	34
Staff Law Librarians	16	10	4	30
Totals	32	24	8	64

Table 2: Computation of Expecteds

	Yes	No	Don't Know
Law Library Directors	17	12.75	4.25
Staff Law Librarians	15	11.25	3.75

Table 3: Computation of Chi-Square Value

O	E	O-E	(O-E) ²	(O-E) ² /E
16	17	-1	1	.058
16	15	1	1	.066
14	12.75	1.25	1.56	.122
10	11.25	-1.25	1.56	.138

$$x^2 = .384$$

$$df = 2 \quad (2 \text{ rows} - 1) \times (3 \text{ columns} - 1) = 2$$

cv = 5.99 for 2df, .05 significance level, two tailed test.

Hypothesis accepted -- Computed x^2 (.384) does not exceed the critical value of 5.99.

LAW LIBRARY SURVEY

Please mark your response to the following questions. Please do not mark more than one answer for each question unless otherwise indicated. At the end, there is a section for additional comments. Thank you for your participation in this survey.

Please return by: October 15, 1990

1. What is your position in the law library?
 - A. Director/Head Librarian
 - B. Deputy Director or Associate Director
 - C. Assistant Director
 - D. Law Librarian (other than one of the above)
2. Do all of your librarians presently have faculty status within your institution?
 - A. Yes
 - B. No
 - C. Don't Know
3. Does the Director/Head Librarian have faculty status within your institution?
 - A. Yes
 - B. No
 - C. Don't Know
4. Do all of your librarians have some type of professional, administrative, or contract status which differentiates them from the clerical/support staff?
 - A. Yes
 - B. No
 - C. Don't Know
5. Do only certain librarians in your library have some type of professional, administrative, or contract status which differentiates them from clerical/support staff and the other librarians?
 - A. Yes
 - B. No
 - C. Don't Know
6. If yes to No. 5, which librarians have this status?
(Mark more than one answer if necessary.)
 - A. Director/Head Librarian
 - B. Deputy/Associate Director
 - C. Assistant Director
 - D. Other:
7. For those librarians who have faculty status, is there a teaching and/or publishing component to their position?
 - A. Yes
 - B. No
 - C. Don't Know

8. Do you feel that all librarians in academic law libraries should be granted faculty status?
- A. Yes B. No C. Don't Know
9. Do you feel that only the Director/Head librarian in academic law libraries should be granted faculty status?
- A. Yes B. No C. Don't Know
10. What criteria do you think should be considered when a University decides to grant faculty status to law librarians. (Please rank order, with 1 being of greatest priority)
- _____ Dual Degree (J.D. and M.L.S.) alone
 _____ M.L.S. alone
 _____ M.L.S. and another graduate degree alone
 _____ Any degree combination plus publications
 _____ Any degree combination plus teaching duties
 _____ Any degree combination plus administrative duties
 _____ Any degree combination plus publications, teaching, and administrative duties.
 _____ Any other criteria: Please list them below.
11. Please provide any additional comments you would like.

Thank you very much for completing this survey. If you would like a copy of my summary report, please indicate below.

_____ Yes

_____ No

My name and mailing address:

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