

MSU COLLEGE OF LAW BYLAWS FOR ACADEMIC GOVERNANCE Amended

9-19-07

PREAMBLE: Michigan State University College of Law operates as a corporately and financially independent non-profit corporation affiliated with Michigan State University under terms and conditions described in the Memorandum of Understanding Regarding Affiliation dated April 14, 2004. The Law College follows MSU administrative and academic policies and practices, which enable the Law College to function as a constituent MSU college and form a basis for Law College faculty to participate in MSU academic governance and for Law College students to participate in MSU student government. In MSU policies and procedures as applied to the Law College, references to MSU faculty and MSU students shall be deemed to apply to Law College faculty and Law College students. Application and interpretation of these bylaws shall be consistent with American Bar Association and Association of American Law Schools standards. Consistent with University policy and in accordance with the MSU Bylaws for Academic Governance, the College of Law adopts the following Bylaws for Academic Governance.

1. **College Organization**

1.1 Provost

The Provost of the Law College is the Provost of Michigan State University. The Provost is the Officer to whom the Dean, as Chief Academic Officer of the Law College, reports on all matters pertaining to academic activities and programs. The Provost has a special obligation to work with and through the Dean to promote and strengthen the academic quality of the Law College. The Provost of the Law College reports to the Board of Trustees of the Law College.

1.2 Dean

The Dean is the chief administrative and academic officer of the Law College and is responsible for implementing the policies of the Law College established by the Law College Board of Trustees, consistent with the administrative and academic policies and practices of Michigan State University. In accordance with Section 2 of the MSU Bylaws for Academic Governance, the Dean has administrative responsibility and authority for the day-to-day operation of the Law College, including without limitation supervision of its personnel and finances, and operation of its academic programs. The Dean shall also have the responsibilities specified in Section 2.1.2 of the Michigan State University Bylaws for Academic Governance, regarding the responsibilities of Unit Academic Administrators. In this capacity, the Dean reports directly to the Provost of the College and, as appropriate, to the Law College Board of Trustees. The Dean has a special obligation to build the strength of the Law College in scholarship, teaching capacity and effectiveness, and public service, as well as to protect the values of academic freedom

and to foster an environment of ethical conduct and collegial respect toward and within the faculty.

1.3 Composition of the Faculty

1.3.1 Regular Faculty. The regular faculty shall consist of all persons appointed under the rules of tenure and holding the rank of professor, associate professor, assistant professor, or instructor. In addition, the principal administrative officer, the Dean, shall be a member of the regular faculty.

1.3.2 Fixed Term Faculty. The fixed term faculty shall consist of all persons appointed at the rank of professor, associate professor, assistant professor, instructor, or adjunct professor, but not appointed under the rules of tenure.

1.3.3 Honorary Faculty.

Visiting Professors, with the rank of Assistant Professor, Associate Professor or Professor, Lecturers in Law, and Professors Emeritus shall be honorary faculty.

1.3.3.1 Visiting Professors shall consist of those persons who are faculty of another university or law school, appointed to teach at the Law College for a term of up to two years.

1.3.3.2 Lecturers in Law shall consist of individuals who would be of sufficient education and experience as to merit appointment as a visiting faculty member but are ineligible for such an appointment because they are not members of the faculty at another law school. Lecturers in Law must bring special value to the law school that cannot be duplicated by the use of adjunct faculty. Lecturers in Law also cannot be engaged in the practice of law, as defined under the ABA standards for full time faculty. Appointment as a Lecturer in Law will be for a one semester or one year term with the possibility of renewal.

1.3.3.3 Emeritus faculty shall consist of those former tenure system faculty who have retired from the Law College and meet eligibility requirements for retirement under University policy. Emeritus faculty may attend faculty meetings, may march at commencement, but shall not serve on faculty committees, or vote on any matter before the faculty.

1.3.4 Faculty Voting Rights

1.3.4.1 The regular faculty shall constitute the voting faculty on all matters brought before the Faculty Assembled, as defined in section 2.5.

1.3.4.2 The regular faculty, after the adoption of these bylaws, may extend voting rights to the Director of RWA and the Director of Clinics with respect to all matters other than personnel and bylaws adoption or amendment. These voting rights extend to election of College and University Committees.

1.3.4.3 A faculty member jointly appointed in another unit of the University may only vote on Law College matters if the Law College is the primary academic unit of the person's appointment, with a 51% or more appointment basis in the Law College.

1.3.4.4 Vote on Personnel Matters. When a vote on a personnel matter is to be taken that involves the decision to recommend hiring tenure system faculty, only regular faculty may attend the discussion that precedes the vote and may vote. Only tenured faculty may attend the discussion concerning questions of and may vote on tenure system promotion below the rank of full professor, grant of tenure, and decanal review, but a tenured member may not vote on such questions if he or she is the subject of the motion or hearing. Only tenured faculty members holding the rank of full professor may vote on promotion from associate professor to full professor.

1.4 Appointments

1.4.1 Decanal appointments

1.4.1.2 Position of the Dean. The appointment of the Dean shall be made by the Law College Board of Trustees under the provisions for “consequential matters” under the Memorandum of Understanding Regarding Affiliation dated April 14, 2004. The Provost and the faculty shall consult regarding the appointment of the Dean. In particular, the Faculty Advisory Council shall have shared responsibility with the Provost to determine procedures for the selection of the Dean to be nominated by the Provost to the MSU College of Law Board of Trustees, pursuant to University Bylaws Section 2.1.3.2. There is no limit of the number of times an individual may be continued in the position of Dean. At any time during the term of office, the appointment of a Dean may be terminated either by resignation or by action of the Law College Board of Trustees upon recommendation of the Provost.

1.4.1.3 Acting Deans appointed for limited periods need not be a member of the regular faculty, although an acting Dean should have qualifications appropriate for such appointment.

1.4.1.4 Associate or Assistant Decanal Appointments. Appointments of Associate and Assistant Deans shall be made by the Provost on recommendation of the Dean. The Dean shall consult with the regular faculty of the Law College before recommending these appointments.

1.4.2 Faculty Appointments. The regular faculty has an advisory role to the Dean with respect to faculty appointments. The Dean is charged to give great weight to the advice of the regular faculty.

1.4.2.1 Tenure System Faculty Appointments. All faculty appointments in the tenure system, except those appointments upon initial hire or promotion granting tenure, shall be made by the Provost, upon the recommendation of the Dean. The regular faculty shall advise the Dean on the candidates, prior to the Dean's recommendation to the Provost.

1.4.2.2 All faculty appointments upon initial hire or promotion granting tenure shall be made by the Law College Board of Trustees. After receiving the advice of the tenured faculty in the manner described in section 1.4.2.3 below, the Dean shall recommend such appointments to the Provost, who makes the final recommendation to the Law College Board of Trustees.

1.4.2.3 The voting faculty (regular faculty in the case of appointments and tenured faculty with respect to other actions) shall advise the Dean on appointments, reappointments, promotions, and tenure of tenure system faculty. Such advice shall take the form of votes, related commentary which accompanied the voting and the recommendation, as relevant, of the Tenure Advisory Committee(s). The Dean is charged to give great weight to the advice of the faculty. In accordance with University policy based on a written request to the Dean, the faculty member shall receive reasons in writing which are the basis for the recommended decision.

1.4.2.4 Upon commencement of employment at the Law College, each untenured faculty member appointed in the tenure system shall be assigned a Tenure Advisory Committee appointed and constituted in accord with Section 2.7.3 of these bylaws.

- 1.4.2.5 Upon commencement of employment at the Law College, each tenure system faculty member shall be informed in writing of the date upon which the tenure system faculty member becomes eligible to apply for promotion and tenure.
- 1.4.2.6 The TAC shall advise, monitor, and review the tenure system faculty member's professional development on a regular basis during the tenure system faculty member's probationary period.
- 1.4.2.7 Upon application by the tenure system faculty member for reappointment, promotion or tenure, the TAC shall prepare a report for the tenured faculty evaluating the tenure system faculty member's performance for purposes of recommending reappointment, promotion, or the granting of tenure.
- 1.4.2.8 The TAC shall provide the tenure system faculty member with copies of all reports prepared by the TAC regarding the tenure system faculty member. The tenure system faculty member shall have a reasonable opportunity to provide a written response to any TAC report concerning the tenure system faculty member to the TAC or the tenured faculty.
- 1.4.3.1 Fixed Term Faculty Appointments. The Committee on Faculty Appointments and the regular faculty, by an affirmative vote of a majority of those present and voting, advise the Dean who appoints fixed term faculty members. The Faculty Advisory Council and the regular faculty, by an affirmative vote of a majority of those present and voting, advise the Dean on the reappointment of fixed term faculty members. Full-time fixed term faculty members shall be appointed for one semester or for one year terms or for renewable or rolling terms of three or five years.

- 1.4.3.2 Upon application by the fixed term faculty member for promotion or reappointment, the Faculty Advisory Council shall prepare a report for the regular faculty evaluating the fixed term faculty member for promotion or reappointment.
- 1.4.3.3 The Faculty Advisory Council shall provide the fixed term faculty member with copies of all reports prepared by the Faculty Advisory Council regarding the fixed term faculty member. The fixed term faculty member shall have a reasonable opportunity to provide a written response to any Faculty Advisory Council report concerning the fixed term faculty member to the Faculty Advisory Council or to the regular faculty.
- 1.4.3.4 Visiting Faculty and Lecturer in Law Appointments. The Associate Dean for Academic Affairs, the Committee on Faculty Appointments, and the regular faculty, by an affirmative vote of a majority of those present and voting, advise the Dean who appoints the Visiting Professor or Lecturer in Law. Visiting Professors and Lecturers in Law have the right to attend faculty meetings, except meetings dealing with personnel matters, and may serve as nonvoting members of faculty committees. Visiting Professors and Lecturers in Law may not vote on any matter.
- 1.4.3.5. No member of the full-time fixed term faculty, Lecturer in Law or Visiting Professor may apply for a tenure system appointment for the academic year immediately following the period of employment at the Law College unless, after seeking the advice of the regular faculty, the Dean so provides for in the initial appointment letter proffered to the candidate.

1.5 Powers and Rights of the Faculty

- 1.5.1 Powers of the faculty. The faculty of the Law College shall have such powers as are defined for the faculty in the Bylaws for Academic Governance of MSU College of Law, in the Corporate Bylaws for MSU College of Law, and in the 2004 Memorandum of Understanding between the Law College and the University. The Law College faculty also shall have such powers as are defined for the faculty of the University in the Michigan State University Bylaws for Academic Governance and in other appropriate documents of Michigan State University.
- 1.5.2 Rights of the faculty. The MSU Faculty Rights and Responsibilities Policy applies to the Law College including academic freedom and final authority and responsibility for course content, classroom procedures, and grading, subject to existing review procedures and requirements of University policy. The rights and responsibilities of the regular faculty also include tenure, when and if granted, and responsible participation in the development and implementation of academic programs and policies of the Law College and the University.

2. Academic Organization

2.1 The faculty is organized and operates as a single academic unit, as defined in the Bylaws of Michigan State University.

2.2 College Advisory Council

There is no separate governance body called the College Advisory Council. The “College Advisory Council” structure shall consist of two councils: the Faculty Advisory Council and the Student Advisory Council.

2.3 The Faculty Advisory Council

2.3.1 Composition of the Faculty Advisory Council

2.3.1.1 The Dean, the Associate Dean for Academic Affairs, and the Director of Library and Technology, as ex officio members with no vote.

2.3.1.2 Five regular faculty members who have been employed by the Law College for at least one three year term, each with one vote.

2.3.1.3 One full-time fixed term faculty member who has been employed by the Law College for at least one three year term, with one vote.

2.3.2 Method for selecting council members. The Council shall be elected by the voting faculty in the spring semester for the next academic year. All regular faculty members and all full-time fixed term faculty members, employed full-time at the Law College for at least three years and currently employed for at least a three year term, wishing to serve on the FAC shall submit their names to the Secretary to the Faculty, described in section 2.6.5, for inclusion on secret ballot forms. One secret ballot form will be used for regular faculty candidates, a separate secret ballot form for fixed term faculty candidates. Regular faculty members shall vote for a number of regular faculty members equal to the number of available council seats designated for regular faculty; full-time fixed term faculty members shall vote for one fixed term candidate to fill the council seat. At the first election after the adoption of these bylaws, regular faculty members shall vote for five regular faculty members. Election requires a candidate receiving the affirmative vote of a majority of the eligible voting faculty present and voting. After tallying the ballots, the Secretary to the Faculty shall announce the top vote getters elected to fill Council vacancies. Additional secret ballots and votes will be required if a sufficient number of candidates fail to receive a majority vote.

- 2.3.3 FAC Chairperson. The Chairperson of the FAC shall be elected each year by the members of the Council.
- 2.3.4 Term of office. Election shall be for two year staggered terms. Following the first election after the adoption of these bylaws, two regular faculty members shall, by lot, be given one year terms. A member may hold office for two consecutive terms and may be considered again for election after two years of non-membership.
- 2.3.5 Functions
- 2.3.5.1 The FAC shall advise the Dean on general policy matters including, but not limited to, the budget of the College, the creation and elimination of decanal and directorial positions, and the standards for admission of law students. The Dean shall provide drafts of the annual budget to the Council before its referral to the Provost and the Law College Board of Trustees.
- 2.3.5.2 The FAC as a shared responsibility with the Dean, after soliciting eligible faculty members for their committee assignment preferences, shall present to the Faculty Assembled for approval a slate of committee assignments for standing College and University Committees, Tenure Advisory Committees, and *ad hoc* committees.
- 2.3.5.3 The FAC shall advise the Dean on the reappointment of fixed term faculty members, based upon the assessment of faculty performance and need.
- 2.3.5.4 The FAC shall consult with and advise the Dean regarding long range planning for the College, identification of goals and means to achieve those goals, assessment of success in realizing established goals, and periodic re-examination and appropriate revision of established goals.

2.3.5.5 The FAC shall have shared responsibility with the Provost to determine procedures for the selection of a Dean, including faculty involvement.

2.3.5.6 The FAC shall have shared responsibility with the Provost to determine procedures for review of the Dean, which shall occur at intervals not to exceed five years.

2.3.5.7 The FAC shall advise the Dean on the policy and procedure for awarding annual merit pay for the faculty.

2.3.5.8 The FAC and the Dean shall determine agendas for faculty meetings.

2.3.5.9 The FAC may propose amendments to these bylaws.

2.3.6 Procedures

2.3.6.1 The FAC shall determine its own operating rules and procedures.

2.3.6.2 The FAC shall annually elect a chairperson and a secretary from its voting membership at the first meeting of the fall semester.

2.3.6.3 The Faculty Assembled may by majority vote instruct the FAC to take up or report on an issue.

2.3.6.4 The FAC shall meet as often as required to perform its duties but no less than four times in each academic semester, except the summer session.

2.3.6.5 Meetings may be called by the Dean, the FAC Chairperson, or a majority of FAC voting members.

2.3.6.6 The minutes of the FAC meetings shall be published and distributed to the faculty within ten days after approval.

2.4 The Student Advisory Council

2.4.1 Composition of the Student Advisory Council

2.4.1.1 The Dean and the Associate Dean for Student Affairs, as ex officio members with no vote.

2.4.1.2 The Student Bar Association Executive Board, four members each with one vote.

2.4.1.3 The Editor-in-Chief of the *MSU Law Review*, with one vote.

2.4.2 Functions

The Dean shall meet with the SAC at least once a semester pertaining to issues which are of concern to the students. The student members of the SAC may develop an agenda of topics for discussion with the Dean so long as the Dean receives the agenda at least 24 hours before the meeting.

2.5 The Faculty Assembled

The Faculty Assembled shall sit as a formally constituted body of the voting faculty at faculty meetings and shall be chaired by the Dean or, in the Dean's absence, by another member of the regular faculty designated by the Faculty Advisory Council.

2.5.1 Functions

2.5.1.1 The Faculty Assembled shall have final advisory authority on educational programs and academic standards.

2.5.1.2 The Faculty Assembled shall have delegated authority over curriculum. A majority of the voting faculty present and voting may approve, amend, reject or return for further discussion any recommendation by the College Curriculum Committee. Amendments, rejections or referrals for reconsideration of College Curriculum Committee recommendations shall be accompanied by reasons for such action. The response of the College Curriculum Committee will be considered by the Faculty Assembled before it

takes final action. All recommendations by the College Curriculum Committee must be submitted to the faculty before or with the faculty meeting agenda governing the meeting at which they are to be considered. Final endorsement requires approval by the University Committee on Curriculum and the Academic Council.

2.5.1.3 The Faculty Assembled shall have final approval over College and University Committee appointments.

2.5.1.4 The Faculty Assembled and the Dean, pursuant to the M.S.U. Academic Governance shared governance principle, shall have the authority to interpret these bylaws.

2.6 Meetings of the Faculty.

2.6.1 Time and Place of Meetings. There may be monthly meetings of the full-time faculty at the College of Law, except during June and July, with a minimum of one scheduled in the fall and one in the spring semesters. At the beginning of each academic year, the Dean and the FAC shall schedule the meetings for the entire year. Special meetings may be called either by the Dean, the FAC, or at the written request of four full-time faculty members. The special meeting shall be held within 10 business days of the request and at least seven days after notice shall have been given to the full-time faculty.

2.6.2 Attendance. Attendance at faculty meetings shall be limited to regular faculty members; full-time fixed term faculty; visiting professors; emeritus faculty; joint appointment faculty members; the Dean; and the Assistant or Associate Dean for Student Affairs, or individuals otherwise invited.

2.6.3 Faculty Voting

2.6.3.1 Vote on Matters Properly Before the Faculty. Except as otherwise provided in these bylaws concerning personnel matters and votes adopting or amending these bylaws, all regular and full-time fixed term faculty may attend the discussion that precedes the vote on all other matters properly before the faculty. Unless voting rights are extended to full-time fixed term faculty, only regular faculty may vote on matters properly before the faculty.

2.6.3.2 Proxy and Absentee Voting. A policy governing in person electronic voting may be adopted by the Faculty Assembled, however, no proxy or absentee voting is permitted on any issue under any circumstances. A faculty member on leave or on sabbatical who would otherwise be entitled to vote on a matter has the same voting rights that he or she would have if not on leave or sabbatical. A faculty member may attend faculty meetings by telephone and may vote by telephone.

2.6.4 Agenda. The Dean and the FAC shall determine faculty meeting agendas. The Dean shall distribute to the faculty a preliminary agenda for each meeting of the faculty ten business days prior to the meeting. Any member of the faculty entitled to vote at a faculty meeting may have a topic placed on the agenda by notifying the Dean at least 24 hours prior to distribution of the final agenda, the Friday preceding the faculty meeting. It is desirable, but not required, that matters to be voted upon be written and distributed to all faculty and administrators in advance of the meeting. Any report or recommendation of a standing faculty committee or a duly appointed *ad hoc* faculty committee, which is expected to be voted upon at a faculty meeting, shall be distributed to the faculty at least three business days prior to the meeting.

2.6.5 Conduct of Meetings. The Dean or, in the Dean's absence, a member of the regular faculty designated by the Faculty Advisory Council, shall chair the faculty meetings. The Secretary to the Faculty shall keep the minutes of the meeting. The Secretary to the Faculty shall be elected during the spring semester by faculty with voting rights for service in the next academic year. Tenure system and full-time fixed term faculty members having at least one year's teaching experience at the College of law are eligible for this position. Faculty meeting minutes shall be distributed to the tenure system faculty, full-time fixed term faculty, the Assistant or Associate Dean for Student Affairs, and the Dean at least three business days prior to the next regularly scheduled faculty meeting. Any changes or corrections shall be made at the next faculty meeting. The conduct of the faculty meeting shall be in accordance with *Roberts Rules of Order, Newly Revised*. The chair of the meeting shall serve as parliamentarian unless the chair appoints someone to serve as parliamentarian. A motion for a secret ballot is a non-debatable motion requiring a second and approval by a majority of those present and voting. All votes on personnel matters shall be by secret ballot.

2.6.6 Order of Business. The faculty meeting shall be conducted pursuant to the following order of business:

- a. Call to Order
- b. Approval of Agenda
- c. Approval of Minutes
- d. Announcements
- e. Old business

- f. New business
- g. Adjournment

2.7 Law College Committee Membership

The Faculty Advisory Council, after consultation with the Dean as a shared responsibility, shall recommend College committee assignments to the voting faculty for approval at the last faculty meeting of the academic year, for committee service in the next academic year. Assistant and Associate Deans may be nonvoting ex officio members of a faculty committee, and those with faculty appointments, may be elected as regular, voting members of a faculty committee. University committee assignments shall be recommended to the voting faculty for approval in time to be consistent with University practices. Full-time fixed term faculty members employed by the Law College who have served at least three consecutive years on full time appointment(s) may be elected to faculty committees and to represent the Law College in University-level academic governance bodies, except the University Committee on Faculty Tenure and the University Committee on Faculty Affairs.

2.7.1 Committee Procedures Applicable to Standing and Ad Hoc Committees

2.7.1.1 Committees shall establish their own rules.

2.7.1.2 Each committee shall schedule its own meetings and keep minutes of the meetings.

2.7.1.3 Committee meetings shall ordinarily be open to regular faculty and full-time fixed term faculty, but a committee may formulate procedures for closing some of its meetings for stated reasons.

2.7.1.4 Each committee shall determine its own agenda. Administrators, faculty, and students may suggest items for a committee's agenda.

2.7.2 Standing Committees. Standing Committees shall include the Academic Standards Committee, the Admissions Committee, the Curriculum Committee, the Committee on Faculty Appointments, the Faculty Development and Programs Committee, the Journals Review Committee, and the Librarian Review Committee. Each committee shall have a minimum of three members.

2.7.2.1 Academic Standards Committee. The Academic Standards Committee shall have the primary responsibility for the development of those rules and regulations which are necessary for the academic integrity of the College. Matters including, but not limited to, class attendance, grading, testing, the correlation between grading and bar passage, and course evaluations, fall within the purview of the Academic Standards Committee. The Committee shall make recommendations on such matters to the Faculty Assembled which shall have the delegated authority to adopt or reject such recommendations. In addition, the Committee shall have responsibility for deciding when and under what conditions a College student, not presently enrolled, may be readmitted to the College, either as a new student or with advanced standing.

2.7.2.2 Admissions Committee. The Committee will review applicant files and decide on admission in coordination with the Assistant Dean of Admissions and Financial Aid, based on a policy set by the Dean in consultation with the FAC. The Dean with the FAC, through advice on the budget process, shall set the size of the class to be admitted and the number of scholarships to be granted each fall. The Committee shall review and

recommend to the Dean the standards and criteria for Merit and Trustee Scholarships. The faculty shall have the delegated responsibility for determining the standards and criteria for admission to the King Scholar program based on the recommendations of the Committee. The Admissions Committee shall take the leadership position among the faculty in support of the Assistant Dean of Admissions and Financial Aid in the process of recruitment of new students, including through participation in admissions events and communication with prospective students.

2.7.2.3 Curriculum Committee. The Curriculum Committee shall have the delegated authority for making recommendations to the Faculty Assembled for the maintenance and development of a sound curriculum. The Faculty Assembled shall have the delegated responsibility to adopt and amend the curriculum subject to fiscal constraints.

2.7.2.4 Committee on Faculty Appointments. The Committee on Faculty Appointments has advisory responsibility with the Dean for the recruitment of new faculty members. The Committee shall recommend to the regular faculty and the Dean the appointments of tenure system faculty and visiting professors. The regular faculty shall have an advisory role to the Dean who makes recommendations to the Provost for appointment of probationary tenure system faculty. The tenured faculty shall have an advisory role to the Dean, who makes recommendations to the Provost, who makes recommendations to the Law College Board of Trustees on the granting of tenure, at the time of hire or promotion. The Dean is charged to give great weight to the advice of the faculty. Committee membership shall be limited to tenure system faculty. The Committee is responsible for developing and implementing an effective process for the targeted recruitment of all

regular faculty with particular attention to diversity in hiring and to hiring persons with expertise in particular areas identified by the Curriculum Committee.

2.7.2.5 Faculty Development and Programs Committee. The Faculty Development and Programs Committee has delegated responsibility for fostering collegial interaction and the promulgation of new ideas among members of the faculty. The Committee sponsors discussions and/or workshops on excellence in teaching and works in progress on a regular basis, including brown-bag lunch discussions, as well as social events involving speakers from within and outside of the faculty. The Committee also serves as a bridge to professional development opportunities at the University by identifying and publicizing programs which might be of interest to Law College faculty.

2.7.2.6 Journals Advisory Committee. The Journals Advisory Committee works with the student editors and staff of the *Law Review* and other officially recognized student journals to solicit articles of interest and to maintain a high-degree of quality in the publication. The Committee oversees the *Law Review's* and Journals' student writing program, providing guidance in the production of scholarly writing and reviewing all papers for credit. The Committee has advisory responsibility and recommends to the Dean various policies concerning funding, scholarships, and other College support for the *Law Review* and other student edited journals.

2.7.2.7 Librarian Review Committee. The Librarian Review Committee shall consist of at least three members, of whom at least two shall be regular faculty members whose rank is that of Associate Professor or Professor. At least one member of the Committee shall be a Librarian 3 unless there is no person in the Law College who holds that title. The primary

responsibility of the Librarian Review Committee is to evaluate the performance of the librarians as it relates to the issues of reappointment, promotion, or award of continuous appointment status. The Committee may consult with the Director of the Library any time prior to making its final report. The written report of the Committee shall be presented to the Director, who shall review all relevant materials, consulting with the faculty, the individual librarian, and other librarians as appropriate, and make a recommendation to the Dean. The Director and the Dean, after consultation with the M.S.U. Director of Libraries, shall make the final decision on promotion or reappointment.

2.7.3 Tenure Advisory Committees. Tenure Advisory Committees shall be recommended to the faculty by the FAC as a shared responsibility with the Dean upon commencement of employment at the Law College of each tenure system faculty member. Each Tenure Advisory Committee shall be comprised of three tenured faculty members. The functions of the Tenure Advisory Committee are: to advise the candidate on matters relating to the Law College and to his or her professional development; to monitor the performance of the candidate; to report annually in writing to the tenured faculty on the candidate's progress; and prepare a written report for the tenured faculty evaluating the candidate's performance for purposes of recommending reappointment, promotion or the granting of tenure.

2.7.4 Ad Hoc Committees. The FAC, in consultation with the Dean, will convene *ad hoc* committees as needed.

2.7.5 University Committees. The College of Law participates in university academic governance through representation on university committees, as specified in the University's Bylaws for Academic Governance.

3. Librarians

3.1 Composition. The librarians of the College are the information professionals who provide library services and develop and maintain the collections of the library.

3.2 Appointment. Librarians shall be appointed by the Director of Library & Technology Services and the Dean, with the designation of Librarian 1, Librarian 2, or Librarian 3, depending upon professional competencies, education, and work experience. Librarians will be evaluated pursuant to the standards established in the "Competencies of Law Librarianship," approved by the American Association of Law Libraries Executive Board. A librarian who retires from the Law College and meets the eligibility requirements for retirement under University policy is awarded Librarian Emeritus status.

3.3 Term of Appointment. Librarians may be appointed for a fixed term of three years, additional fixed terms of three years, and have an opportunity for continuous appointment, typically ranked during the step process as Librarian 1, Librarian 2, and, for continuous appointment as Librarian 3.

4. The Students

4.1 Student Constituency of the College. The student constituency of the Law College shall consist of all persons current and officially enrolled as students in the Law College.

4.2 Those students enrolled in the Master of Laws program shall be deemed LL.M. students.

- 4.3 Those students enrolled in a Masters in Jurisprudence program shall be deemed M.J. students.
- 4.4 All other students shall be deemed J.D. students.
- 4.5 Student Participation in Academic Governance. The academic standards, admissions, and curriculum committees shall have one student representative, selected by the Student Bar Association (SBA). Student representatives to the Council of Graduate Students are appointed by the SBA Executive Board following an interview process.
- 4.6 Student representatives shall participate as voting members on committees except that students shall not be present at the discussion concerning nor vote on personnel matters or on individual admission and readmission decisions.
- 4.7 Only students who have at least 2.50 cumulative grade point average are eligible to serve on College committees.

5. Grievance Procedure

- 5.1 The College, as provided for in the Memorandum of Understanding, is covered by the MSU Faculty Grievance Procedure. Faculty grievances initiated at the college level shall follow the procedures specified in the “Model Academic Unit Grievance Procedures.”
- 5.2 Student grievances shall be conducted in accordance with procedures set forth in Michigan State University policy and the “Graduate Student Rights and Responsibilities” document.

6. Bylaws Interpretation and Amendment Process.

- 6.1 Adoption. These bylaws shall be approved upon the affirmative vote of a majority of the regular faculty present and voting on the approval. These bylaws shall be adopted after

approval by the regular faculty, the Dean, the University Committee on Academic Governance, and the Law College Board of Trustees.

- 6.2 Interpretation. Pursuant to the M.S.U. Academic Governance shared governance principle, the Dean and Faculty Assembled shall have the authority to interpret these bylaws.
- 6.3 Five Year Review. Review of these bylaws and subsequent bylaws shall be undertaken at regular five year intervals from the date of approval by the regular faculty. Approval of revisions in these reviews shall be upon an affirmative vote by a majority of the regular faculty present and voting.
- 6.4 Amendments Between Five Year Reviews. Amendments to these bylaws may be proposed in writing to the Faculty Advisory Council by any regular faculty member, by the Faculty Advisory Council, or by the Dean as an agenda item for any college faculty meeting. The written proposal will be circulated to the faculty with the agenda without a vote of approval by the FAC. To avoid unnecessary changes, a two-thirds majority of the regular faculty voting on the amendment shall be required for approval.
- 6.5 Implementation of bylaw revisions and amendments. Following approval by the faculty, the Faculty Advisory Council shall forward the proposed revisions and amendment(s) to the Dean. Implementation of revisions and amendments shall occur under the shared responsibility mode of participation, and following the Law College Board of Trustees endorsement of the revisions and amendments as a “consequential matter.”

Date approved by the regular faculty of the Law College _____.

Date approved by the Dean _____.

Date approved by the UCAG _____.

Date approved by the Law College Board of Trustees _____.

APPENDIX 1

Modes of Participation

Pursuant to Section 1.3 of the Michigan State University Bylaws on Academic Governance there are four modes of faculty and student participation defined below which apply wherever the terms are used in the Law College Bylaws for Academic Governance.

Consultation.

A body of faculty and/or students who discuss with and inform the administrator with authority and responsibility for decision. Such a committee is not a deliberative body; there is no vote. Rather, the members express their views to inform an administrator's decision.

Advisory.

A deliberative body of faculty and/or students recommends policies to an administrator who is authorized to make decisions. The administrator is not bound by the recommendation and accepts responsibility for the decision.

Shared Responsibility.

A deliberative body of faculty and/or students makes recommendations to an administrator authorized to make decisions. If the administrator and deliberative body cannot agree and action must be taken, the recommendations of the administrator and the deliberative body will be submitted in writing to the next higher administrative level for resolution.

Delegated Authority.

A deliberative body of faculty and/or students is authorized to make decisions on specified matters. Such decisions are subject to administrative review, but will be altered only in exceptional circumstances.