

**BYLAWS**  
James E. Beasley School of Law  
Temple University  
(As amended and approved by the Faculty 10/20/17)

**1. Article 1. General Principle**

“**University Policy**” refers to 1) any action, resolution, or policy of the Temple University Board of Trustees, 2) any action or policy of the President of Temple University taken within his/her authority, or 3) any administrative policy or procedure adopted pursuant to authority granted by the Board of Trustees or the President.<sup>1</sup>

In the event of any conflict or contradiction between any bylaws of the Law School or any action taken by the Law School under the authority of its bylaws and any University Policy now in effect or adopted in the future, the Law School bylaw or action shall be superseded by the pertinent University Policy.

**2. Article 2. Law School Dean**

- a. The Dean is appointed by the President pursuant to a process defined by the President in advance of the Dean Search. Law faculty should be a substantial part of any such search process.
- b. The Dean will report to, and serve at the pleasure of, the President.
- c. The Dean is the chief executive officer and chief academic officer of the Law School. The Dean’s duties and responsibilities are defined by the Board of Trustees or the President, and by administrative procedures adopted pursuant to the authority of the Board of Trustees or the President.
- d. The Dean shall exercise such authority as may be specifically delegated by the Board of Trustees, the President, and the President’s designees as well as such other authority that, while not specifically delegated, is consistent with University Policy and the educational mission of the Law School. The Dean is responsible for the administration of the Law School budget as adopted by the Board of Trustees or its delegate, including budget rules or budget guidelines that may be promulgated as University Policy.

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<sup>1</sup> *University policies as defined here shall include collective bargaining agreements that have been approved by the Board of Trustees or by the President when he/she has been delegated to do so by the Board of Trustees, and any amendments or supplementary letters of agreement to such contracts that may be approved by the Board of Trustees or the President during the life of any collective bargaining contract.*

- e. The Dean or his delegate shall be an *ex officio* member without vote of all Law School committees.

### 3. **Article 3. Law School Organization**

- a. **Administration and Staff.** Subject to University Policy, the Dean shall appoint associate deans, assistant deans, librarians, program directors, and other administrative personnel after consultation with the pertinent Faculty Committees or the full Faculty as is appropriate. The Dean shall be responsible for supervision of the law school administration.
- b. **The Faculty** (referred to in Temple University's Faculty Senate Constitution and Bylaws as the "Collegial Assembly"):
  - i. The primary organization roles of the faculty are in recommending policies concerned with instructional programs, including curricula and courses, admission standards, and graduation requirements and honors, in making recommendations on appointment and promotion and tenure of faculty, and in making recommendations with respect to student grievances and discipline.
  - ii. "Full-time member of the Faculty" includes all tenured/tenure track (formerly Presidential faculty), all Legal Research and Writing, Clinical, and Practice faculty on full-time appointment, and all full-time faculty on non tenure track (formerly Dean's Appointments), including those who administer academic programs, and the Law Librarian.
  - iii. Except with respect to certain faculty hiring and promotion matters, every full-time member of the Faculty shall be a voting member of the Faculty of the law school, which functions as the Law School's Collegial Assembly. Full-time faculty on non tenure track (Dean's Appointment) temporarily visiting from other law schools or from practice shall be non-voting members. Faculty on leave may attend and vote at Faculty and Tenorial faculty meetings. Except for votes on tenure, promotion, and long-term contracts, which shall be subject to all Standards, Policies, Procedures and Guidelines adopted by the Faculty for tenure, promotion, or long-term contracts, anyone authorized to vote must be present at the meeting where the vote is taken in order to record a vote.
  - iv. The Dean shall call a Faculty Meeting at least once each semester. Additional meetings may be called by the Dean. Upon receipt of a petition bearing the signatures of at least 25% of the full-time Faculty, the Dean shall schedule a faculty meeting within 10 business days. The distribution of an agenda will precede each Faculty Meeting and at least one week's advance notice of each meeting will be given. The notice requirement for scheduled meetings may be satisfied through one notice of

all scheduled meetings at the beginning of the year. Emergency Faculty Meetings may be called on 24-hours' notice by the Dean and shall be called by the Dean on receipt of a petition that requests such a meeting that bears the signatures of at least 25% of the full-time Faculty.

- v. Unless one third the Faculty requests otherwise in writing, the Dean shall be the presiding officer at Faculty Meetings. In the Dean's absence, the Dean's designee will preside over Faculty Meetings. Upon written request of one third of the Faculty, the Chair of the Collegial Assembly, who shall be elected by the Faculty, may preside over a Faculty Meeting. The Faculty will elect a Secretary to record and maintain minutes of the Faculty Meetings.
- vi. The Dean may invite various members of the administrative staff, students, or others to attend or report at Faculty Meetings. Such persons shall be excused for "Executive Sessions" when matters to be discussed involve individual faculty or students or are matters of a similar confidential nature, unless invited by the presiding officer to participate.
- vii. The Dean may call on the Faculty to approve or give advice on changes in Law School policy, changes to its curriculum, faculty appointments, and the like and to elect representatives to non-Law School bodies such as the Representative Faculty Senate and the Association of American Law Schools. The Dean shall ordinarily submit to the Faculty for a recorded vote the creation or elimination of courses, academic programs or institutes, matters of grading and grading policy, and faculty appointments.

**Tenorial Faculty.** Faculty members who have achieved tenure shall constitute the Tenorial Faculty. The Tenorial Faculty is responsible for recommendations as to tenure and promotion of Faculty at the Law School, except that only full professors with tenure are responsible for recommendations as to promotion to full professor. It will have a Chair, elected by the Tenorial Faculty and proceed in accordance with all Standards, Policies, Procedures and Guidelines adopted by the Faculty for tenure, promotion or long-term contracts.

c. Committees

- i. **General.** Committees at the Law School exist to consider or study matters of importance to the Law School and to make recommendations to the Dean and the Faculty. The Dean or the Faculty may seek advice from any Committee as the Dean or Faculty deems appropriate.

Pursuant to its certification by the Pennsylvania Labor Relations Board, the Law Faculty is represented by the Temple Law Professor Collective Bargaining Unit (TLPCBU). The Dean generally sets salaries and decides

other matters of faculty compensation based on merit in consultation with elected Faculty representatives.

ii. **Elected Committees**

- (a) **Qualifications.** Any member of the Faculty may be elected to serve on any Committee except the Faculty Review and Faculty Responsibility Committees. Election of faculty to elected committees shall be by secret ballot.
- (b) **Executive Committee.** The Executive Committee shall consist of five faculty members elected by the faculty, each serving for staggered two-year terms. Unless the Dean establishes a separate Budget Committee, the Executive Committee shall serve as the Law School's Personnel Committee and as its Budget Committee.

The Dean may seek advice from the Executive Committee on personnel matters, the appointment of administrators, development and implementation of law school policies, the budget, or any other matters the Dean or Executive Committee deem appropriate.

The Executive Committee shall meet as often as needed, but not less than twice during the fall semester and twice during the spring semester. It shall elect a Chair from its members.

- (c) **Faculty Review Committee.** The Faculty Review Committee shall be composed of at least 5 Faculty Members. The Chair and two members of the Faculty Review Committee shall be elected by the Faculty. Two members shall be appointed by the Chair of the Tenorial Faculty, in consultation with the Dean. The qualifications for membership, terms, election procedures, duties, and responsibilities of the Faculty Review Committee are as stated in the Statement of Policies and Procedures of the Tenorial Faculty then in force.
- (d) **Disciplinary Committee.** The Disciplinary Committee is a faculty-student committee consisting of three faculty members and four students. This Committee hears matters of alleged student misconduct. The election of faculty and students, the terms, and the procedures to be followed by the Committee are contained in the Law School's Code of Student Conduct and Disciplinary Procedures (Appendix I of Faculty Regulations).
- (e) **Faculty Responsibility Committee.** The Law School's Faculty Responsibility Committee will investigate and make recommendations concerning allegations of serious misconduct

against a faculty member. The Committee shall consist of five tenured, full professors on the Faculty without conflicts of interest or bias in the matter at hand. The tenured, full professor members of the Executive Committee shall be members of the Faculty Responsibility Committee unless they are biased or have conflicts of interest. If fewer than five members of the Executive Committee are qualified to serve on the Committee, the Dean, in consultation with the Executive Committee, shall appoint the remaining members from alternates who shall be elected for that purpose by the Faculty at the time of the election of the Executive Committee.

The Faculty Responsibility Committee will inquire fully into the matter. It shall assure that any person who brings allegations of misconduct will have an opportunity to present written or oral information to support his/her assertions. A faculty member who is being investigated shall be given a full and fair opportunity to provide relevant written or oral information to rebut allegations of misconduct or to explain such conduct. The complainant and the faculty member accused of misconduct may offer relevant written or oral statements by others who have knowledge of the alleged misconduct. The Committee, however, may determine whether to hear such oral evidence or the extent of such evidence that will be heard. The Faculty Responsibility Committee may examine documents or seek statements independently of information offered by the complaint or the faculty member accused of misconduct. If the Committee relies on such information in making its report, it shall clearly identify the source and character of such information and shall, whenever possible, include such information or summaries of it as attachments to its report.

The Faculty Responsibility Committee shall maintain confidentiality as to the allegations of misconduct submitted to it, all evidence – oral, written, or tangible – submitted for its consideration, and its deliberations and recommendations, except to the extent that such information must be provided to others in order to conduct its investigation or to carry out University Policies. The Committee will encourage all participants in the proceedings to maintain confidentiality as well. The Faculty Responsibility Committee may seek the advice of University Counsel if it deems it necessary, and University Counsel shall endeavor to give reasonable assistance if possible.

The Faculty Responsibility Committee shall detail its findings and make its recommendations through a confidential written report to the Dean that, to the extent reasonably possible, includes as

attachments any written statements, any documents, and any other written or tangible evidence upon which the Committee relied. The Dean will then determine whether further proceedings are warranted and, if so, will, within thirty days or as soon thereafter as practicable, forward the Dean's written recommendations, together with the report of the Faculty Responsibility Committee, to the President.

The accused faculty member is entitled to a copy of any written recommendations and reports forwarded by the Dean to the President. If, when the matter is finally concluded, the accusations are sustained and discipline imposed, the Dean shall report on the matter to the Faculty and those who, in the Dean's judgment, should be made aware of the matter.

iii. **Appointed Faculty Committees**

(a) **General Procedures**

- (1) The Dean shall appoint other Faculty committees in consultation with the Executive Committee.
- (2) Any member of the Faculty may serve on any appointed Committee. In addition, the Dean may appoint administrators as staff to faculty committees in the areas of their expertise. Administrators who are not full-time faculty will be non-voting members of faculty committees.
- (3) The Dean may appoint students to Faculty Committees where their input will be useful.
- (4) The Dean, in consultation with the Executive Committee, may create or discontinue Appointed Faculty Committees and should report any such action to the Faculty at the next scheduled Faculty meeting.

(b) **Standing Appointed Faculty Committees.** Standing Appointed Faculty Committees will usually have no fewer than five faculty members.

- (1) **Administrative Committee.** The Administrative Committee will hear appeals and grievances by students about academic matters, including good standing, grades, and other matters affecting a student's academic degree or performance, and make recommendations to the Faculty or Dean, as appropriate.

Student Grievance Procedures are governed by written Faculty Regulations adopted by the Faculty entitled Academic Grievances: School of Law (Appendix II of Faculty Regulations).

- (2) **Admissions Committee.** The Admissions Committee will evaluate student applicants for admission to the Law School.
  - (3) **Curriculum Committee.** The Curriculum Committee will be consulted on all curricular matters, including new course proposals, new programs, and the like. Its recommendations on changes to the curriculum or programs must be submitted to the Faculty for the Faculty's recommendation to the Dean.
  - (4) **Faculty Chairs and Awards Committee.** The Faculty Chairs and Awards Committee evaluates and makes recommendations to the Dean about members of the Faculty for chairs, awards, and other honors given by the law school or the University.
  - (5) **Faculty Selection Committee.** The Faculty Selection Committee evaluates candidates for faculty positions. Its responsibilities include interviewing and screening potential new faculty, checking references, arranging for campus visits where appropriate, and the like. The Faculty Selection Committee, in consultation with the Dean, makes its recommendations regarding prospective faculty members to the Faculty, which will vote on the proposed new faculty members and thereby make its recommendation to the Dean.
  - (6) **Graduation Prizes Committee.** The Graduation Prizes Committee considers student work for the award of various prizes at graduation. The Graduation Prizes Committee makes its recommendation to the Dean or the Dean's delegate.
- (c) **Other Appointed Faculty Committees.**
- (1) The Dean may, after consultation with the Executive Committee, create new committees or discontinue old ones. The membership of such committees and their duties shall be determined by the Dean, in consultation with the

Executive Committee, as appropriate. Such actions should be reported to the Faculty at the next scheduled Faculty meeting.

(2) Current non-standing Committees are listed in Appendix A.

4. **Article 4. Procedure, Applicability, and Amendments**

- a. **Procedure.** The Faculty and all committees operating within the Law School will be guided in their procedures by Roberts Rules of Order (latest edition).
- b. **Initial Applicability.** These Bylaws are formally in effect once ratified by the Law School faculty and the Dean and approved by the President or his/her designee.
- c. **Amendment.** An amendment to these Bylaws may be initiated by the Dean, a Faculty committee, or two or more Faculty members through a written proposal. The precise change in text must be submitted to the Executive Committee for its recommendation, and then submitted to the Faculty for its ratification. Such recommended amendments will become effective when approved by the Dean and the President after review by University Counsel.
- d. **Periodic Review.** The Dean shall review these bylaws every five years and, after consultation with the Faculty, may recommend revisions or amendments to the bylaws.



## APPENDIX A

### **Non-mandatory Appointed Law School Committees (excluding Ad Hoc committees).**

Non-mandatory Law School Committees are appointed as needed by the Dean in consultation with the Executive Committee. In the recent past, the following committees have functioned at the Law School (those with asterisks were staffed as of 10/20/17):

- Career Planning Committee\*
- Clinical Programs Committee\*
- Faculty Colloquia/Workshop Committee\*
- Federal Judicial Clerkship Clinical Committee\*
- Futures Committee\*
- International Programs Committee\*
- Judicial Clerkship Advisors Committee\*
- Judicial Clerkship Clinical Committee\*
- Learning Outcomes Committee\*
- Library Committee
- LL.M. Tax Committee\*
- LL.M. Transnational Law Committee
- LL.M. Trial Advocacy Committee
- Moot Court Committee\*
- Public Interest Committee\*
- Sheller Center for Social Justice Advisory Committee
- SJD Admissions Review Committee
- Strategic Planning Committee
- Technology Committee
- Third Circuit Media Project Committee\*