

# **Bylaws of the William S. Boyd School of Law of the University of Nevada, Las Vegas**

*Passed by committee 8/27/04 and Revised 8/30/04, 9/22/06, 11/19/10, 5/12/11*

## **Article 1—The College Community**

1.1. The College Community consists of students, faculty (including Lawyering Process faculty, the Externship Director, the Director of the Academic Success Program, the Associate Director of the Saltman Center), Library Faculty, administrative staff, and classified staff. The primary purposes of the College Community are to educate the students and to serve the academic and legal communities in accordance with the College's mission statement.

1.2. The faculty, with the leadership of the Dean, and support of the administrative staff, is responsible for the academic program of the College. In developing, implementing and modifying that program, the College is subject to the authority and rules of UNLV and of the University and Community College System of Nevada; and in so doing the faculty may consult with other elements of the College Community and with other interested parties.

1.3. The faculty, under the leadership of the Dean, is responsible for recommendations for faculty appointments, with those recommendations to be submitted to the Dean and then to the Provost in accordance with UNLV policy.

1.4. The Law Library Director, in consultation with the Library Faculty, is responsible for the College's Law Library and for recommendations for professional appointments therein, with those recommendations to be made to the Dean and then to the Provost in accordance with UNLV policy.

1.5. The Chief Executive Officer of the College will be the Dean, who will preside at faculty and other meetings of the College and who will be responsible for the College's administration. The Dean, in consultation with the faculty and subject to the rules and authority of UNLV and the University and Community College System of Nevada, may create and fill such subordinate administrative offices and classified positions as are necessary and appropriate for the operation of the College. The Dean is the College's representative to the central administration of UNLV and the University and Community College System of Nevada.

1.6. The students have the authority to form a student government and other organizations, in accordance with UNLV policy, to serve on committees, as specified in these bylaws or as determined by the faculty, and to make recommendations to (or otherwise petition) the Dean and the faculty.

1.7. College governance will be shared among members of the College Community in accordance with the roles specified in these bylaws. In implementing the College's shared governance, the College Community will strive to develop relationships of trust and confidence among the members of the community, to act for the common good of the college, and to recognize the benefits—including diversity of viewpoint and reasonable restraint through checks and balances—of a shared governance system.

## **Article 2—Meetings**

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2.1. Meetings of the College Community shall be held on the call of the Dean and on reasonable notice. If action is to be taken at any such meeting, the notice shall include an agenda.

2.2. Meetings of the faculty will be held at least monthly, on the call of the Dean on reasonable notice. An agenda of the meeting will be provided at least one day prior to the meeting.

2.3. Notice and agendas of meetings may be waived by the unanimous consent of the College Community, in the case of Section 2.1, or of the faculty, in the case of Section 2.2.

2.4. Faculty meetings will be open to other members of the College Community (including administrative staff, classified staff, and students, all of whom may attend as observers and without voting rights) except that in personnel matters and cases where the faculty determines that executive session is appropriate, attendance is limited to tenured and tenure-track faculty, the Dean and the Associate Dean, the Lawyering Process Faculty, the Externship Director, the Director of the Academic Success Program, the Associate Director of the Saltman Center, and the Library Faculty.

2.5. At meetings which are merely informational and at which no action is to be taken, there is no requirement of a quorum. At meetings at which action is to be taken, a quorum shall be a majority of the persons authorized to vote at the meeting, except that three-quarters of the tenured faculty are required to comprise a quorum at meetings to vote on tenure or promotion of faculty members.

2.6. At meetings at which a quorum is present at the beginning of the meeting, the meeting may proceed even though departures during the meeting result in less than a quorum at the time of the vote. The vote of a majority of those entitled to vote and present at the time of the vote shall determine the issue, except in the case of faculty hiring and amendments to the bylaws. In those cases, the vote of two-thirds of those entitled to vote and present at the time of the vote shall be required to recommend hiring or amendment, as the case may be.

2.7. At faculty meetings, those authorized to vote on all non-hiring matters are tenured and tenure-track faculty members, the Dean, Lawyering Process faculty, the Externship Director, the Director of the Academic Success Program, the Associate Director of the Saltman Center, Library Faculty, and Joint Appointment Faculty, each of whom shall have one vote. However only tenured faculty members (other than the Dean) may vote on tenure or promotion of faculty members.

2.8. For appointment of tenured or tenure-track faculty, those entitled to vote are: tenured and tenure-track faculty.

2.9 For appointment of contract faculty, those entitled to vote are: tenured and tenure-track faculty, the Lawyering Process faculty, the Externship Director, the Director of the Academic Success Program, and the Associate Director of the Saltman Center.

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2.10. For appointment of the Law Library Director, those entitled to vote are: tenured and tenure-track faculty, the Lawyering Process faculty, the Externship Director, the Director of the Academic Success Program, the Associate Director of the Saltman Center, and the Library Faculty.

2.11. For appointment of Library Faculty those entitled to vote are: tenured and tenure-track faculty, the Lawyering Process faculty, the Externship Director, the Director of the Academic Success Program, the Associate Director of the Saltman Center, and the Library Faculty.

2.12. Voting will be done in person and not by proxy, except that proxy voting may be allowed in the discretion of the Dean on matters other than tenure and promotion. In tenure and promotion matters, proxy voting is not allowed, although tenured faculty, where necessary, can participate in the meeting and vote through the use of any means of communication by which all faculty members participating may simultaneously hear each other during the meeting. Voting will be by voice or by show of hands, at the discretion of the presiding officer, except in personnel matters or unless a request for a secret ballot is made by the person entitled to vote. In such cases, the vote will be taken by ballot, with the ballots to be counted at the meeting by the person designated by the presiding officer.

2.13. Action that could be taken at a meeting can be authorized, without a meeting, by the written consent of all of the persons entitled to vote on that matter. Such consents may be secured in counterparts, all of which together shall constitute the appropriate consent.

2.14. Minutes of faculty meetings shall be kept and filed in the Dean's office.

### Article 3—Committees

3.1. The College shall have the standing committees specified below, and such other committees as the Dean, in consultation with the faculty, may establish. Except for members of the Dean's Advisory Committee (who shall be elected by the tenured, tenure-track, and Lawyering Process faculty, the Externship Director, the Director of the Academic Success Program, the Associate Director of the Saltman Center, and the Library Faculty) and the members of the Reappointment, Tenure and Promotion Committee (who shall be selected in the manner set forth in paragraph 3.9 of these bylaws), all members of committees shall be appointed annually by, and serve at the pleasure of, the Dean. Student nominees to committees will be recommended by the President of the Student Bar Association and the Associate Dean, and the professional librarian nominees will be recommended by the Law Library Director, but in both cases the selection shall be the responsibility of the Dean.

3.2. Prior to the beginning of each academic year, the Dean shall charge each committee with its tasks for the year. Such charge may be communicated orally or in writing.

3.3. Each committee shall report periodically – at faculty meetings or otherwise – on its work.

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3.4. Committee meetings will be open to members of the College Community (who may attend as observers and without vote), except in personnel matters or other cases in which the committee determines that executive session is appropriate. Except as stated in these bylaws, members of committees have one vote each, which shall be exercised in person and not by proxy. Quorum and voting requirements for committees shall be as state in Section 2.4 and 2.5, above.

3.5. The Dean's Advisory Committee (DAC) shall be a standing committee whose general purpose will be to advise the Dean regarding the administration and operation of the College. This committee will consist of five faculty members, to be elected annually by the faculty and by secret ballot.

3.6. The Academic Standards Committee shall be a standing committee whose general purpose will be to develop and recommend to the faculty policies on academic matters affecting the College and its students. This committee will consist of the Associate Dean, the Registrar, two student members and at least two members of the faculty.

3.7. The Academic Enrichment Committee shall be a standing committee whose general purposes are to facilitate speakers, seminars, symposia and other activities that will enrich the College and assist in the development of the faculty and the students. This Committee, which will work closely with the Dean or his designate on budgetary and logistical matters associated with the work of the committee, will consist of a least two faculty members.

3.8. The Admissions Committee shall be a standing committee whose general purpose is to administer the faculty's policies on admission and financial aid. This committee will consist of the Dean of Admissions, at least two members of the faculty, and other professional staff or faculty the Dean appoints.

3.9. The Reappointment, Tenure and Promotion Committee shall be a standing committee. No later than March 15 of each year, the Dean shall propose a Committee on Reappointment, Promotion and Tenure for the following academic year. It shall consist of three or more tenured faculty member of full rank. The Dean shall circulate a list of proposed committee members to the tenured faculty, which may approve or disapprove the list by majority vote. If the tenured faculty disapprove, the Dean shall propose a new list. The new committee shall exist concurrently with the committee for the then-present academic year and shall begin its work for the next academic year while the existing committee finishes its work for its year.

The Reappointment, Tenure and Promotion Committee is responsible for the promotion and tenure recommendations to be made during the next academic year. The Committee is also responsible for any mid-tenure reviews during the same period.

Before the Reappointment, Tenure and Promotion Committee (or any special committee) undertakes any reexamination of the Tenure and Promotion standards or any matter pertaining to the establishment or modification of policies pertaining to reappointment, tenure and promotion or faculty workload, an untenured, tenure-track faculty member must be included on the committee. If the Reappointment, Tenure and Promotion Committee proposed to undertake such

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a reexamination or matter, it will ask the Dean to appoint an untenured, tenure-track faculty member of the committee, for the purpose of participating (with full voting rights) in such reexamination or matters. That committee member will not participate in the evaluation or recommendation of his or her untenured colleagues.

The substantive and procedural rules which the law school faculty has adopted for promotion and tenure decisions, as those rules may be amended from time to time, are hereby incorporated in these bylaws by reference.

3.10. The Appointments Committee shall be a standing committee whose purposes are to develop a plan for faculty hiring, to advertise and recruit to fill faculty positions, to evaluate and invite for interviews appropriate candidates, and to recommend to the faculty the persons to be considered for faculty positions. This committee shall consist of at least three faculty members; and it shall be assisted by two student consultants, who will provide input and advice regarding the candidates but who shall not vote and who shall not have access to the general candidates files.

3.11. The Clinic Committee shall be a standing committee whose general purpose is to develop and recommend to the faculty the College's policies on clinical education, including externship and community service programs. This committee shall consist of two student members and at least three faculty members.

3.12. The Curriculum Committee shall be a standing committee whose general purposes are to develop and recommend to the faculty the College's policies on curricular matters; and to evaluate and recommend to the faculty proposed curricular changes and additions. This committee shall consist of the Associate Dean, two student members, and at least two faculty.

3.13. The Honor Code Committee shall be a standing committee whose general purposes are to develop and recommend to the faculty the College's policies on student conduct and to administer that Code. This committee shall consist of the Associate Dean, two student members and two faculty members.

3.14. The Library Advisory Personnel Committee shall be a standing committee whose general purposes are to develop and recommend to the Law Library Director and Dean the Library's policies on hiring, promotion and stability in employment, and to evaluate and recommend candidates. The committee will consist of the Associate Library Director and at least two Library Faculty.

3.15. The Committee for a Just and Inclusive Law School shall be a standing committee whose general purpose shall be to address issues related to diversity, inclusiveness, and nondiscrimination in the law school community.

3.16. Chairs of each committee will be designated by the Dean except for the Dean's Advisory Committee. The chair of the DAC shall be elected by the DAC members.

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3.17. Work and recommendations of each committee will be subject to the faculty's policies and to the rules and authority of UNLV and the University and Community College System of Nevada.

3.18. The College's policies on merit pay distribution for faculty and professional librarians will be developed and recommended to the faculty by the Advisory Personnel Committee and the Library Advisory Personnel Committee, respectively, but distribution of merit pay will be the responsibility of the Dean.

### Article 4—General Authority

4.1. The College is, in all matters and in these bylaws, subject to the rules and authority of UNLV and of the University and Community College System of Nevada. To the extent of any conflict between those rules and authority and these bylaws, these bylaws shall yield.

4.2. In matters not specified in these bylaws but involving the academic program of the College or faculty hiring, the faculty shall have primary jurisdiction; and in matters involving the general administration of the College, the Dean and administrative staff shall have primary jurisdiction; and in matters involving the law library, the Library Director and library staff shall have primary jurisdiction; but in all such matters there should be collaboration among the members of the College Community to achieve common good for the College.

### Article 5—Amendment

These bylaws may be amended by the faculty by a two-thirds vote of those present and entitled to vote, as provided in Section 2.6 above. Consistent with Section 2.8, above, these bylaws may also be amended by unanimous written consent of the faculty.

### Article 6—Effectiveness

These bylaws, and any amendments thereto, become effective upon the approval of the faculty and Dean, and upon the approval of the provost and President of UNLV.