

**WILLIAM & MARY
RESOLUTION TO MODIFY
THE BYLAWS OF THE SCHOOL OF LAW**

WHEREAS, the School of Law Faculty Entitled to Vote have reviewed carefully the Bylaws of the School of Law and made updates and corrections reflecting recent organizational changes and current practice;

WHEREAS, the School of Law Faculty Entitled to Vote have duly assembled and adopted, by the requisite two-thirds majority, the amendment to their bylaws on October 17, 2024; and

WHEREAS, the Provost and President reviewed and approved these changes, which will become final upon approval by the Board;

THEREFORE, BE IT RESOLVED, that the suggested revisions to the Bylaws of the School of Law clarify the definition of "Status Voting Faculty", allow the faculty to operate more efficiently, and update processes to current practice; and

THEREFORE, BE IT FURTHER RESOLVED, That upon recommendation of the President, the William & Mary Board of Visitors approves the revisions to the Bylaws of the School of Law effective immediately.

**Clean version attached, redline sent as a pre-read*

Bylaws of the Faculty of the Law School
(Revised May 2006)

§ 1. Definitions

- (a) “University” means the College of William & Mary.
- (b) “Law School” means the William & Mary Law School.
- (c) “Board” means the Board of Visitors of the University.
- (d) “President” means the President of the University.
- (e) “Provost” means the Provost of the University.
- (f) “Dean” means the Dean of the Law School.
- (g) “Vice Dean” means the Vice Dean of the Law School.
- (h) “Faculty” means the faculty of the Law School, including the Dean, Vice Dean, law librarian, and all persons holding teaching or research appointments, active or emeritus, as professors, associate professors, or assistant professors.
- (i) “Faculty Entitled to Vote” means all members of the Faculty holding active tenured or tenure track positions with the rank of assistant, associate or full professor and those other individual members of the Faculty specifically empowered to vote by a two-thirds majority of the Faculty Entitled to Vote.
- (j) “Secretary” means the Secretary of the Faculty elected for one year by the Faculty Entitled to Vote.
- (k) “Status Voting Faculty” means the tenured Faculty members who have achieved the rank to which an applicant for promotion or tenure aspires. If the applicant is a non-tenure-eligible member of the Faculty eligible for security of position who seeks promotion or the award of security of position, “Status Voting Faculty” also includes non-tenure-eligible Faculty members with security of position who have achieved the rank to which the applicant aspires.

§ 2. Meetings of the Faculty

- (a) Regular monthly meetings of the Faculty will be held from September through May, unless the Dean determines there is insufficient business to justify a meeting. Only Faculty Entitled to Vote may attend executive sessions of faculty meetings. Special meetings of the Faculty Entitled to Vote may be called by the President, Dean or a majority of the Faculty Entitled to Vote.
- (b) The Dean may preside at any meeting of the Faculty. In his/her absence, the Vice Dean may preside. In his/her absence, any member of the Faculty Entitled to Vote designated by the Dean may preside.

- (c) The Dean will provide notice of faculty meetings at least 72 hours in advance of the meeting unless notice is waived by consent of a majority of the Faculty Entitled to Vote.
- (d) A majority of the Faculty Entitled to Vote will constitute a quorum.
- (e) Unless otherwise provided, motions will be adopted by a majority of the Faculty Entitled to Vote who are present at the meeting.
- (f) No motion or resolution affecting educational policy of the Law School may be adopted unless it has been submitted in writing to the Dean and he/she has sent copies to all Faculty Entitled to Vote at least seven days prior to the meeting. This provision may be waived by unanimous consent of the Faculty Entitled to Vote present at the meeting.
- (g) Meetings are conducted in accordance with “Robert’s Rules of Order.”
- (h) The Secretary will record the minutes of each meeting and make them available to each member of the Faculty Entitled to Vote. The Secretary will provide the Dean, Vice Dean, and Associate Dean of Administration with copies of the minutes and the Dean will assure that a copy of the minutes is kept in the records of the Law School.

§ 3. Responsibilities of the Dean and Faculty

- (a) The Dean is responsible for the administration of the Law School and the conduct of its relations with the rest of the University.
- (b) The Faculty Entitled to Vote will determine the Law School’s educational policies, including but not limited to:
 - 1. Determining the academic prerequisites for admission of students to courses and candidacy for degrees.
 - 2. Determining the policy to be followed in the evaluation of credits transferred from other institutions.
 - 3. Determining academic standards for continuation in residence and for academic status.
 - 4. Determining the system of grading and the policy regarding exams.
 - 5. Determining the regulations governing attendance and conduct of students in classes.
 - 6. Determining the academic requirements for any degree awarded by the Law School.
 - 7. Determining the degrees offered by the Law School.
- (c) The Faculty Entitled to Vote will determine any additional policies as they deem necessary for the good of the law school, in consultation with the Dean.

§ 4. Committees

- (a) The elected committees include the Curriculum Committee, the Dean's Advisory Committee, the Faculty Appointments Committee, and the Faculty Status Committee.
- (b) The elected committees will be constituted and perform the functions assigned to them in these Bylaws and by the Dean and the Faculty Entitled to Vote. The Appointments Committee will be chosen by the May meeting. All other elected committees will be chosen at the May meeting. Any vacancies occurring during the year may be filled by special election by the Faculty Entitled to Vote. Each committee with elected members will elect its Chair annually. The Chairs of committees comprised solely of appointed members will be appointed by the Dean.
- (c) The Curriculum Committee consists of three members elected by the Faculty Entitled to Vote for three-year terms and up to two members appointed by the Dean for a one-year term. The terms of the elected members will be staggered. The committee will perform the functions assigned it in § 5.
- (d) The Dean's Advisory Committee consists of three elected members and up to three members appointed by the Dean. Members will serve one-year terms. The committee will provide guidance to the Dean on matters identified by the Dean, excluding matters within the jurisdiction of other Faculty committees. It will serve in an advisory capacity when requested by the President in regard to any matter involving the Law School.
- (e) The Faculty Appointments Committee consists of six elected members, each of whom will serve a two-year term. The terms of the elected members will be staggered. The elected members of the Committee, after considering the likely weight of committee business in the coming year, may request that the Dean appoint an additional one to three members for a term that expires at the end of the academic year. The Dean will make these appointments in consultation with the elected members of the Committee. The Dean may serve or may designate the Vice Dean to serve *ex officio* as a committee member with no voting rights. The committee will perform the functions assigned it in § 6.
- (f) The Faculty Status Committee consists of five members, each of whom serves a two-year term. The terms of the elected members will be staggered. Only tenured members of the Faculty are eligible to serve on the committee, excluding the Dean and the Vice Dean, who may not be members. The committee will perform the functions assigned it in § 7.
- (g) The Dean may establish any other committee that he/she or the Faculty Entitled to Vote determine may be useful. The Dean will appoint the members of such committees. The Dean or Faculty Entitled to Vote may eliminate any such committee.

§ 5. Curriculum

- (a) The Curriculum Committee will make recommendations to the Faculty regarding curriculum matters.
- (b) The Faculty Entitled to Vote will determine whether to approve the committee's recommendations.

§ 6. Faculty Appointments

- (a) The Faculty Appointments Committee will recommend employment of tenured and tenure-track Faculty members and the law librarian and prepare a report and record to support its recommendations. The Faculty Entitled to Vote will determine whether to approve an appointment, consistent with the Rules and Procedures for the Faculty Appointments Process adopted by the Faculty Entitled to Vote. If it approves an appointment, the Faculty Entitled to Vote will forward a recommendation to the Provost through the Dean.
- (b) The Dean will communicate a recommendation by the Faculty Entitled to Vote on an appointment to the Provost with the Dean's views on the recommendation. If the Dean disagrees with the recommendation, the Dean will, in writing, inform the Faculty Entitled to Vote of the nature of the disagreement and meet with the Faculty Entitled to Vote in an effort to resolve the disagreement. If the disagreement cannot be resolved, the Dean will communicate his/her objection to the Provost along with the Faculty's recommendation.

§ 7. Faculty Status

- (a) The Faculty Status Committee will consider any application for tenure or promotion and make recommendations with a report and record to the Status Voting Faculty as specified in the Procedures for Retention, Promotion and Tenure adopted by the Faculty Entitled to Vote. A committee member will recuse himself/herself in any matter in which he/she or a member of his/her immediate family is directly involved. A committee member seeking promotion may not serve on the committee during that academic year.
- (b) A recommendation to grant tenure or promotion requires a majority vote of the Status Voting Faculty. Only Status Voting Faculty present at the meeting may vote. A quorum for a faculty meeting on an application for tenure or promotion consists of three-fourths of the Status Voting Faculty, less any Status Voting Faculty members excused for good cause.
- (c) In computing the majority required to grant tenure or promotion, the Status Voting Faculty who are excused for good cause are not counted. Faculty members so excused include the President, Dean, Status Voting Faculty who are on leave, and Status Voting Faculty who are excused by a majority of Status Voting Faculty present at the meeting to consider a tenure or promotion application.

- (d) A faculty meeting called to consider an application for tenure or promotion will convene in executive session to discuss the merits of the application and to cast a vote by secret ballot. The Status Voting Faculty will then decide whether to adopt the report of the Faculty Status Committee as the Report of the Faculty, or to direct the preparation of a separate Report of the Faculty.
- (e) If the Status Voting Faculty directs the preparation of a separate Report of the Faculty, a subcommittee selected by the Status Voting Faculty at the meeting considering the application will prepare a written report for or against tenure or promotion, reflecting the views expressed at the meeting.
- (f) Following circulation of the subcommittee's written report, the Status Voting Faculty will vote to adopt the report by majority vote
- (g) Upon approval by the Status Voting Faculty, the Report of the Faculty will be included in the applicant's file and forwarded, along with a record of the faculty vote to the Dean.
- (h) The Dean will communicate the Faculty's recommendation to the Provost with the Dean's views on the recommendation. If the Dean disagrees with the Faculty's recommendation, the Dean will, in writing, inform the applicant and the Status Voting Faculty of the nature of the disagreement and meet with the Status Voting Faculty in an effort to resolve the disagreement. If the disagreement cannot be resolved, the Dean will communicate his/her objection to the Provost along with the Faculty's recommendation.

§ 8. Amendment

These Bylaws may be amended by a two-thirds vote of the Faculty Entitled to Vote who are present and constitute a quorum at any meeting of the Faculty. A copy of any proposed amendment must be sent to every member of Faculty Entitled to Vote at least seven days before the meeting.

§ 9. Effective Date

These Bylaws and any amendments to them become effective upon approval by the Board.

Adopted by the Law Faculty, May 11, 2006

Approved by the Board of Visitors, September 14, 2006

Amended by the Faculty Entitled to Vote, October 17, 2024