

Chapter 1 - Governance

1.1 Bylaws of the Faculty of Capital University

The bylaws of the Capital University Faculty can be found in the Faculty and Administrative Handbook of Capital University. ([http://www.capital.edu/Policies-and-Handbooks/.](http://www.capital.edu/Policies-and-Handbooks/))

1.2 Bylaws of the Capital University Law School Faculty

BYLAW I – NAME

This organization shall be known as the Faculty of Capital University Law School, hereinafter referred to as the Law School Faculty.

BYLAW II – MEMBERS

Members of the Law School Faculty shall be those full time employees of Capital University Law School in tenured, tenure-track, long-term contract track, or long-term contract positions who hold the rank of Professor of Law, Associate Professor of Law, Assistant Professor of Law, Professor of Clinical Studies, Professor of Legal Writing, Professor of Bar Studies, or Professor of Academic Support, whether or not on leave or on sabbatical and whether or not holding an administrative position in the Law School. Full time employees of the Law School who hold the rank of Visiting Professor of Law, Visiting Associate Professor of Law, and Visiting Assistant Professor of Law shall also be members of the Law School Faculty. Visiting faculty members do not participate or vote on faculty personnel matters, including but not limited to, issues concerning faculty recruitment, appointment, retention, promotion, or tenure.

BYLAW III – FUNCTIONS

Section 1. The Law School Faculty is the primary legislative and decisional body of the Law School with regard to its academic affairs.

Section 2. The Law School Faculty may delegate its powers and responsibilities to:

- a. the dean or another administrative officer of the Law School
- b. a Law School Council which shall consist of all members of the Law School Faculty and such other persons as the Law School Faculty shall determine.
- c. a committee of the Law School Faculty or of the Law School Council.

Section 3. The Law School Faculty or its delegate shall:

- a. initiate and act upon the academic programs and other internal policies and activities of the Law School, including but not limited to: the academic status and dismissal of students; the course of study and other educational and curricular policies; the academic calendar and time schedule; the faculty teaching load; policies concerning and recommendations on faculty personnel actions; student relations; and other matters dealing with the teaching and general welfare of the Law School.
- b. makes recommendations regarding matters which directly involve the academic programs or other internal policies of more than one college or school.

- c. elects representatives to THE SENATE and to its standing committees in whatever manner the Law School Faculty determines, consistent with the BYLAWS of THE FACULTY of Capital University.
- d. creates standing, special, and ad hoc committees and determines the membership of such committees.

BYLAW IV – MEETINGS

Section 1. Meetings of the Law School Faculty and of the Law School Council shall be presided over by the Dean or, in the absence of the Dean, by the Associate Dean. In the case of the absence of both the Dean and the Associate Dean, the senior member of the Law School Faculty in terms of years of service on the Law School Faculty shall preside.

Section 2. Meetings of committees shall be presided over by the chair of such committee, or in the absence of the chair, by a committee member chosen by the other members of the committee.

Section 3. Meetings of the Law School Faculty or of the Law School Council shall be called by the Dean, by the Associate Dean, or by petition of twenty percent of the Law School Faculty.

Section 4. The rules contained in the current edition of Robert's Rules of Order shall govern in all cases to which they are applicable and in which they are not inconsistent with these bylaws or with any special rules of order that may be adopted.

BYLAW V – OTHER GOVERNANCE STANDARDS

Section 1. The Capital University Law School policies and procedures on faculty appointment, retention, promotion, and tenure, as approved by the Board of Trustees of Capital University, are not affected by THE BYLAWS of THE FACULTY of Capital University or by these Law School Bylaws.

Section 2. The governance of Capital University Law School shall be fully consistent with the accreditation standards of the American Bar Association and the League of Ohio Law Schools, and with the membership requirements of the American Association of Law Schools.

BYLAW VI – AMENDMENTS

These bylaws may be amended by a majority vote of the Law School Faculty, and will become effective immediately, unless the resolution of the Law School Faculty adopting the amendment specifies a later effective date.

1.3 Participation in Law School Governance

1.3.01 Law School Council

A. The faculty of Capital University Law School has established the Law School Council, the voting members of which consist of:

1. All full time ranked members of the Law School faculty.
2. The President of the Student Bar Association and one additional student representative, both of whom are elected by the student body of the Law School.

B. The Law School Council shall consider all matters referred to it by the Dean or by the Faculty of the Law School. Normally this shall include all matters within the jurisdiction of the faculty except:

1. Law school personnel matters, including but not limited to, faculty and staff recruitment, appointment, retention, promotion, and tenure.
2. Matters involving litigation.
3. Matters involving privacy interests of students or others who do not waive their rights of privacy.

1.3.02 Committees

A. Committees of the Law School faculty do not have student representation. These committees are of three general types:

1. Committees concerned with personnel matters, including but not limited to faculty/staff recruitment, appointment, retention, promotion, and tenure. Examples include Faculty Recruitment, Faculty Development, Faculty Personnel Actions, and Individual Evaluation Committees.
2. Committees with primary jurisdiction to supervise and evaluate the academic performance of students in credit awarding academic activities. Examples include the Upperclass Writing and Internship Committees.
3. Committees making individualized decisions or recommendation concerning students or others who do not waive their rights of privacy.

B. Committees of the Law School Council shall contain student representatives selected by the Student Bar Association in the manner prescribed by that organization. The Dean shall determine the number of student positions on each committee.

1.3.03 Replacements and Vacancies

A. If a Council member or committee member is unable to attend a meeting, a substitute cannot be appointed. The sole exception is the Admissions Committee when it meets to consider petitions for reinstatement or reapplication/readmission. Voting by proxy is not permitted.

B. If a faculty member resigns from a committee, the Dean may appoint a replacement. If a student resigns from a committee or from the Council, the Student Bar Association may select a replacement. If a student position remains vacant after the end of the second week of classes of any semester or term, the Dean may appoint a student to the position. If a student resigns and the Student Bar Association does not select a replacement within two weeks of occurrence of the vacancy, the Dean may appoint a student to the position.