THE AMENDED AND RESTATED BYLAWS, PROCEDURES, AND RULES of THE UNIVERSITY OF IDAHO COLLEGE OF LAW

As Adopted by the
University of Idaho
College of Law Faculty
February 2, 2005,
and amended through
May 1, 2013

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THE AMENDED AND RESTATED
BYLAWS, PROCEDURES, AND RULES
of
THE COLLEGE OF LAW

Article I

General Principles

A. Mission Statement. The University of Idaho College of Law fulfills the University of Idaho's unique, statewide mission in legal education. The College of Law serves the State of Idaho and the United States by discharging the triple mission of a land-grant university: teaching, scholarship, and service. The College of Law:

1. Prepares future leaders in the law and the wider community by providing a rigorous legal education encompassing legal doctrine, public policy, interdisciplinary perspectives, lawyering skills, and professional values;
2. Promotes development of the law and improvements in the quality of justice through scholarly research and dissemination of its results; and
3. Serves the citizens of Idaho and the United States through cooperation with and service to the organized bench and bar and all citizens concerned with the quality and availability of justice.

B. Statement of Purpose. These Bylaws, Procedures, and Rules (Bylaws) are adopted by the Faculty of the College of Law (Faculty) in order to (1) implement the role of the Faculty in the College of Law as established by the resolution of the Regents creating the College of Law, (2) delineate the organization, procedures, and rules of the College of Law pursuant to the Faculty Constitution of the University of Idaho, and (3) ensure compliance by the College

of Law with the Articles of Association of the Association of American Law Schools and the American Bar Association Standards for Approval of Law Schools which require primary and substantial control of the educational program of the law school by law faculty.

C. Authority of the Faculty. The right of the Faculty to participate in the management of the affairs of the College of Law (College) is fully recognized. The right of the Faculty includes, without limitation, the right to vote on all major policy decisions and the right to be consulted on all decisions affecting the affairs of the College. The affairs of the College include, without limitation, library policies, curriculum, class schedules, the general requirements for graduation, the undertaking of major research programs involving commitments by the College, long-range plans for the development of the College, the selection of full-time additions to the Faculty, and the selection of a dean.

Article II

Organization of the Faculty

A. Voting Members. The voting members of the Faculty shall be those who qualify as "university faculty" as defined in Article II, Section 1 of the Constitution of the University Faculty.

B. Non-Voting Members. From time to time, the Dean may appoint adjunct faculty members and affiliate faculty members pursuant to Article II, Section 3 of the Constitution of the University Faculty and to the University Faculty-Staff Handbook sections 1565 I & 1565 J. Such faculty members are not voting members of the Faculty.

1. Affiliate faculty members are individuals who 1) hold appointments as members of the University of Idaho faculty or staff and are assigned to a unit other than the

College of Law, 2) hold appointments as members of professional support staff of the College of Law, or 3) are employees of governmental or private agencies and who are assigned by that agency to a unit of the University of Idaho. Appointment as an affiliate faculty member is for an indefinite period. Such appointments may be made in the discretion of the Dean and shall be subject to a memorandum of understanding with the other unit within the University that establishes the responsibilities of the affiliate faculty member, the procedures for continuing the appointment as affiliate faculty at the College, and the procedures for evaluation of the affiliate faculty member.

2. Adjunct faculty members are persons who are not employed by the University but who are highly qualified in their field of specialization. Appointment as an adjunct faculty member is normally for a semester or for an academic year. The Dean may appoint an adjunct faculty member on a continuing basis in recognition of extraordinary past service as an adjunct faculty member or in recognition of an adjunct faculty member's status as a tenured faculty member at another institution. Appointment as an adjunct faculty member is subject to written agreement between the College and the adjunct faculty member setting forth the duties and responsibilities of the adjunct faculty member and the compensation of the adjunct faculty member.

[Article II, § B amended by Faculty in August, 2012.]

C. Associate Deans.

1. One or more Associate Deans may be appointed by the Dean. Such appointments shall be made by the Dean with the advice and consent of the Faculty. No one shall

be appointed as an Associate Dean who does not serve on the Faculty at the time of appointment or who has not been approved for faculty membership under the provision of Article III, §§ A or B.

2. An Associate Dean shall serve at the pleasure of the Dean. If an Associate Dean is a tenured or tenure-track faculty member, at the conclusion of such service s/he shall return to the Faculty with the faculty rank and tenure status earned at the time of such return.

3. An Associate Dean shall assume such administrative duties as the Dean shall prescribe. If an Associate Dean has teaching responsibilities, such responsibilities may be reduced to accommodate assigned administrative responsibilities.

4. An Associate Dean who is a tenure-track faculty member shall be considered for tenure and promotion by the same process and according to the same standards as are applicable to other members of the Faculty.

D. Faculty Secretary. At the first meeting of the Faculty in each academic year, a faculty secretary shall be appointed by the Dean from among the voting members of the Faculty to serve until the first meeting of the following year and until a successor shall have been selected. The Faculty Secretary shall keep minutes of all actions of the Faculty. Such minutes shall be reproduced and distributed to all faculty members as soon as possible after each meeting and shall become a part of the permanent records of the Faculty and of the College.

E. Meetings of the Faculty.

1. The Faculty shall meet in regular session at least once each month during the academic year at dates and times to be fixed by the Dean in consultation with the

Faculty. Special meetings shall be called when necessary by the Dean, or in the Dean's absence, by any Associate Dean, or in the absence of the Dean and the Associate Deans, by the senior member of the Faculty in point of service at the College, or when requested by two or more voting members of the Faculty. Two days notice of special meetings shall be given, but may be waived by majority vote of those faculty members present at the special meeting, provided a quorum is present.

2. Except as otherwise provided in these Bylaws, a simple majority of the voting members of the Faculty on active duty shall constitute a quorum.

3. The Dean shall preside at Faculty meetings. In the Dean's absence, the Dean shall designate a member of the Faculty to preside. The presiding officer shall have the privilege of speaking to the merits of an issue without the necessity of temporarily relinquishing the chair and shall vote only when necessary to break a tie.

4. Except as otherwise provided in these Bylaws, decisions by a simple majority of the voting members present shall constitute the action of the Faculty.

F. Decisions Other Than in Meeting. Faculty action may be taken without the holding of a formal meeting if the Dean finds both that immediate action is desirable and that debate is unlikely. In such cases, the Dean shall consult those faculty members personally affected and all other faculty members available. No action shall be taken unless a majority of those consulted agree, and any member consulted may require that the action be postponed until it can be considered at a formal meeting. Actions taken, together with the reasons for immediate action, shall be reported to the Faculty Secretary for inclusion in the minutes. By way of example and not limitation, the types of decisions which may be made under this

Section F on occasions which warrant are the consideration of student petitions for waiver of rules, the adjustment of teaching schedules and assignments, and similar matters.

G. Committees.

1. The Faculty shall carry out those of its functions hereinafter designated through the following standing committees:

   a. The Admissions Committee.

   b. The Curriculum Committee.

   c. The Library Committee.

   d. The Tenure and Promotion Committee (see Article V, § B).

   e. The Faculty Appointments Committee.

   f. The Technology Committee.

   g. The Diversity and Human Rights Committee.

   h. The Pro Bono Program Advisory Committee.

2. The Faculty may also establish special committees as needed through the passage of a resolution at a regular or special meeting.

3. Membership.

   a. The Dean shall appoint the members of standing and special committees, giving due regard to preferences of the Faculty and to the desirability of a balance between rotation of membership and a retention of experience among membership in each year.

   b. The Dean shall appoint students, with due regard for individuals recommended by the President of the Student Bar Association, to the Curriculum Committee, Library Committee, Technology Committee, and the

Diversity and Human Rights Committee. Together the student members of each these committee shall share one vote. Students may also be appointed to any ad hoc committee as deemed appropriate by the Dean.

c. Not less than two-thirds of the voting authority in each committee shall reside in the faculty members.

d. The Dean may sit ex officio with all committees and has the privilege of the floor but not of voting, except to break a tie vote.

4. Standing committee members shall be appointed at the beginning of each academic year to serve for one year or until their successors shall be selected, whichever is longer.

5. The Dean, in her/his discretion may appoint members of the Law Library Faculty and Staff to both standing and special committees with or without the right to vote on matters before the committee. Such appointments shall be made with due regard to the preference and expertise of the Law Library faculty member or staff member and to the overall composition of the committee.

H. Special Assignments.

1. The Faculty shall be responsible through an advisor for the conduct of the following activities:

a. All law reviews and law journals.

b. Appellate moot court competitions, both intramural and interscholastic.

c. Legal fraternities.

2. The Dean shall appoint faculty members to hold special assignments except in those instances where the advisor is selected by the students of the organization involved.

In making such appointments the Dean shall give due regard to the individual's teaching load, committee assignments, and other comparable considerations.

3. Each year the Dean shall appoint faculty members to serve on such University committees, councils, and other bodies as require College representation. Those faculty appointed shall serve until their successors have been appointed.

Article III

Faculty Personnel Procedures

A. Additions to the Full-Time, Tenure-Track Faculty.

1. The Faculty Appointments Committee shall be responsible for considering, screening, and arranging preliminary interviews with applicants and nominees (including those listed on professional registers) for full-time, tenure-track positions on the Faculty. The Committee will consult regularly with the Faculty and the Dean and shall make its recommendations to them.

2. Suggestions and nominations for additional full-time, tenure-track faculty members may be made by the Dean or by any faculty member.

3. Selection of an individual to be recommended by the College of Law to the University Administration and to the Regents for full-time, tenure-track faculty appointment shall be made upon a two-thirds favorable vote of all faculty members, including the Dean, in attendance (in person, telephonically, or by other means permitting simultaneous communication) and voting at the meeting where the selection occurs. If there be more than one individual whom the Faculty deems acceptable by this test, the individuals shall be tendered appointments in the order

determined in preferential balloting. Two-thirds of the voting faculty members on active duty shall constitute a quorum for the selection meeting.

B. Additions to the Full-Time, Nontenure-Track Faculty.

1. To the extent practicable, the procedures for appointment of full-time, tenure-track faculty members noted in Section A of this Article shall be followed in the appointment of full-time, nontenure-track faculty members.

2. In the event that an appointment of a full-time, nontenure-track faculty member cannot follow the procedures set forth in Section A of this Article, then to the greatest extent practicable, the Dean shall consult with the Faculty in the selection and appointment of the full-time nontenure-track faculty member.

C. Temporary and Part-Time Appointments. In so far as practicable, the Dean shall consult with the Faculty in selecting part-time and temporary lecturers, adjunct instructors, and affiliate instructors or in making a temporary appointment from the Faculty to the position of Associate Dean.

D. The Granting of Tenure.

1. Tenure shall be granted in accordance with general University rules and regulations and in accordance with the standards and procedures set forth in these Bylaws.

2. Recommendations for the grant of tenure shall be forwarded to the University Administration by the Dean after consultation with all faculty members holding tenure, upon the approval of a majority of such faculty members, and after approval by the Tenure and Promotion Committee.

E. Promotion. Recommendations for promotion in rank shall be forwarded to the University Administration by the Dean after consultation with all faculty members higher in current rank

than the individual under consideration, with the approval of a majority of such individuals, and after approval by the Tenure and Promotion Committee.

F. Salaries.

1. Recommendations for periodic salary adjustments shall be forwarded to the University Administration by the Dean in accordance with applicable University rules and regulations. The Dean will confer with each faculty member individually before forwarding recommendations in order that the member may review all activities which may warrant consideration.

2. The general level of salary to be offered new additions to the Faculty will be reviewed by the Dean with the Faculty before commitments are made.

G. The Selection of a Dean.

1. The Faculty shall be consulted with respect to the appointment of a dean, and no decanal appointment shall be made without the affirmative support of two-thirds of the voting members of the Faculty.

2. A person serving as dean who has lost the confidence of the majority of the voting members of the Faculty shall not have her/his appointment as dean continued.

Article IV

General Promotion and Tenure Standards

A. General. The standards for promotion and tenure at the University of Idaho are found in the University Faculty-Staff Handbook in Sections 1565 (academic ranks and responsibilities); 3050 (position descriptions); 3140 (performance expectations for faculty); 3320 (periodic performance evaluations and salary determination of faculty members); 3520 (faculty

tenure); and 3560 (faculty promotions). Any person hired at the College in a tenure-track position shall be given a copy of these standards and procedures as well as a copy of the provisions of these Bylaws relevant to promotion and tenure for their position. Unless otherwise agreed by the Faculty, Dean, and candidate, these standards and procedures shall be considered part of the contract of employment.

B. Third Year Review. The performance of each tenure-track, untenured faculty member shall be reviewed by a committee of three tenured faculty members during her/his third year of employment according to a timetable agreed upon by the Dean and faculty member. This review is advisory; its purpose shall be to inform the faculty member of the strengths and weaknesses brought out in the review and to determine whether the faculty member is making satisfactory progress toward tenure and promotion. The committee shall give its judgment and recommendations to the faculty member on her/his progress toward meeting the College's tenure and promotion expectations.

The committee shall be selected by the Dean after consulting with the faculty member and after giving due weight to the faculty member's recommendations as to membership. The committee shall provide a copy of its report to the faculty member. It shall discuss its report with the faculty member and shall give the faculty member an opportunity to comment on any part of the report. After receiving and considering comments from the faculty member, the committee shall finalize the report and submit it to the Dean. The Dean shall discuss the report with the reviewed faculty member, summarize in writing the report's assessments of the faculty member's strengths and weaknesses, and provide her/his own assessment. If the Dean's assessment differs significantly from that of the committee, s/he shall note the differences in writing to the reviewed faculty member.

C. Consideration for Tenure. Unless an earlier consideration is warranted by early completion of requirements or is called for by the contract of employment, a faculty member should ordinarily be considered for tenure in her/his fifth year of service. Where justified, consideration for tenure may be postponed until a faculty member's sixth year of service on the recommendation of the third year review committee, or on the recommendation of the Dean. The procedures to be followed in recommending tenure are those set out in these Bylaws as well as the Faculty-Staff Handbook.

D. Standards for Tenure.

1. Each candidate for tenure should create a professional portfolio. The professional portfolio should contain the following information:

   a. Context statement describing the faculty member's academic unit and scholarly responsibilities (two pages maximum).

   b. Personal statement regarding the faculty member's professional activities relevant to the position description (two pages maximum).

   c. Current Curriculum Vitae.

   d. Evidence not included in the Curriculum Vitae (as appropriate to the position description) of the faculty member's scholarly ability, teaching ability, and service activities. Copies of articles, course syllabi, teaching materials, etc., should be included with the professional portfolio for evaluation within the College. The evidence in the portfolio should be summarized in a narrative form not exceeding three pages which can be distributed to other offices of the University.

e. Evidence of professional growth within the faculty member's areas of responsibility. As with evidence of scholarship, teaching ability, and service activities, documentary evidence should be provided for evaluation at the College level. A narrative, not to exceed three pages, should be included for distribution within the University.

f. Other supplementary materials distinct to the faculty member (two pages maximum).

2. Subject to Section E of this Article, to qualify for tenure within the College, a candidate must demonstrate:

a. Excellence in Teaching. Excellent teaching is characterized by a number of factors including, but not limited to, effective dissemination of knowledge in the classroom and/or clinical setting, the development of innovative course materials, the design and incorporation of effective teaching strategies, and the effective advising and mentoring of students outside the classroom. Excellent teaching may be demonstrated by appropriate student evaluations and favorable review of teaching by faculty colleagues who have observed the candidate's classroom and/or clinical teaching. Excellent teaching may also be demonstrated through creation of quality teaching materials, attention to effective course organization, and effective advising and mentoring of students outside the classroom or clinic context. Evidence of excellent teaching should be reflected in the candidate's professional portfolio. Untenured faculty members are encouraged to invite colleagues to their classes and to seek advice from senior members of the Faculty. In addition,

at the time of any evaluation, the committees charged with making decisions shall review the material on teaching included in the candidate's professional portfolio. The committee members also shall, after giving fair notice, arrange to visit the candidate's classes and/or observe the candidate's clinical teaching and to discuss their observations with the candidate.

b. Excellence in Scholarship.

i. Excellent scholarship is characterized by demonstrated command of the area of inquiry, by substantial depth of inquiry, by creativity, and by quality which meets the expectations for legal education professionals. Scholarship may be demonstrated in a number of ways including, but not limited to, publication of books, law review articles, and articles in other scholarly journals. Generally, two major scholarly publications, or the equivalent thereof, are required to qualify for tenure in the College.

ii. Review of the candidate's record, including her/his scholarship, by peers outside the College is expected, in accordance with Section H of this Article.

c. Meritorious Service. Meritorious service to the community outside the University may be demonstrated by activities including, but not limited to, participation in CLE programs, service on committees appointed by the bench, bar, or other professional organizations, pro bono legal services, consultation with government agencies, preparation of practice-related materials, service on governmental commissions or boards, and involvement

with law reform projects. In special circumstances, service on College and University committees may be considered.

E. Standards for Tenure for Clinic Faculty.

1. Teaching. The candidate is expected to have demonstrated high quality, effective teaching of professional skills in the clinical setting, including demonstrated effectiveness as a lawyer and professional role model for the students.

2. Service. The candidate is expected to have engaged in significant involvement with and service to the practicing bar, the legal community, and the public. Because the candidate is a teacher of professional skills and a faculty representative of the practice of law, these expectations of service are greater than for a non-clinical tenure candidate.

3. Scholarship. The candidate is expected to have made significant scholarly contributions, published or otherwise disseminated in a professional forum, and displaying originality, accuracy, and critical thought. Appropriate areas of scholarly inquiry may include clinical teaching methodology and the application of professional skills as well as other legal and jurisprudential subjects. The quality of scholarly work produced by a clinical faculty member shall be equivalent to that expected of non-clinical faculty members. However, the greater expectations of professional service, and the increased time demands of supervisory duties and teaching in a clinical setting, justify a corresponding decrease in the expectations of scholarly production by a clinical faculty member.

Good scholarship is characterized by demonstrated command of the area of inquiry, by substantial depth of inquiry, by creativity, and by quality which meets the

expectations for legal education professionals. Clinical instruction is primarily focused on the application of doctrine to legal problems and on the conduct of legal professionals in their service to clients, rather than on the more theoretical doctrinal concerns that are the primary focus of other areas of the curriculum. Accordingly, a clinical faculty member's expected scholarly efforts might reasonably address matters of pedagogy or practice, or might appear in contexts of practical application not normally associated with scholarship in other areas of legal instruction, so long as the scholarship demonstrates the qualities of good scholarship. A survey or guide to an area of the law which is largely descriptive rather than analytic ordinarily would not fulfill the demands of good scholarship; however, a work which provides an authoritative reference work for an area of the law and demonstrates comprehensive command of the area might demonstrate good scholarship even though largely descriptive. The briefs, argument, and conduct of litigation which seeks significant reform or clarification of important legal doctrine might demonstrate good scholarship; the briefs, argument, and conduct of unremarkable litigation under conventional rules would not. The preparation of essentially descriptive materials for a CLE program ordinarily would not demand the qualities required of good scholarship, whereas another program which addressed novel issues in depth or proposed significant law reform might. Good scholarship might be demonstrated by service, with significant responsibilities for the supporting research and drafting, on a committee charged with revision or reform of an area of the law. The development of teaching materials and methods of instruction ordinarily would be considered part of a clinical faculty member's teaching obligations. Nonetheless, the development of

new forms of instruction and supporting materials which materially advance the process of clinical instruction might demonstrate the qualities of good scholarship as well.

Whether a particular work qualifies as significant scholarship will always depend in some measure on judgment about the content, depth of analysis and complexity of the subject, and of the overall quality of the work. Candidates for tenure or promotion who intend to satisfy scholarship requirements through unconventional scholarly work may wish to consult with their colleagues in order to more clearly define the expectations.

F. Standards for Promotion to Full Professor. Generally, a faculty member shall be considered for promotion to full professor in the seventh year of service. The procedures to be followed in recommending promotion are those set out in these Bylaws as well as the Faculty-Staff Handbook. For promotion to full professor, a faculty member must demonstrate continued excellence in the areas of teaching, scholarship, and service as defined previously. At least one additional major scholarly article or its equivalent is required for promotion to the rank of professor.

G. Special Considerations. The standards stated above apply generally to faculty members hired to tenure-track positions. Those hired to positions requiring special qualifications (for example, the library director or the clinic director) may be considered for tenure and promotion based on criteria appropriate to their appointments. Those specialized criteria shall be approved by the Faculty prior to hiring and shall be explicitly articulated at the time of employment to the persons to whom they apply.

H. Peer Reviews. For every candidate for tenure or promotion, the Dean shall solicit reviews of the candidate's record from at least three peers. These peers should include reviews from faculty members outside the College. In the case of a tenure application, the reviewers shall be tenured faculty members. For those considered for promotion, the reviewers shall hold at least the rank of associate professor. In selecting peer reviewers the Dean shall consult with the candidate for suggestions regarding appropriate reviewers. The candidate may submit up to five suggestions. At least two of the reviewers shall come from this suggested list. The letter of request to the reviewers will include the candidate's curriculum vitae, position descriptions for the relevant period, the professional portfolio, and up to four examples of the candidate's scholarly work. The opinions of peer reviewers should not be dispositive of the candidate's eligibility for tenure or promotion. Rather the reviews should merely be considered evidence additional to the evaluating party or committee's own independent evaluation of the candidate.

Article V

College Committees for Faculty Tenure and Promotion, and Post-Tenure Evaluation

A. Establishment of Committees. As required by the provisions of Faculty–Staff Handbook (FSH) 3520 I-1 and FSH 3560 F-1, this Article sets forth the composition, method of selection, and procedures of the College of Law Standing Tenure and Promotion Committee (see Article II, § G-1-d). Further, in compliance with FSH 3520 H-4 d, the Standing Tenure and Promotion Committee shall serve as the "departmental tenure-recommending committee." The Tenure and Promotion Committee shall also serve to perform any necessary quinquennial performance review of a tenured faculty member as may be required

by University of Idaho Board of Regents Policy and Procedure. Section H of this Article provides for the creation of a Review Committee in accordance with FSH 3320 B-4.

B. Composition and Selection of Tenure and Promotion Committee.

1. Faculty Membership. Three members and three substitutes shall be selected by lot from among the tenured faculty members, excluding the Dean. Two members and three substitutes shall be selected by lot from among the untenured faculty members, excluding the Dean. Faculty representatives and substitutes shall serve three-year terms. Initial terms shall be staggered to assure that about one-third of the terms expire each year. In the event that there are too few faculty members in either the tenured or untenured categories to fill all of the positions on the committee, the number of substitutes in the category shall be reduced to account for the deficit. If that does not account for the deficit, the number of members in the category shall be reduced to the number of faculty members in the category who are available and able to serve on the committee. The number of peremptory challenges shall be unchanged by any such adjustment in the number of committee members, and if challenges eliminate entirely one of the categories of faculty participants, the committee will proceed with the remaining members.

2. Student Membership. Two members and two substitutes shall be elected from among the second- and third-year classes of students of the College at an election supervised by the Student Bar Association, at which election all students will be eligible to vote. These students shall serve one year.

3. Outside Membership. One member, who may not be a member of the full-time faculty, shall be selected by the Faculty from among the licensed members of the Idaho State Bar. This member shall serve one year.

4. Committee Chair. The committee shall be chaired by the senior faculty member in years of service at the College.

5. Candidate Challenges. A faculty member under consideration by the committee shall have a right to challenge two members of the committee without cause. The faculty member must exercise this challenge in writing delivered to the Dean's administrative assistant at least three days ahead of the hearing. A member of the committee who is challenged shall be replaced by the next substitute in that member's category.

6. Candidate Exclusion. A member of the committee who is under consideration by the committee shall be replaced during all taking of evidence and deliberations concerning her/him by the next substitute in her/his category.

7. Quorum. A quorum of the committee shall be all members or their duly selected substitutes. Only a faculty member under consideration may raise a question as to a quorum.

C. Duties of the Committee. The Committee shall consider the qualifications of candidates for tenure, promotion, or continued competence, as the case may be, and make recommendations to the Dean.

D. Notice and Convening of Committee.

1. The Committee shall hold its hearings and meetings in the Albert R. Menard College of Law Building, Moscow, Idaho.

2. The chair shall specify the times of all committee hearings and meetings.

3. Notice of hearings and meetings of the Committee shall be given in writing at least ten days before the day of the hearing or meeting to all members of the Committee, and to all faculty members who will be under consideration at such hearing or meeting. Notice shall be sufficient if duly mailed by United States mail to an individual's last known address or if placed on the faculty member's desk at her/his office in the College ten days before the day of hearing or meeting.

4. Any person who offers evidence against any faculty member under consideration by the Committee must have given to such faculty member, at least five days before the hearing at which such evidence is offered, a notice in writing specifying that evidence will be presented against her/him at the hearing, specifying the full name of each witness, and describing generally the nature of the evidence which shall be presented by each witness. This notice is sufficient if placed on the faculty member's desk in her/his office at the College.

5. The Dean shall give the notices under this Section.

E. Hearings.

1. The Committee shall hold a hearing for the taking of evidence with respect to each faculty member under consideration. The hearings shall be closed, unless the faculty member then under consideration desires that it be open. The chair may close a hearing to all persons except members of the Committee and the faculty member then under consideration if necessary to maintain order.

2. A faculty member shall have the right personally to confront, and to cross-examine, each witness against her/him.

3. Student evaluations of teachers may used as a part of the basis of an opinion by any witness.

4. The Rules of Evidence shall not apply to the taking of evidence in these matters. The chair shall rule conclusively for the Committee on all procedural points and on the admissibility of evidence.

5. A member of the Committee or a faculty member then under consideration may offer, or object to, evidence.

F. Meetings.

1. After the evidence is in as to a faculty member, the Committee shall meet at a time convenient in order to decide, based on the evidence presented, whether to recommend the granting of tenure or promotion, or whether to issue a finding of competence or incompetence, as the case may be. The meetings of the Committee shall be closed.

2. The chair shall preside at meetings and shall be permitted to vote.

3. The Committee shall make all decisions by a simple majority vote of those present. On all decisions as to whether to recommend tenure or promotion, the Chair shall record the manner in which each member of the Committee votes. The record of votes shall be delivered to the Dean.

G. Responsibilities of the Dean.

1. Informing and Consulting with the Candidate and Establishing a Timetable for Events. In the year preceding the application for tenure or promotion (if possible) or during the first month of the school year in which such applications shall be submitted, the Dean will consult with each candidate for promotion and/or tenure and

inform her/him of the steps which must be taken within the College to secure that tenure and/or promotion, of the University's timetable for the submission of materials to the University Administration, and of the candidate's responsibility for preparing and submitting materials and other information and requests. The Dean and the candidate will agree to a suitable timetable for the submission of materials, the arrangements for peer reviews (if necessary), and the convening of the necessary committees.

2. Convening Committees and Providing Access to Relevant Information. The Dean shall submit timely requests to peer reviewers, give timely notice to chairs of committees about the timetables established, assure that timely notice is given to committee members about the convening of their committees, collect all the materials necessary for a thorough evaluation of candidates, and see that those materials are available to the committees and other evaluators.

3. Assuring Participation by Senior Faculty Members. All tenured faculty members may vote on the application for tenure of a non-tenured colleague. The Dean shall see that such a vote is taken and the results recorded on the form supplied by the University. In addition, all faculty members senior in rank to a colleague seeking promotion shall be provided the University's form on which each of them may record a recommendation regarding that promotion. The Dean shall make this form available to each entitled faculty member and forward the results as required by University regulation.

4. Receiving, Recording, and Forwarding Information. The Dean shall receive the results of all committee deliberations on tenure and promotion matters, record that

information on the appropriate University forms, secure required signatures, and forward to the University Administration all forms and materials required by University regulations along with the Dean's own assessments and recommendations of the candidates under consideration.

H. Post-Tenure Review — Formal Peer Review Committee. FSH 3320 provides rules and procedures for annual evaluations of all faculty members. Specifically, FSH 3320 B provides a process for supporting tenured faculty who perform below expectations, including a formal peer review process outlined in FSH 3320 B-4. The Faculty hereby expressly adopts the procedures for review of tenured faculty set forth in FSH 3320, in particular the formal review committee composition and rules set forth in FSH 3320 B-4.

Article VI

Requirements for Admission

A. General Policy. The College of Law grants admission to those individuals who show intellectual promise, give evidence of high ethical standards, and either have received a baccalaureate degree from a regionally accredited institution or have demonstrated good cause to accelerate their undergraduate and legal education and have completed 96 semester hours or 144 quarter hours of acceptable credit at a regionally accredited institution. Students who do not possess a baccalaureate degree at the time of entrance into the College also must be enrolled in a college program which will grant them a baccalaureate degree upon successful completion of the first year curriculum in the College. The admissions and recruitment program and specific admission decisions on individual applicants is committed to the Admissions Committee and to the Dean as may be determined by agreement between

them, operating in accordance with the general policies established in this Article, and guided by numerical enrollment objectives approved by the Faculty. The general admission requirements for each category of student applying are described in the following sections of this Article.

B. Students Without Previous Law Study.

1. Students who have not previously attended law school shall:

a. Possess high ethical character, and personal qualifications, experience, or other factors showing probable success in law school as evidenced by the information given on application forms and other supporting documentation; and

b. i. Present transcripts from each college attended, one of which shall show the award of a baccalaureate degree; or

ii. In the case of an unusually well qualified student enrolled in a college program which will award her/him a baccalaureate degree upon successful completion of the first year curriculum in the College, a certificate from an appropriate authority of the student's undergraduate college that all requirements for the award of a baccalaureate degree will have been completed before entering the College, except the courses in the first year curriculum in the College, and that the student will receive her/his baccalaureate degree if s/he successfully completes the first year curriculum in the College; and

c. Present an acceptable undergraduate grade point average as computed from all transcripts filed. A grade point requirement higher than that for other

admittees may be imposed by the Admissions Committee for those entering without prior possession of a baccalaureate degree under Subsection B-1-b-ii of this Article; and

d. Present an acceptable score on the Law School Admission Test (LSAT) administered by the Law School Admissions Council, Newtown, Pennsylvania. An LSAT score higher than that for other admittees may be required by the Admissions Committee for those entering without prior possession of a baccalaureate degree under Subsection B-1-b-ii of this Article; and

e. Indicate a willingness to subscribe to the student-administered Honor Code.

2. The limited current availability of both physical space and faculty preclude the provision by rule of a grade point average or an LSAT score which will be acceptable under all conditions and will guarantee admission. The Dean and the Admissions Committee are authorized to make such decisions on individual applications as will insure well-qualified students, a diversified student body, and attention to state residence, but will keep first year enrollments within approximate limits fixed by the Faculty.

C. Transfer Students, Including All Students Who Have Attended Law School Elsewhere. Students who have attended other law schools and who seek advanced standing shall:

1. Have previously attended law schools which are members of the Association of American Law Schools, or on the list of fully approved law schools of the American Bar Association. Applicants who have attended law schools not in either of these categories may be admitted only to the entering class, but also shall satisfy the

requirements and provide the information set forth in Subsections C, 2–4 of this Article; and

2. Meet all standards set forth in Section B of this Article for students who have not previously attended law school and are applying for admission to the College; and

3. Present final transcripts reflecting all law school work undertaken. The cumulative grade point average and/or class standing reflected by such transcripts must be sufficiently high to indicate a strong probability of success in the College; and

4. Present a letter from the dean of each law school previously attended, stating that the student is in good standing and is eligible to continue at that institution without qualification. [See also Article VII, § A-1.]

D. Former Students of the College of Law.

1. Former students of the College who were in good standing at the time of withdrawal but who had not completed one semester of work may apply for readmission by submitting a new application to the College demonstrating continued qualifications and by complying with the following additional requirements when applicable.

   a. Students who have undertaken college or university work elsewhere since leaving the College must submit transcripts evidencing good standing from each institution attended since withdrawal from the College.

   b. Students who have attended law school elsewhere since leaving the College must meet the requirements for students who have previously attended other law schools. If such attendance at another law school was not on a regularly admitted basis but was as a special student for a summer session or comparable term, the returning student must file a transcript from the

institution attended but need not complete other documentation for transfer students.

2. Former students of the College who were suspended for academic reasons may apply for readmission to an entering class of the College under Section B of this Article. Usually, a minimum of one year shall elapse between suspension and readmission under this Subsection D-2. Such an applicant shall explain in detail her/his education or experience during the intervening period and shall state her/his reasons for believing that s/he will be able to complete the course of study at the College satisfactorily. Readmission under such circumstances shall be in the discretion of the Admissions Committee. Applicants under this Subsection D-2 must also meet the requirements of Sections B and D-1 of this Article.

E. Part-Time Degree Candidates. Degree candidates, whether entering law school for the first time or as transfer students from another law school, who do not intend to carry a normal academic load in the College (a total of 31 credit hours during the first two semesters and not fewer than ten credit hours per semester thereafter) are admitted only under the following conditions:

1. The applicants meet all the standards applicable for full-time students, either entering or transfer; and

2. The applicants are exceptionally well qualified and present persuasive reasons for pursuing a part-time program which will lead to graduation in four calendar years.

F Special Students and Non-Degree Candidates.

1. Students from other areas of the University and other persons who do not satisfy all of the admission requirements but who are qualified to pursue special work within

the policy of the Association of American Law Schools or the American Bar Association may be admitted to certain courses as special students, though not as candidates for a law degree, upon the approval of the Dean and the instructor in each course involved.

2. In general, special students will not be admitted if doing so would deprive a regular degree candidate of a place in a class.

G. Foreign Students. Foreign students normally are admitted as special students under the provision of Subsection F-1 of this Article. Upon a showing of qualifications which demonstrate a readiness and ability to study as a degree candidate and a planned program of the required length to secure a degree, a foreign student may be admitted as a regular degree candidate through the provisions of Section H of this Article, even though the requirements for regular admission are not fully met.

H. Waiver of Requirements. In exceptional circumstances the Dean and the Admissions Committee, after consultation, may waive any of the above requirements, provided that no individual shall be admitted in violation of the standards of the American Bar Association or the Association of American Law Schools.

Article VII

Credit Hours for Work Done Other Than at the College of Law, Advanced Standing, Class Standing

A. Credit Hours for Work Done Other Than at the College of Law.

1. Credit hours earned at another law school may be applied toward graduation from the College for each course taken at that law school by either regular students on leave

from this school or by transfer students from such other school, if the course is deemed to have substantial content and if a grade of *C* or its equivalent or higher has been recorded for the course, provided that the school in which the course is taken is either a member of the Association of American Law Schools or on the approved list of the American Bar Association. No credit hours will be given for work done in law schools in the United States not in either group. For students admitted in August 2008 and afterwards, including transfer students, in no case shall more than 39 credit hours received from other law school programs be applied toward the total number of required hours specified in Article IX, § A-1 for award of the Juris Doctor degree by the College. The previous sentence does not prevent the admission of visiting students who wish to complete, at the College, coursework towards satisfaction of requirements for the award of a Juris Doctor degree at another law school.

[Article VII, § A-1 amended by Faculty in December, 2007.]

2. Credit hours for study in foreign law schools by any category of student will be handled on a case by case basis by the Dean or the Dean's designee. In general, credit hours will be given only for work of acceptable quality done in law schools teaching the common law system and with academic standards apparently comparable to the College.

3. Up to six credit hours of graduate level (500 level or higher) courses may be taken by a law student outside the College of Law, subject to the following conditions:

   a. The student must have passed the first year curriculum;

b. The course must be related to the student's course of study at the law school, not duplicate course offerings at the law school, and not duplicate other graduate or undergraduate course work completed by the student; and

c. The student must obtain the prior written permission of (1) the Associate Dean for Students and Administration and (2) the instructor of the graduate level, non-law course.

Credit for any such course will count as classroom credit toward graduation only if the student obtains a grade of *B* or higher. If possible, such credit shall be reflected as a *P* on the student's transcript, but in no event will such credit be counted in determining the student's cumulative grade point average or class standing in the College.

4. The provisions of Section A of this Article shall not apply to the concurrent degree and joint degree programs referenced in Article IX, § C.

B. Advanced Standing.

1. Students transferring from other law schools which are members of the Association of American Law Schools or on the list of fully approved schools of the American Bar Association may be granted advanced standing. Credit hours for the work completed in such other school shall be granted in an exact amount and on such conditions as are determined by the Dean or the Dean's designee, in no case to exceed the number of credit hours earned in such other school with a grade of *C* or higher. Transfer students will not be given formal credit for courses taken at other law schools until they have completed at least one semester of work in the College with an overall average of 2.00 or above, although informal evaluation may be made

at or prior to the time of initial registration in the College. They are admitted to such advanced classes at the College in their entering semester as may be determined by the Dean or the Dean's designee, but with the understanding that no credit for work at other schools will be recorded on their formal record (transcript) until they have achieved the requisite 2.00 grade point average at the College.

2. Transfer students from law schools not either members of the Association of American Law Schools or on the approved list of the American Bar Association who are admitted under any provision of Article VI shall be admitted without advanced standing and without credit for any work done in such law school.

C. Class Standing. The following rules concerning class standing also apply:

1. Grades received for courses taken in other law schools, whether accredited or not, will not be counted toward class standing or maintenance of required grade averages in the College. Such standing and required averages will be calculated solely on the basis of course work in residence at the College.

2. Course work undertaken by a special student under Article VI, § F shall not be counted in computing class standings nor shall it be counted toward fulfillment of the total number of hours required for graduation if the student is later admitted as a regular student, but such work done in a required course and in which the student received a grade of *C* or above may be counted in fulfillment of a specific course requirement (i.e., a required course need not be repeated).

3. Students completing fewer than ten credit hours in a semester will not be included in class standing computations for that semester.

4. Class standing shall be calculated once each year at the end of the academic year. The class in which a student is included for the purpose of class standing computation shall be determined on the basis of the number of credit hours satisfactorily completed at the end of the academic year for which the calculation is made, as follows: first year class—31 credits or fewer credits; second year class—32 credit hours to 60 credit hours; and third year class—61 credit hours or more. Unofficial class standings may be calculated following the fall semester; these standings will be official only for those third-year students who graduate in December.

Article VIII

Academic Standards

A. Minimum Grade Requirements.

1. Cumulative Average Requirement. A student whose grade point average falls below 2.00 at the end of any semester shall be put on probation for one semester. Subject to Subsection A-2 of this Article, a student shall not be placed on probation under this rule more than once. If at the end of the probationary period or any semester thereafter the student's grade point average is below 2.00, the student shall be suspended.

   [Article VIII, § A-1 amended by Faculty in August, 2006.]

2. If at the end of the probationary semester the student's grade point average is below 2.00 but her/his semester grade point average is 2.25 or above, the student's probationary period shall be extended by one semester.

3. After a student's first year, the Associate Dean for Students and Administration must approve the student's proposed schedule of classes (1) before the student registers for a semester during which s/he is on probation; and (2) before the student registers for the semester, if any, after the probationary period. Except as provided in the next sentence, the Associate Dean for Students and Administration shall not approve the proposed schedule unless it devotes at least ten credit hours to any combination of the following courses:

902 Constitutional Law I

905 Constitutional Law II

907 Administrative Law

919 Business Associations

923 Negotiable Instruments, Bank Collections, and Deposits, and Other Payment Systems

924 Sales

925 Property Security

930 Taxation

941 Wills, Estates, and Trusts

942 Water Law I

945 Community Property

950 Evidence

952 Remedies

953 Criminal Procedure

962 Professional Responsibility

963 Family Law

If it is not possible for the student to meet the requirement described in the previous sentence because s/he has previously taken too many of the courses listed above, the Associate Dean for Students and Administration shall approve the proposed schedule only if it includes as many of the courses listed above as possible, considering the schedule of classes, the need for the student to fulfill graduation requirements, and any other circumstance that the Associate Dean for Students and Administration reasonably concludes would preclude meeting the requirement described in the previous sentence.

4. Definitions. As used in this Section A,

   a. the term "semester" does not include summer session. Grades obtained during the summer session shall not be used to compute the grade point average of either the preceding or the following semester; they shall be included in the student's cumulative grade point average.

   b. the term "suspended" means that the student shall be ineligible to register for further study at the College.

[Article VIII, § A-4 added by Faculty in August, 2007.]

B. <u>Grading System</u>.

1. Grades shall be awarded on the basis of *A*, *A*–, *B*+, *B*, *B*–, *C*+, *C*, *C*-, *D*+, *D*, *D*–, *F*, *W* (Withdrawal), *I* (Incomplete), *P* (Pass), and *NP* (No Pass); provided, however, that unless so designated by resolution of the Faculty, courses shall not be graded on a pass/fail, pass/no pass or other basis.

2. Grade point averages shall be computed by assigning the following numerical point values per semester hour: *A* = 4.00; *A*– = 3.67; *B*+ = 3.33; *B*- = 3.00; *B*— = 2.67;

C+ = 2.33; *C*, = 2.00; *C*- = 1.67; *D*+ = 1.33; *D* = 1.00; *D*– = 0.67; *F* (or fail under a pass-fail basis) = 0.00. The cumulative grade point average is the quotient of total points assigned, divided by total hours undertaken, except that courses in which marks of *I*, *W*, *P*, or *NP* have been given shall be disregarded in the computation of a student's grade point average. All other courses shall be included even if they have been repeated.

[Article VIII, §§ A–B amended by Faculty in May, 2006.]

C. Minimum and Maximum Credits. Students may not register for fewer than ten credits in any semester without the prior approval of the Associate Dean for Students and Administration.

D. Repeating Courses.

1. Faculty Permission. Except as otherwise provided in Subsections D-2 and D-3 of this Article, a student may not repeat a law school course for credit without the prior permission of the Faculty.

2. Repeating Courses for Credit. A student who has completed a law school course in which s/he has received a grade of *C*–, *D*+, *D*, or *D*– may repeat that law school course once, subject to the following conditions:

   a. The credit hours earned by the student upon completion of the repeated course shall appear on the law school transcript, but shall not be applied toward the total number of required credit hours specified in Article IX, § A-1 for award of the Juris Doctor degree by the College.

   b. The grade earned by the student upon completion of the repeated course shall appear on the student's law school transcript, but shall not be calculated as part of the student's law school grade point average.

3. Repeating Failed Courses.

a. A student who has completed a law school course in which s/he has received a grade of *F* shall receive no credit hours for application toward the total number of required credit hours specified in Article IX, § A-1 for award of the Juris Doctor degree by the College, but the grade shall be calculated as part of the student's law school grade point average.

b. If the failed course is a course required for graduation under Article IX, § A, the student must repeat the course and receive a grade above an *F*, in order to satisfy the graduation requirements in Article IX, § A. If the failed course is not required for graduation, the student may repeat the course one time only.

c. If a student repeats a failed course and passes the course, the credit hours and grade received in the repeated course shall be treated as follows:

i. The credit hours earned by the student upon completion of the repeated course shall appear on the law school transcript and shall be applied toward the total number of required credit hours specified in Article IX, § A-1 for award of the Juris Doctor degree by the College.

ii. The grade earned by the student upon completion of the repeated course shall appear on the student's law school transcript, but shall not be calculated as part of the student's law school grade point average.

E. Appealing Grades.

1. College of Law Academic Hearing Board (AHB). Purpose: To act on requests for redress of academic grievances.

   a. Grievances may concern, but are not limited to, objectivity or fairness in making, administering, and evaluating class assignments and examinations.

   b. Structure. Three faculty members, at least one of whom holds an administrative position in a college, appointed by the Dean of the College of Law at the time a student files an appeal.

2. Procedures.

   a. Generally the student who is dissatisfied with an academic action should first request reconsideration by the appropriate faculty member. After meeting the faculty member the student filing the appeal would be required to rebut the presumption that the grade is appropriate.

   b. It is incumbent upon the student to submit a written petition detailing the basis of the grade appeal. The petition should be presented to the Associate Dean for Faculty Affairs. The Associate Dean for Faculty Affairs will then present the appeal to the AHB.

   c. When an appeal is to be heard, AHB summons the student concerned and the faculty member whose action is challenged. The AHB may review the assignment or exam in question, the student's answer, and any answer key or grading criteria prepared by the faculty member. These materials are to be treated as confidential and are to be made available only to the AHB and not to the College of Law faculty as a whole. A UI student or employee who is

summoned to a hearing has the same responsibility to respond as though directed by the Dean to do so.

d. Although AHB cannot change a grade or require that it be changed, it may order that the grade it considers appropriate also be recorded on the student's academic records. (NOTE: Procedures for changing grades are outlined in the catalog.)

e. It is within the purview of the AHB to hear an appeal of a grade imposed by an instructor as a result of academic misconduct, e.g., cheating or plagiarism. Such a grade constitutes an evaluation and is not to be construed as a penalty. Penalties for academic misconduct are considered to be disciplinary in nature and must be imposed through the College's Honor Court system. Appeals from penalties imposed through the Honor Court system are directed to the Faculty. [see Honor Code VII-N]

f. AHB reports its decisions and recommendations to the student, instructor, faculty, and dean and to the registrar. AHB will report its decisions and recommendations in the form of a memorandum detailing the AHB findings and recommendation. AHB decisions are final. Students shall have the right to appeal the AHB decision to the Provost. The affected faculty member shall have the right to appeal the AHB decision to the faculty. In the event both the student and the affected faculty member appeal, that appeal goes to the faculty.

g. AHB may devise additional procedures, consonant with the bylaws of the College of Law faculty and the Law Student Handbook for the discharge of its functions.

h. Actions of the College of Law Faculty based on an AHB memorandum of findings and recommendation may be appealed in the same manner as appeals from actions of the UI Academic Hearing Board, as stated in Section 2500 of the UI Faculty Staff Handbook.

[Article VIII, § D added by Faculty in December, 2007. Article VIII, § E added by Faculty in November, 2012.]

Article IX

Requirements for Graduation and Degree

A. Requirements For Graduation.

1. Candidates for graduation who entered the College in August 2007 or later are required to complete 90 semester hours of credit either in the College or by transfer from an accredited school of law or through graduate level, non-law courses as provided in Article VII, § A. Eighty-six of those hours must be "class hours" (i) as defined by the American Bar Association Standards for Approval of Law Schools, or (ii) comprised of any other educational activity that complies with the ABA Standards and which a majority of the Faculty votes to classify as "class hours." Candidates who matriculated prior to August 2007 must complete 88 hours, of which 84 must be "class hours." Candidates who matriculated prior to August 1990 must complete 84 hours, of which 80 must be "class hours."

2. All credit hours presented as fulfillment of the total credit hours required for graduation must be completed within a six-year period from the beginning of the first course so presented to completion of the last course so presented.

   [Article IX, §§ A-1, –2 amended by Faculty in May, 2007.]

3. Candidates for graduation also are required to complete six semesters or their equivalent (90 weeks total) in residence at a law school on the approved list of the American Bar Association, with the last two semesters and the last 26 semester credits being completed in residence at the College. (The requirement of six semesters in residence and that the final 26 hours be taken in residence at the College may be waived by the Dean or the Dean's designee for good cause shown.) "In residence" is defined as being enrolled for a schedule representing at least ten hours of class work each week and passing at least nine such hours. A student who fails to pass work equal to nine class hours shall receive residence credit in the ratio that the hours passed bear to nine. A student who fails to enroll for ten class hours shall receive residence credit in the ratio that the hours for which the student is enrolled bear to ten. In the event that both ratios are applicable in a given case, the lower ratio shall control.

4. All students are required to pass all first year courses. First year courses shall be taken during the first year in the College. For good cause shown, the Dean or the Dean's designee may waive the requirement to complete all first year courses or that such courses be taken only in the first year, provided the total number of credit hours for graduation may not be waived.

5. All students are required to pass the course in Professional Responsibility.

6. Upper Division Writing Requirement. Each student at the College shall complete, after the first year of law school and prior to graduation, a major writing project satisfying the standards set out in this Subsection A-6. A major writing project, by definition, shall be a faculty-supervised writing project that satisfies the following minimum standards:

a. A major writing project must be a paper of at least 20 double-spaced pages, exclusive of footnotes, evidencing significant legal or empirical research and thoughtful, well-drafted writing. The paper shall reflect the student's ability to explore, on the basis of significant research in legal sources, the interrelationship of issues presented in a complex context. The paper shall be written exclusively by the student seeking satisfaction of the Upper Division Writing Requirement with research and editorial assistance expressly approved by the supervising faculty member.

b. A major writing project shall require a minimum of two drafts. The first draft shall be submitted to, and reviewed by, the supervising faculty member, who shall provide a detailed critique of the paper to the student. The final draft shall take into account and remedy the criticisms included in the supervising faculty member's critique.

c. A major writing project ordinarily shall be supervised and graded by a member of the full-time faculty. With the prior written approval of an Associate Dean, adjunct or affiliate faculty members may be permitted to supervise and grade a major writing project when conducted as part of a seminar being taught by the adjunct faculty member.

d. Provided that all of the foregoing requirements of this Subsection A-6 have been satisfied, the Upper Division Writing Requirement may be satisfied in any of the following ways upon written certification to the Dean's Office by the faculty member supervising the major writing project:

i. Papers prepared in regularly scheduled courses or seminars in which the faculty member teaching the course or seminar agrees to accept papers for satisfaction of the Upper Division Writing Requirement (NOTICE: Receiving a passing grade in a regularly scheduled course or seminar does not necessarily satisfy the Upper Division Writing Requirement; the supervising faculty member must independently certify that the major writing project satisfies the Upper Division Writing Requirement.); or

ii. Independent research and writing under the supervision of a full-time faculty member in Law 983; or

iii. Successful completion of the writing requirement for membership in any of the College's law reviews or law journals, provided that the student may not, as part of the writing for the law review or journal, receive or obtain any aid in the research, organization, writing, or other aspect of the paper being used to satisfy the Upper Division Writing Requirement except for research and editorial assistance expressly approved by the supervising faculty member (see Subsection A-6-a of this Article; or

iv. Any other major writing project completed under the supervision of a faculty member which is equivalent in scope and quality to the work required by Subsection A-6-d, i–iii, of this Article.

7. All students entering in the Fall of 1997 or later are required to pass the courses Constitutional Law I and Constitutional Law II.

8. Pro Bono Service Requirement. Students entering the College beginning in Fall 2006 must perform a minimum of 40 hours of law-related pro bono service without monetary compensation, academic credit, or other tangible benefit for work performed. This requirement must be fulfilled prior to graduation under the guidance and with the approval of the Director of Pro Bono Programs. Students may begin to fulfill this requirement after the first semester of their first year of law school, unless their first-semester grades cause them to be on academic probation. Students on academic probation based on their first-semester grades may not begin to fulfill this requirement until after the first year of law school.

9. Professional Skills Training. Students entering the College in Fall 2005 and thereafter shall be required to complete not less than two credit hours of instruction in professional skills training courses selected from a list of courses adopted by the Faculty from time to time as satisfying the requirement for professional skills training.

10. Professionalism Training. Students entering the College in Fall 2014 and thereafter shall be required to complete a professionalism education program as adopted by the Faculty. The professionalism education program shall consist of educational opportunities addressing the following topics: 1) cultural competencies; 2) civility

and appropriate professional behaviors before courts, tribunals, and in other professional settings; 3) law practice management; 4) bias and thought processes; and 5) other topics related to the development of a student's professional conduct and identity.

[Article IX, §§ A-8, –9 added by Faculty in May, 2006. Article IX, § A-10 added by Faculty in April, 2013.]

B. Grade Requirement. Except as otherwise provided in Article VII, § A-1, approved credit for any course taken outside the College will count as classroom credit toward graduation only if the student obtains a grade of *B* or higher. No such credit will be counted in determining the student's cumulative grade point average or class standing.

C. Concurrent and Joint Degree Programs. Students who are enrolled in a concurrent or joint degree program are subject to the requirements for graduation specified in Sections A and B of this Article except as otherwise specified in this Section C.

1. A law student who has been duly admitted to a concurrent degree program approved by the Faculty may count toward graduation up to the maximum number of credit hours approved by the Faculty as part of the particular concurrent degree program, from a list of courses outside the College approved by the Faculty from time to time with respect to the particular concurrent degree program.

2. A law student who has been duly admitted to a joint degree program approved by the Faculty may count toward graduation those credit hours outside the College approved by the Faculty, from time to time, as part of the joint degree program.

3. Unless expressly approved as a part of a concurrent degree or joint degree program, students counting credit from outside the College pursuant to such a program may not count any externship credits toward fulfillment of the requirements for graduation.

4. As used in this Section C, the term "concurrent degree program" means a program approved by the Faculty and consistent with all accreditation standards applicable to the College, whereby a law student is able to obtain the Juris Doctor degree as well as a master's or doctoral degree in another discipline by fulfilling all of the separate requirements for each degree program independently, but for each of which degree programs, certain select courses may be credited toward satisfaction of the degree requirements of the other program. A "joint degree program" means a unified program approved by the Faculty and consistent with all accreditation standards applicable to the College, created between the College of Law and another college or department at the University of Idaho or other university, which specifies the requirements for satisfaction of each degree to be obtained by the student as part of the unified program.

D. Honors. The honor of graduating *summa cum laude* will each year be automatically accorded to those law students whose cumulative grade point averages are equal to or better than the cumulative grade point averages of the top three percent of the last five graduating classes, the remainder of the top six percent thus computed graduating *magna cum laude*, and the remainder of the top ten percent thus computed graduating *cum laude*.

Article X

Academic Discipline

A. Honor Code. The Students (acting through the Student Bar Association) and Faculty of the College have established a Student Honor Code with the approval of the University of Idaho Board of Regents acting pursuant to authority granted to the President of the University. The Honor Code establishes procedures for the commencement, investigation, trial, and punishment of violations of the Honor Code.

B. Role of Faculty. Faculty members are an integral part in the establishment, implementation, and enforcement of the Honor Code.

C. Jurisdiction of Honor Code. The jurisdiction of the Students and Faculty to establish and enforce the Honor Code has been granted by the Board of Regents of the University of Idaho acting pursuant to authority granted to the President of the University. The Honor Code does not affect a faculty member's authority over class conduct or grading.

Article XI

Curriculum

A. General Authority. The curriculum of the College shall consist of such courses as may be designated by the Faculty. The adding or dropping of courses, and the change in the number of credit hours assigned to a course offered by the College, require Faculty approval.

B. The Curriculum Committee. The Curriculum Committee designated pursuant to Article II, § F is charged with continuing examination of the curriculum with a view to initiating and recommending improvements and changes and with the study of all suggested changes.

Article XII

Law Library

A. General Policy. The law library is recognized as a central factor in the educational program of the College, and the overall policies in effect therein shall be determined by the Faculty.

B. Application of ABA Best Practices.

1. The College shall have sufficient administrative autonomy to direct the growth and development of the law library and to control the use of its resources.

2. The Dean and the Law Library Director, in consultation with the Faculty, shall determine law library policy.

3. The Law Library Director and the Dean are responsible for the selection and retention of personnel, the provision of library services, and collection development and maintenance.

4. The budget for the law library shall be determined as part of, and administered in the same manner as, the College budget.

C. The Library Committee.

1. The Library Committee designated pursuant to Article II, § F is hereby charged, acting in cooperation with the Law Library Director, with the establishment of purchasing policies and priorities concerning the acquisition and cancellation of library materials, with the study of practices to improve reader service, with the development and enforcement of library rules and policies concerning reader use, and with the consideration of improvements concerning library facilities. Major policy decisions concerning the law library shall be referred to the Faculty by the Library Committee with appropriate recommendations for action.

2. The Library Committee shall consist of three faculty members. The Law Library Director shall be an ex officio member of the Committee.

[Article XII, § B added by Faculty in May, 2013.]

Article XIII

Waiver and Amendment

A. Waiver. Any of the rules provided herein may be waived by majority vote of the Faculty present at a duly convened meeting of the Faculty under Article II, § E, or by action of the Faculty without a meeting under Article II, § F, except that the rule concerning approval of new members of the Faculty set out in Article III, § A-3 may not be waived by the Faculty.

1. Procedure. A person petitioning under Section A of this Article for waiver of a rule shall file with the Associate Dean for Students and Administration a written petition setting forth the rule sought to be waived, the grounds therefor, and the relief requested. The petition shall be filed within 14 days following the person's receipt of notice of the action taken based on application of the rule of which waiver is sought. The Associate Dean shall present the petition to the Faculty not later than the next regularly scheduled meeting of the Faculty.

2. Appeals of Decisions of the Faculty. Appeals from decisions of the Faculty are submitted to the University Provost. If the Provost concurs in the decision of the Faculty, appeal may be made to the President and Regents if the President and Regents consent to hear the appeal.

B. Amendment. Amendments to these rules may be adopted at any meeting by a majority vote of the entire Faculty, except that amendments of this provision, Article III, § A-3 and Article II, § A shall require a two-thirds vote of the entire Faculty, and provided that the

proposed text of the amendment has been circulated in writing to the Deans and Faculty at least two days in advance of the meeting.

Article XIV

Advisory Council

A. Purposes. There shall be a College of Law Advisory Council with the following purposes: (1) to promote the College to a variety of constituencies, (2) to assist in identifying and acquiring additional resources and financial support for the College, (3) to serve as an advocate for the College, (4) to give advice on the College's programs, (5) to help build working relationships with other colleges of the University of Idaho, and (6) to assist the College's placement program.

B. Composition. There shall be not fewer than 15 nor more than 30 regular members of the Council, as determined from time to time by vote of the Council under rules and procedures adopted by the Council for its governance. The Council shall be composed of judges, lawyers, faculty members from other law schools, and other persons interested in the College. In addition, the Dean shall be an ex officio member. The Council shall not be limited to alumni of the College, nor to residents of the State of Idaho. The Council shall strive for diversity of experience and perspective in its membership.