

TEXAS A&M UNIVERSITY SCHOOL OF LAW  
BYLAWS

(Revised April 2018)

1. Purpose and Scope. These bylaws constitute the rules for the internal government of the faculty of the Texas A&M University School of Law (“Law School”). These bylaws are intended to follow and supplement any applicable University rules or policies on the matters addressed herein. To the extent of any direct conflict between these bylaws and applicable University rules or policies, applicable University rules and policies shall control. Capitalized terms used in these bylaws and not otherwise defined herein have the meaning assigned to those terms in the Law School Policies for Appointments, Promotion, Tenure and Review.

2. The Dean

2.1 Chief administrative officer. The dean is the chief administrative officer of the Law School. In the dean’s absence, the dean may appoint the vice dean or an associate dean to act in his or her stead.

2.2 Law School administration. The dean may hire the non-faculty administrators and staff of the Law School, subject to applicable University procedures.

2.3 Vice dean and associate deans. At the discretion of the dean, a vice dean and associate deans can be appointed. Duties and service conditions as well as monetary compensation, or course reduction, if any, will be stipulated at the time of the appointment. Each vice or associate dean serves at the pleasure of the dean. The vice dean and associate deans must be faculty members. The dean may appoint a vice dean and a reasonable number of associate deans from the tenured faculty. The dean may appoint an associate dean from the untenured faculty, but such an appointment requires the affirmative vote of two-thirds of the faculty. The dean may assign such duties to the vice dean and each associate dean as are appropriate.

2.4 Faculty review of dean. The faculty will review the dean in accordance with the University rule on Faculty Participation in the Selection, Evaluation, and Retention of Deans.

3. Scholarship and teaching

3.1 Research grants. The Law School provides research grants to assist faculty with scholarship. Faculty members who wish to be considered for a research grant must make a written application to the dean. The dean awards research grants. Applications must be made not later than the date set for submission of applications by the dean. The dean must publish a list of awards by June 1 of that year.

(a) Amount and payment of grant. The amount of each research grant is determined by the dean but the grant award must be at least equal to the then-effective amount paid to a faculty member for teaching a three-credit-hour course during a summer term. Should budget circumstances require otherwise, the dean will consult with the Associate Dean for Faculty

Development and the Faculty Development Committee as to the amount of the grants. The Associate Dean for Faculty Research and Development will make recommendations to the dean on whether a particular work is substantially complete.

i. Ordinarily, work for which the grant is awarded is substantially complete when a draft manuscript is in finalized form and ready for circulation to potential publishers. In the case of a large-scale project, work for which the grant is awarded is substantially complete when the faculty member shows significant progress toward completion of the large-scale project during the previous year, as indicated by actual work product (e.g., the submission of a number of book chapters that are substantially complete). A large-scale project is a book or a lengthy article requiring a great amount of historical research or empirical data, such that it requires more than one year to complete. Funding for any one large-scale project ordinarily will be limited to two grants.

ii. The work for which the grant(s) was awarded must be published within a reasonable time.

(b) Production required before subsequent grant. Faculty members generally will not be awarded a subsequent grant before the work for a prior grant is substantially completed. However, a faculty member, in his/her application, may petition the dean for a subsequent grant by explaining why the prior grant is not yet substantially complete and outlining a working plan and timeline for completing both the prior grant and the subsequent grant.

(c) Criteria for award of grant. In making research grant awards, the dean should consider these criteria: the scholarly merit of the project; the time that has passed since the applicant last received a research grant; the applicant's contributions to the Law School in teaching, service, and scholarship; whether the applicant will be engaged in other remunerative activities during the grant period; whether the project is likely to generate income for the faculty member; the progress toward completion of a prior grant; and any other matter the dean considers relevant.

3.2 Teaching review of adjuncts and visitors. The dean must implement a method for the review of the teaching skills of adjunct and visiting faculty.

### 3.3 Teaching load.

(a) Normal load for faculty. The normal teaching load is governed by University Rule, *Faculty Teaching Workload Reporting*.

(b) Administrators and faculty assigned to a Law School clinic. The normal teaching load for faculty members who are Law School administrators, who are assigned exceptional administrative duties by the dean, or who are assigned to a Law School clinic varies and is determined in relation to the demands of all their duties.

(c) Overloads and underloads. In consultation with the Associate Dean for Academic Affairs, the dean and a faculty member may agree to increase or decrease the faculty member's normal teaching load for an academic year.

3.4 Summer teaching. Subject to the needs of the Law School as determined by the dean, in consultation with the Associate Dean for Academic Affairs, a faculty member may agree to teach one course during the summer term.

#### 4. Law practice and other business activity

4.1 Law practice and other business activity for profit. The Law School permits law practice and other business activity for profit when that practice or activity is related to the faculty member's major academic interests or enriches the faculty member's capacity as a scholar and a teacher; is of service to the legal profession and the public; and does not unduly interfere with the faculty member's responsibilities as a faculty member. The Law School does not permit long-term contract faculty employed in a Law School clinic to engage in law practice outside of the Law School clinic other than: *pro bono* law practice; representation of the long-term contract faculty member's immediate family members in non-contested matters; and completion of ongoing cases from the long-term contract faculty member's prior law practice. The Law School permits long-term contract faculty to engage in other business activity for profit when that activity does not unduly interfere with the individual's responsibilities as a long-term contract faculty member.

(a) Presumption created by law practice or other business activity. Regularly engaging in law practice or other business or having an on-going relationship with a law firm or other business creates a presumption that the faculty member is not fulfilling his or her duties as a faculty member.

(b) Rebutting the presumption. The presumption may be rebutted if the faculty member demonstrates, at the request of the dean or in the annual report, that he or she has a full-time commitment to teaching, scholarship, and service; is available to students; and is able to participate in the governance of the institution to the same extent as other faculty.

4.2 Pro bono law practice. Faculty members are encouraged to engage in *pro bono* law practice as service to the community. *Pro bono* law practice is uncompensated legal services provided for the public good. *Pro bono* law practice does not create the presumption described in section 4.1(a); nevertheless, such activities must not unduly interfere with the individual's responsibilities as a faculty member.

4.3 University approval of external employment. Outside employment of law faculty must be approved in accordance with TAMU System policies. A copy of the [Outside Employment Request](#) must be submitted to the dean for approval prior to beginning employment. The system policies that address external employment are available below:

- 31.05 [External Employment and Expert Witness](#)
- 31.05.01 [Faculty Consulting and External Professional Employment](#)
- 31.05.02 [External Employment](#)

4.4 Use of Law School's resources for law practice and other business activity. Faculty members who use Law School resources for law practice and other business activities must comply with applicable University policies, including Use of System Resources, Use of System Resources for External Employment, and Non-Business Use of Telephone and Fax Machines. Law School students and staff may not be compensated by the Law School for any work related to the pursuit of law practice and other non-teaching, non-scholarship, or non-service business activities for profit by a faculty member.

4.5 Non-involvement of the University and the Law School in law practice. Faculty members who are practicing law, whether for profit or not, or who are engaged in other business activity, must use a personal letterhead that does not name the University or the Law School. Faculty members who are practicing law, whether for profit or not, must make reasonable efforts to apprise clients, courts, and other interested persons that neither the University nor the Law School is engaged in the practice of law, that neither the University nor the Law School exercises control over the provision of legal services, and that neither the University and the Law School have liability for any claim against a faculty member for malpractice, negligence, or other inappropriate conduct.

4.6 Exclusion for Law Clinic. Article 4's exclusions do not apply to any faculty member to the extent that the faculty member provides legal services through a Law School clinic.

## 5. Faculty Leave.

### 5.1 Faculty Development Leave

(a) Faculty Development Leave (FDL) is a privilege afforded of the university's qualified tenured faculty to enable them to engage in study, research, writing, and similar projects for the purpose of adding to the knowledge available to the faculty member, the students and academic institution, and society.

(b) The Dean of Faculties oversees the FDL program and places limits on the number of applications that can be submitted from a college according to [System Regulation 12.99.01](#). Information about eligibility, duration, and preparation of the FDL application is available from the [Dean of Faculties](#).

(c) A faculty member's FDL application must be submitted to the Associate Dean of Research and Faculty Development by September 1 for internal review. The application must follow all University rules and guidelines for FDL. The Associate Dean for Faculty Research and Development, in consultation with the Faculty Development Committee, will make a recommendation to the Dean by September 14. The Dean will inform the applicant of his/her decision by October 1.

5.2. Faculty Workload Adjustment Policy for Acute Family Care. The Law School is committed to a family-friendly work environment that includes temporary workload adjustments for acute family care. The guidelines, eligibility, and process for requesting temporary workload adjustments are described in the Faculty Workload Adjustment Policy for Acute Family Care attached as Appendix A to these bylaws.

## 6. Committees and representatives of Faculty Senate.

### 6.1 Membership of committees.

(a) Committees elected by the faculty. At the final regularly scheduled faculty meeting of the academic year, the faculty elects the five members of the Faculty Appointments Committee and the five members of the Faculty Governance Committee. The members of the Faculty Governance Committee and of the Faculty Appointments Committee select the chairperson of their respective committees. The tenured faculty elects a majority of the members of the Promotion and Tenure Advisory Committee and three members and an alternate of the Peer Review Committee. The tenured faculty and long-term faculty who are appointed on five-year contracts elect a majority of the members of the Long-term Contract Faculty Review Committee. Each elected member of a faculty committee must receive the vote of at least a majority of the faculty eligible to vote present at the meeting.

(b) Committees appointed by the dean. By the beginning of the academic year, the Dean names all ad hoc committees and appoints the members and chairpersons of all committees not named in section 6.1(a), except for the Tenure Committee.. The Dean must provide each committee with a charge at the beginning of the academic year.

(c) Tenure Committee. All tenured faculty members are members of the Tenure Committee. The dean appoints the chairperson of the Tenure Committee by the final regularly scheduled faculty meeting prior to the academic year of the chairperson's appointment.

(d) Faculty Senate representatives. The faculty elects the Law School representatives for the vacant Law School positions on the Faculty Senate in accordance with University procedures. The Law School has two representatives to the Faculty Senate, who serve staggered three-year terms.

(e) Committee chairperson. Absent exceptional circumstances, the chairperson of each Law School committee must be a tenured faculty member or a full-time faculty member appointed to a long-term contract.

(f) Limits to faculty member service on committees. Absent exceptional circumstances, neither an untenured faculty member nor a contract faculty member who is not appointed to a long-term contract should serve on more than three Law School standing committees named in Section 6.3 during the academic year.

6.2 List of committee appointments. By the beginning of the academic year, the dean provides the faculty with a list of all committees and their membership.

### 6.3 Standing committees.

(a) Academic Standards Committee. The Academic Standards Committee makes recommendations to the faculty about the Law School's academic standards, including matters such as grading standards, standards for student retention and advancement, and standards for graduation. The Academic Standards Committee is responsible for acting on student petitions

related to those standards. Except as provided in the Academic Standards, the Academic Standards Committee has the authority to enforce the Academic Standards without further action by the faculty.

(b) Academic Support, Bar Passage, and Outcome Assessment Committee. The Academic Support, Bar Passage, and Outcome Assessment Committee oversees the Law School's efforts to ensure that our graduates are thoroughly prepared for taking the bar examination upon graduation. In addition, the Academic Support, Bar Passage, and Outcome Assessment Committee provides input and assistance to the Director of Academic Support. The Academic Support, Bar Passage, and Outcome Assessment Committee also assists the Associate Dean for Academic Affairs in implementing and monitoring an effective program of assessment at the Law School.

(c) Adjunct Professor Committee. The Adjunct Professor Committee assists the Associate Dean for Academic Affairs in the overall management of adjunct professors. The Adjunct Professor Committee may recommend changes for hiring of adjunct faculty to improve diversity. The Adjunct Professor Committee also reviews the classes of adjunct professors.

(d) Admissions Committee. In consultation with the dean and in cooperation with the Office of Admissions and Financial Aid, the Admissions Committee establishes, implements and monitors policies relating to Law School admissions. The Admissions Committee has the authority to make decisions on applications for admissions without further action by the faculty.

(e) Career Services and Externship Oversight Committee. The Career Services and Externship Oversight Committee, in cooperation and consultation with the Associate Dean for Academic Affairs, is charged with the responsibility for supervision and evaluation of the Law School externship programs, including student achievement. In addition, the committee will provide input, guidance, and assistance to the Law School's Career Services Office.

(f) Curriculum Committee. The Curriculum Committee: (1) makes recommendations to the faculty about the Law School's curriculum, including the designation of Law School courses as professional skills, experiential courses or doctrinal courses and (2) provides oversight and makes recommendations to the faculty about the Law School's clinics, centers, concentration programs, distance learning programs, graduate programs, and global programs. Changes or additions to the Law School's curriculum generally require approval of the faculty; provided, however, that (1) the Curriculum Committee may, in consultation with and consent of the applicable faculty advisor, approve modifications to existing concentration programs, and (2) the Associate Dean for Academic Affairs has the discretion to approve new course offerings and changes in course credit hours on a one-time basis.

(g) Diversity Faculty, Staff & Student Council. The Diversity Council makes recommendations to the Law School administration and faculty for programs that will increase and enhance diversity among students, faculty, and staff. In undertaking this work, the Diversity Council will define diversity broadly and evaluate and propose programs that will enhance the law school's other goals.

(h) Experiential Committee. The Experiential Committee reviews policies that pertain to experiential education and the Equal Justice Program. The Experiential Committee makes recommendations for changes to the Curriculum Committee, the Academic Standards Committee, or relevant administrators to enact necessary changes to comply with best practices for law school experiential education and pro bono programs.

(i) Faculty Appointments Committee. The Faculty Appointments Committee screens candidates for full-time tenure-track positions. The Faculty Appointments Committee recommends to the tenured and tenure-track faculty candidates for hiring.

(j) Faculty Development Committee. The Faculty Development Committee works to enhance the faculty's intellectual pursuits while developing a collegial environment for faculty scholarship; provides mechanisms for faculty to gather internal and external input about their teaching, service, and scholarly activities; identifies training needs and sources for faculty members; and makes recommendations and suggestions in response to AALS or ABA compliance issues related to faculty scholarship, service, and teaching.

(k) Faculty Governance Committee. The Faculty Governance Committee makes recommendations to the faculty and the dean on all matters of Law School governance. The Faculty Governance Committee makes a record of all approved changes to these bylaws, the Law School Policies for Appointments, Promotion, Tenure and Retention, and other similar documents and ensures that those changes are properly incorporated into the appropriate document.

(l) Long-term Contract Faculty Hiring Committee. The Long-term Contract Faculty Hiring Committee identifies and screens candidates for long-term contract faculty positions. The Long-term Contract Hiring Committee recommends to the faculty candidates for hiring.

(m) Long-term contract Faculty Review Committee. The Long-term Contract Faculty Review Committee evaluates long-term contract faculty members for contract renewal and submits a written report and recommendation to the dean and in the case of candidates being considered for an initial five-year contract or promotion, to the dean and the Chair of the Tenure Committee pursuant section 8 of the Law School's Policies for Appointments, Promotion, Tenure and Retention.

(n) Peer Review Committee. As needed in connection with the annual review of tenured faculty, the Peer Review Committee gathers information regarding a tenured faculty member's teaching or librarianship, as applicable, scholarship and service and prepares a report regarding the faculty member's satisfaction of those three requirements pursuant to section 9 of the Law School's Policies for Appointments, Promotion, Tenure and Retention and makes recommendations to the dean.

(o) Promotion and Tenure Advisory Committee. The Promotion and Tenure Advisory Committee gathers information regarding a tenure-track faculty member's teaching or librarianship, as applicable, scholarship and service and prepares a report regarding the faculty member's satisfaction of those three requirements pursuant to section 7.7 of the Law School's

Policies for Appointments, Promotion, Tenure and Retention and makes recommendations to the dean and to the Tenure Committee on retention, tenure, and promotion for these faculty.

(p) Student Publications Committee. The Student Publications Committee oversees the operations of the Texas A&M Law Review and the Texas A&M Property Journal. Each journal has an individual faculty advisor who serves as the primary administrative point person, but those advisors will rely on the Student Publications Committee for input and advice, as needed.

(q) Technology and Law Library Committee. The Technology and Law Library Committee advises the Director of the Law Library about library development and services. In addition, the Technology and Law Library Committee is responsible for monitoring the technology needs of the Law School, including those of students, faculty and staff. The Technology and Law Library Committee will identify and prioritize specific technology-related proposals that will improve, or make more efficient, the educational product provided by the Law School, and will work with representatives of the IT department on implementation of such proposals.

(r) Tenure Committee. The Tenure Committee evaluates tenure-track faculty for retention, tenure, and promotion pursuant to section 7.7 of the Law School's Policies for Appointments, Promotion, Tenure and Retention and makes recommendations to the dean and to the University on retention, tenure, and promotion for these faculty

6.4 Actions of committees. Every committee acts as necessary to accomplish its mission but all material actions taken by a committee must be approved by the faculty, except to the extent that the authority to act without faculty action has been delegated to a committee in these bylaws.

## 7. Faculty meetings

7.1 Chair and faculty recorder of meetings. The dean or the dean's designee acts as chairperson of faculty meetings. The Dean appoints a faculty recorder to keep the minutes of faculty meetings.

7.2 Regular meetings. Regular meetings of the faculty must be held once each month during the fall and spring terms. The dean calls regular meetings at a date, time, and place to best facilitate attendance. Notice of the time and place for regular meetings of the faculty must be given at least seven business days in advance. Notice may be given by inter-office mail, email, telephone, voice-mail, or in person.

7.3 Special meetings. The dean, a chair of a committee, or 25% of the faculty may call special meetings at any time during the fall and spring terms. Notice of the time and place for a special meeting must be given at least one business day in advance by a method that is reasonably calculated to best reach the faculty. Only business described in the meeting notice may be conducted at a special meeting of the faculty. The faculty, may, however, vote on non-agenda items to be ratified at the next regular meeting.

7.4 Summer meetings. If urgent matters arise during the summer term, the dean may call a summer meeting. Notice of the time and place for a special meeting must be given at least 48 hours in advance in a method that is reasonably calculated to best reach the faculty. One-third of the members of the faculty constitutes a quorum for a summer meeting. Only business described in the meeting notice may be conducted at a summer meeting of the faculty. The faculty may vote on non-agenda items, but all such items are subject to ratification at the next regular meeting.

7.5 Notice of matters for faculty vote. Notice of any matter requiring the vote of the faculty must be provided at least 36 hours before the time of the meeting at which the vote on the matter is proposed to take place. The notice must be in writing and may be given by inter-office mail or email. The notice must describe the matter to be voted on, and if specific language is proposed for approval by the faculty, the notice must contain the proposed language. This rule shall not be construed to prevent floor amendments or procedural motions from being raised and voted on with respect to any matter for which proper notice under this rule has been given. This rule may be suspended in any individual instance upon the affirmative vote of two-thirds of those present and voting at the faculty meeting at which the suspension of this rule is proposed. This rule does not apply to the following matters requiring the vote of the faculty: student academic petitions, dean candidates, and faculty candidates recommended by either the Faculty Appointments Committee or the Long-term Contract Faculty Hiring Committee. In these exceptional instances, notice of the proposed matter requiring the vote of the faculty must be provided as soon as practicable prior to the meeting at which the vote will take place.

## 8. Quorum and voting

8.1 Quorum. Except as otherwise provided in these bylaws, the presence of a majority of the persons eligible to vote on a specific matter constitutes a quorum. All persons who are eligible to vote and who are present are counted in determining the existence of a quorum, whether or not they vote on a specific matter.

8.2 Supermajority vote and quorum. When a two-thirds vote is required under these bylaws, the quorum requirement is also the presence of two-thirds of the persons eligible to vote on a specific matter. All persons who are eligible to vote and who are present are counted in determining the existence of quorum, whether or not they vote on a specific matter. A two-thirds vote under these bylaws requires the affirmative vote of two-thirds of the persons eligible to vote on a specific matter present at a meeting at which a quorum is present.

8.3 Method of voting. Votes are taken by voice unless the dean, the chair of a committee, or any faculty member requests a secret written ballot vote before voting has begun or unless a secret written ballot vote is required under these bylaws.

8.4 Proxy voting. Proxy voting is defined as voting by absentee ballot, voting by electronic means, such as email or text, and voting through the use of an appointed proxy. Proxy voting is not permitted at faculty meetings. Proxy voting is not permitted at committee meetings, but the members of any committee, except the Tenure Committee, may agree by majority vote of the then-current membership to accept votes by email.

8.5 Attending meetings by telephone or video conference. If the facilities permit, the dean or any faculty member may attend a faculty meeting or committee meeting by telephone or videoconference, and he or she is considered present for all purposes.

8.6 Family, marriage, marriage-like, or dating relationships between teachers. A teacher who is closely related to another teacher or a candidate by blood or marriage, or who is in a marriage-like or dating relationship with another teacher or a candidate is disqualified from participating in discussions about or voting on the hiring, retention, promotion, or grant of tenure of a candidate who is the teacher's family member or spouse, or who is in a marriage-like or dating relationship with the teacher. For the purposes of this section, a "marriage-like" relationship is an unmarried partnership or a committed relationship.

8.7 Faculty or committee action not specified in these bylaws. Except as otherwise provided in these bylaws or the Law School's Policies for Appointments, Tenure, Promotion and Retention, actions of the faculty or a committee require a majority vote of the persons eligible to vote on a specific matter present at a meeting at which a quorum is present.

9. Proctoring of final examinations. Faculty members are prohibited from proctoring any Law School examination. The Associate Dean for Academic Affairs will be responsible for establishing law school examination proctoring procedures, including engaging outside proctors, for all examinations. Except in extraordinary circumstances, faculty members may not be present in the examination room while their examinations are being given. Proctors must relay any communication regarding the exam to all students who take the exam.

10. Amendments.

10.1 Amendments to these bylaws. Amendments to these bylaws may be proposed by a faculty member, a faculty committee, or the dean. Except as otherwise provided in these bylaws, amendments to these bylaws require a majority vote of the faculty.

10.2 Amendments to and suspension of the rules of the Law School's Academic Standards. Amendments to or suspension of individual rules of the Academic Standards require a majority vote of the faculty.

## **APPENDIX A**

### **Texas A&M University School of Law Faculty Workload Adjustment Policy for Acute Family Care**

#### **Purpose**

The Texas A&M University School of Law (TAMUSL) is committed to providing an inclusive and family-friendly workplace environment and recognizes that there are different types of family and domestic responsibilities. For these reasons, TAMUSL offers a policy of temporary workload adjustments for acute family care (AFC) situations. This TAMUSL policy promotes consistency in how such situations are handled, so that all faculty have equal access to accommodation of AFC situations. These situations include, but are not limited to, pregnancy, childbirth, adoption, and serious or prolonged illness of the faculty member or of a child, parent, partner, or close relative of the faculty member.

This policy should be disseminated widely and be easily accessible online so that all eligible faculty are aware of their eligibility under the workload adjustment policy. The policy describes the range of situations for which workload adjustments are a suitable mechanism for accommodating AFC situations, the process by which workload adjustments are requested and approved, and several typical scenarios that illustrate appropriate uses of workload adjustments.

#### **Motivation**

Temporary workload adjustments for AFC situations promote a family-friendly work environment that will enhance the recruitment, retention and long-term productivity of full-time faculty within TAMUSL. Currently, there are no uniform guidelines for faculty as to appropriate and fair workload modification measures to support AFC situations.

#### **Guiding Principles**

- The goal of workload adjustment within TAMUSL is to provide temporary workload modification for faculty for the purpose of supporting temporary family care demands such as recovery from childbirth or serious illness, care and bonding with a newborn or newly-adopted child, and/or temporary care of a close relative who is disabled, elderly or seriously ill.
- These guidelines are intended to cover AFC situations that would require at least a one-semester and no more than a one-year change in duties.
- A faculty member who has AFC responsibilities may request a period of active service-modified duties (ASMD). ASMD replaces time rigid responsibilities such as classroom teaching with equivalent, but more flexible duties for a temporary period of time.

- Faculty members on ASMD status remain with a full-time load without a reduction in pay. They will be expected to fulfill other professional responsibilities during the ASMD period, including those responsibilities for which they are uniquely qualified, such as performing research or curriculum development. If no equivalent other duties can be identified, then other arrangements outside the scope of these guidelines should be explored.
- The ASMD should be designed to provide maximum flexibility in the faculty member's schedule while being consistent with relevant System regulations and University rules and standard administrative procedures.
- Each faculty member faced with AFC responsibilities may request ASMD. Faculty who make ASMD requests and who are granted ASMD status shall not be negatively impacted in employment status or opportunities as a result of ASMD requests or the grants of such requests.
- Workload issues should be proactively managed so that excess work demands are not placed on other faculty.

### **Eligibility**

Eligible individuals are full-time faculty within TAMUSL who have AFC responsibilities. Faculty refers to all individuals whose title is so defined by the Faculty Senate.

### **Request Process**

- A faculty member makes a written request for ASMD to the Dean of TAMUSL at the earliest possible time. If required by System Regulations or University Rules, the Dean will provide final approval.
- The written request requires the faculty member (1) to document the reason for the ASMD request, (2) to provide dates for the intended ASMD (which may have to coincide with the dates of nearest academic semesters depending on the nature of the modified duties); (3) to outline the modifications he or she is requesting in terms of teaching, research and service; (4) to explain how the faculty member will address duties for which he or she is uniquely qualified. The Dean should respond to requests for ASMD in as timely a manner as possible.
- The ASMD will be designed by working with the individual TAMUSL faculty member and the Dean to meet the needs of both the faculty member and TAMUSL. A range of possibilities should be available.

### **Use**

- Eligible faculty members may be approved for ASMD for each AFC situation.
- Except in exceptional circumstances, the adjustment should occur within the first 12 months after the AFC situation arises. In some instances, some part of the adjustment may occur before the AFC situation arises (*e.g.*, in the case of the birth of a child toward the beginning of

an academic semester), but generally the bulk of modified duties should be scheduled for after the AFC situation arises.

### **Exclusions and Clarifications**

- The policy outlined in this document does not encompass tenure clock issues for faculty. However, a TAMUSL tenure-track faculty member may separately request a tenure clock extension due to issues related to AFC. More information can be found on the Office of the Dean of Faculties [web site](#).
- These guidelines are independent of and complementary to [sick leave](#) or [vacation leave](#), which may be taken in situations where no duties are conducted. Thus, a faculty member will in general take either ASMD or sick leave during the same period of time but not both. In situations such as childbirth or illness recovery, a faculty member might take sick leave first and then subsequently begin ASMD. However, in certain cases, where the faculty member may be able to work at home for some portion of the day, a combination of ASMD and sick leave or vacation leave (if applicable) may be an appropriate option.
- Faculty who are dissatisfied with the outcome of their request may follow the normal [complaint and appeal processes](#) as they exist
- Faculty members who have been assigned modified duties should not be penalized in annual reviews. These faculty members should be evaluated on the performance of the duty assigned rather than on the duty for which it was substituted (i.e., if a special service task is substituted for teaching then the faculty member is evaluated on the special task rather than teaching, with “normal” service rated separately according to departmental criteria).

### **Possible Scenarios**

It is the intent of these guidelines to provide flexibility for a range of ASMD solutions that are tailored to individual faculty and Law School needs. Some possible implementations are outlined below:

- A tenure-track or tenured faculty who is a primary caregiver of a newborn and who normally teaches during the fall and spring academic semesters may, for example, be granted workload adjustment consisting of one non-summer semester without teaching and a second non-summer semester with only one course of teaching. In lieu of his or her normal teaching duties, a number of more flexible duties would be assigned. For example, the faculty member could develop a new course, spearhead a large research proposal, lead curriculum development, design new law school programs, or take an important role in Law School recruitment.
- A faculty member has a close relative who needs weekly treatment at a medical facility in Dallas: The faculty member must accompany the relative to the treatments, which sometimes have complications resulting in overnight hospital stays. For this reason, the faculty member requests time-flexible alternative duties to replace his or her regularly

scheduled courses. The Dean assigns the faculty member the responsibility for coordinating the law school's self-study for an upcoming review, including identifying and analyzing all needed data, coordinating with faculty members in the law school to be sure all voices are heard in the self-assessment, and writing the final text of the study.

- A tenure-track or tenured faculty member who has a seriously ill partner and who normally teaches during the fall and spring academic semesters may, for example, chair the law school admissions committee, prepare and submit nominations for student candidates for college- and university-level fellowships and judicial clerkships, and generally coordinate student recruitment activities for the law school in lieu of his or her normal spring semester teaching obligations.
- A long-term contract clinical or library faculty member with teaching or librarianship or other faculty obligations in the summer who has a seriously ill close relative and needs to provide AFC may be granted a summer semester off with no teaching or librarianship or other obligations. With approval, the ASMD could be extended beyond the original request to include reduced teaching or librarianship duties for a non-summer semester. In lieu of his or her normal teaching or librarianship obligation, the long-term contract faculty member may be given other duties to assist the department such as curriculum development, writing an equipment proposal for distant learning, or writing an NSF proposal for a scholarly grant.
- A faculty member's partner has had hip surgery. He is expected to make a full recovery but needs someone in the home for most of every day to help with basic needs for several months. The faculty member requests modified duties in lieu of teaching so that he may work from home, with brief periods on campus to attend faculty and committee meetings. The Dean assigns the faculty member responsibility for a full revision of the law school by-laws, codifying the law school's process for peer-review of tenured faculty, and shepherding all documents through the approval process in the law school and the Dean of Faculties' office, even if this takes longer than the period for which no teaching is requested.

### **About this Policy**

This policy was drafted by the TAMUSL Faculty Development committee in the Spring of 2016 after reviewing a similar policy in place for the College of Liberal Arts. The policy was revised based on the feedback from the TAMUSL faculty and approved by the Dean of Faculties. The TAMUSL faculty approved these guidelines at a faculty meeting held on April 12, 2017.