

TEMPLE UNIVERSITY SCHOOL OF LAW

STATEMENT OF POLICIES AND PROCEDURES OF THE TENURIAL FACULTY

Adopted at Faculty Meetings held on April 7, 1993 and April 26, 1993 and amended at Faculty Meetings through December 6, 2006 and April 24, 2007

The following policies and procedures shall apply to every full-time member of the Faculty on tenure track appointment ("Faculty Member") and to such other members of the Faculty as the Faculty shall have approved for the grant of a full-time appointment. Individuals to whom this procedure applies shall be referred to herein as Faculty Members. This statement of policies and procedures supersedes and replaces the Statement of Policies and Procedures of the Tenorial Faculty adopted on April 27, 1970 and amended December 4, 1973 and October 28, 1975.<sup>1</sup>

I. GOVERNANCE

- A. Faculty Members who have received tenure shall constitute the Tenorial Faculty.
- B. The Tenorial Faculty shall have a Chair and a Vice Chair. The Chair and Vice Chair of the Tenorial Faculty shall be elected by the vote of a majority of such Tenorial Faculty and shall each be a Faculty Member who has achieved the rank of Professor of Law, with tenure. Election of the Chair and Vice Chair of the Tenorial Faculty shall be by secret ballot.
- C. The Chair and Vice Chair of the Tenorial Faculty shall each serve for a term of 3 years. If the Chair should be either absent or unable to serve at any time during the 3-year term, the Vice Chair shall serve as Chair for as long as necessary within that term.
- D. Meetings of the Tenorial Faculty shall be convened by the Chair of the Tenorial Faculty, who shall preside at such meetings. Minutes of any meetings of the Tenorial Faculty shall be taken by the Chair of the Faculty Review Committee and, in her or his absence, by an individual designated by the Chair of the Tenorial Faculty.

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<sup>1</sup> In the event of any conflict or contradiction between these policies and procedures or any action taken by the Law School under the authority of these polices and procedures, on the one hand, and any University Policy now in effect or adopted in the future, on the other hand, then the pertinent provision of these policies and procedures or the action taken pursuant to them shall be superceded by the pertinent University Policy, insofar as that policy is consistent with the collective bargaining agreement between the Temple Law Faculty and the University.

## II. EVALUATION OF FACULTY MEMBERS

- A. Eligibility for tenure and promotion shall be determined by the Tenure and Promotion criteria and process provided in the collective bargaining contract between Temple University and the TAUP, in accordance with Memorandum of Understanding confirming the agreement reached between Temple University and the Temple Law Professors Collective Bargaining Association (“Temple Law Faculty Agreement”), as supplemented by any provisions duly adopted by the Faculty of the School of Law.
- B. Evaluation of Faculty Members shall be in accordance with the Temple Law Faculty Agreement and the standards duly adopted by the School of Law regarding teaching, scholarship, and service.
- C. The Dean, the Chair of the Tenorial Faculty, and the Chair of the Faculty Review Committee should insure that all Faculty Members who are eligible for tenure or promotion are made aware of any relevant Temple University regulations and guidelines related to tenure or promotion.

## III. EVALUATION SCHEDULE

- A. Assistant Professors.
  - 1. Except as provided in paragraph 2 below, an Assistant Professor's progress toward promotion or tenure shall be evaluated during every year that she or he remains at the rank of Assistant Professor, provided that during an Assistant Professor's first year of full-time teaching at the Law School, no evaluation shall be conducted until the Spring semester. The evaluation shall be conducted by a Panel of two tenured members of the Faculty of Law, appointed by the Chair of the Faculty Review Committee in consultation with the Chair of the Tenorial Faculty and the Dean. The members of the Panel shall each visit at least two (2) classes of the Faculty Member under review and otherwise evaluate his or her teaching, shall read and evaluate the Faculty Member's scholarship and scholarly agenda, and shall ascertain and evaluate the Faculty Member's service. The Panel will evaluate the Faculty Member's progress towards satisfaction of the tenure and promotion standards, consistent with the number of years the Faculty Member has been on the Law Faculty. The results of the Panel's evaluation shall be set forth in a report circulated to the Faculty Member and to the Tenorial Faculty in accordance with the procedure set forth in section IV.B. hereof.

2. As part of the progress evaluation conducted in an Assistant Professor's third year on the faculty, the progress Panel shall, after discussion with the Faculty Member under review and with the Chair of the Faculty Review Committee, consult with at least three scholars who are not Faculty Members regarding the Faculty Member's progress towards tenure in the area of scholarship, in accordance with the procedures in section IV.B.2.a
  3. In a year in which the Faculty Member requests promotion or tenure, the Faculty Member will be evaluated in accordance with the procedures set forth in Section IV hereof.
  4. If the Dean or the Chair of the Tenorial Faculty determines that the Faculty Member is in a mandatory review year, as provided by the Temple Law Faculty Agreement, the Dean or the Chair of the Tenorial Faculty shall ask that the Faculty Member be evaluated in accordance with the procedures set forth in Section IV hereof.
  5. If an individual has not been formally informed of being considered for tenure during the sixth year, when such consideration is mandatory, it shall be the responsibility of the individual to inform, in writing, and by December 1st of that academic year, the Department Chairperson, Dean, and Provost or other designated University officer, that such tenure consideration is necessary. If both the University and the individual miscount the individual's mandatory (sixth) year of eligibility for tenure consideration as set forth above, then the individual shall be considered for tenure as soon as possible following the discovery of such circumstance; and in the event of a negative decision, the individual shall be given a one year terminal contract. The faculty member shall not be eligible to apply for tenure during the period of the one-year terminal contract.
- B. Associate Professors who begin teaching on a full-time basis at the Law School at the rank of Associate Professor.
1. Except as provided in paragraph 2 below, a Faculty Member who begins teaching at the Law School at the rank of Associate Professor, shall be evaluated during every year that she or he remains at the rank of Associate Professor without tenure. The evaluation shall be conducted by a Panel of two tenured members of the Law Faculty appointed by the Chair of the Faculty Review Committee in consultation with the Chair of the Tenorial Faculty and the Dean. The members of the Panel shall each visit at least two (2) classes of the Faculty Member under review and otherwise evaluate his or her teaching, shall read and evaluate the Faculty Member's scholarship and scholarly agenda, and shall ascertain and evaluate the

Faculty Member's service. The Panel will evaluate the Faculty Member's progress towards satisfaction of the tenure and promotion standards, consistent with the number of years the Faculty Member has been on the Law Faculty. The results of the Panel's evaluation shall be set forth in a report circulated to the Faculty Member and to the Tenorial Faculty in accordance with the procedure set forth in section IV.B. hereof.

2. In a year in which the Faculty Member requests promotion or tenure, the Faculty Member will be evaluated in accordance with the procedures set forth in Section IV hereof.
3. If the Dean or the Chair of the Tenorial Faculty determines that the Faculty Member is in a mandatory review year, as provided by the Temple Law Faculty Agreement, the Dean or the Chair of the Tenorial Faculty shall ask that the Faculty Member be evaluated in accordance with the procedures set forth in Section IV hereof.
4. If an individual has not been formally informed of being considered for tenure during the sixth year, when such consideration is mandatory, it shall be the responsibility of the individual to inform, in writing, and by December 1st of that academic year, the Department Chairperson, Dean, and Provost or other designated University officer, that such tenure consideration is necessary. If both the University and the individual miscount the individual's mandatory (sixth) year of eligibility for tenure consideration as set forth above, then the individual shall be considered for tenure as soon as possible following the discovery of such circumstance; and in the event of a negative decision, the individual shall be given a one year terminal contract. The faculty member shall not be eligible to apply for tenure during the period of the one-year terminal contract.

C. Associate Professors who began teaching on a full-time basis at the Law School at the rank of Assistant Professor, and Associate Professors with tenure.

1. A Faculty Member who has attained the rank of Associate Professor but who began teaching on a full-time basis at the Law School at the rank of Assistant Professor or who is an Associate Professor with tenure will be evaluated when:
  - a. She or he seeks promotion or tenure, or
  - b. She or he requests such an evaluation, or

- c. The Faculty Review Committee, after discussion with the Faculty Member, determines that such an evaluation would be appropriate, or
  - d. The Dean or the Chair of the Tenorial Faculty determines that the Faculty Member is in a mandatory review year, as provided by the Temple Law Faculty Agreement. Faculty Members who believe or have reason to know that they are in a mandatory review year must seek an evaluation in that year by requesting one from the Chair of the Tenorial Faculty or from the Dean, and any Faculty Member who fails to seek an evaluation in accordance with the procedures described herein in such a year shall be estopped from asserting that s/he has received tenure.
2. Any evaluation that takes place pursuant to paragraph 1.b. hereof and which does not involve a request for promotion or tenure shall be conducted by a Panel of two tenured members of the Faculty appointed by the Chair of the Faculty Review Committee in consultation with the Chair of the Tenorial Faculty and the Dean and shall be set forth in a report circulated to the Faculty Member and the Tenorial Faculty in accordance with the procedure set forth in section IV.B. hereof. Any evaluation undertaken pursuant to any other provision of paragraph 1 shall be conducted in accordance with the procedures set forth in Section IV hereof.

D. Professors.

1. Except as provided in paragraph 2 below, a Faculty Member who begins teaching at the Law School on a full-time basis at the rank of Professor of Law, shall be evaluated during every year s/he remains at the rank of Professor of Law, without tenure. The evaluation shall be conducted by a Panel of two tenured members of the Law Faculty appointed by the Chair of the Faculty Review Committee in consultation with the Chair of the Tenorial Faculty and the Dean. The members of the Panel shall each visit at least two (2) classes of the Faculty Member under review and otherwise evaluate his or her teaching, shall read and evaluate the Faculty Member's scholarship and scholarly agenda, and shall ascertain and evaluate the Faculty Member's service. The Panel will evaluate the Faculty Member's progress towards satisfaction of the tenure and promotion standards, consistent with the number of years the Faculty Member has been on the Law Faculty. The results of the Panel's evaluation shall be set forth in a report circulated to the Faculty Member and to the Tenorial Faculty in accordance with the procedure set forth in section IV.B. hereof.

2. In a year in which the Faculty Member requests tenure, the Faculty Member will be evaluated in accordance with the procedures set forth in Section IV hereof.
3. If the Dean or the Chair of the Tenorial Faculty determines that the Faculty Member is in a mandatory review year, as provided by the Temple Law Faculty Agreement, the Dean or the Chair of the Tenorial Faculty shall ask that the Faculty Member be evaluated in accordance with the procedures set forth in Section IV hereof.
4. If an individual has not been formally informed of being considered for tenure during the sixth year, when such consideration is mandatory, it shall be the responsibility of the individual to inform, in writing, and by December 1st of that academic year, the Department Chairperson, Dean, and Provost or other designated University officer, that such tenure consideration is necessary. If both the University and the individual miscount the individual's mandatory (sixth) year of eligibility for tenure consideration as set forth above, then the individual shall be considered for tenure as soon as possible following the discovery of such circumstance; and in the event of a negative decision, the individual shall be given a one year terminal contract. The faculty member shall not be eligible to apply for tenure during the period of the one-year terminal contract.

#### IV. EVALUATION PROCEDURE

- A. 1. During the Spring Semester and at the latest by June 1 of every academic year, the Chair of the Tenorial Faculty shall consult with those Faculty Members who have not yet attained the rank of Professor of Law, with tenure, and shall determine which of those Faculty Members intend to seek tenure or promotion during the upcoming academic year. The Chair of the Tenorial Faculty shall communicate the results of this determination to the Chair of the Faculty Review Committee and the Dean.
2. As to each Faculty Member who will be seeking tenure or promotion during the upcoming academic year, the Faculty Review Committee and the Faculty Member should begin any part of the review process that might take place before the start of the academic year, particularly the review of the Faculty Member's scholarship and other credentials by independent external evaluators in accordance with section IV.B.2.a. hereof.

3. By July 1 of the academic year in which review is sought, Faculty Members seeking tenure or promotion shall submit to the Chair of the Faculty Review Committee as much of the candidate portfolio (see IV.B.1.) as is possible by that date and shall submit the remaining parts of the portfolio by September 1, including a copy of all scholarship on which the faculty member intends to rely.
  4. Any Faculty Member who has expressed an intent to seek tenure or promotion, may withdraw from consideration at any time without prejudice and no negative inference will be attached to a decision not to move forward.
- B. Evaluation of a Faculty Member's satisfaction of the standards for tenure or promotion shall be conducted by the Faculty Review Committee.
1. The Faculty Member seeking tenure or promotion shall submit to the Chair of the Faculty Review Committee a candidate portfolio which shall include a current curriculum vita, and to the extent not shown on the cv:
    - a. A list of all courses taught at Temple Law School (by year), the style or format of each class, and a description of his or her non-classroom teaching;
    - b. A list of all committee assignments while at Temple (by year);
    - c. A description of service activities within and outside of Temple University while at Temple (by year);
    - d. A copy of all published work since joining the Temple Law School faculty, whether in the category of teaching, scholarship or service (except that where a tenured Faculty Member seeks promotion to Full Professor, he or she should include the work published since the tenure review) and evidence of the influence that the published work has had on the profession and others;
    - e. Evidence of continuing scholarly commitment;
    - f. Current year's syllabuses;
    - g. A final examination previously given;
    - h. A critiqued student paper (if available);
    - i. Student evaluations for all courses taught at Temple Law School;

- j. Prior progress and/or Faculty Review Committee reports; and
  - k. Any additional material about teaching, scholarship, and service that the Faculty Member deems relevant.
2. Members of the Faculty Review Committee shall evaluate the teaching of each Faculty Member under review (including visiting each Faculty Member's classes), shall read and review the scholarship produced by each Faculty Member, and shall ascertain and evaluate the service provided by each Faculty Member.
- a. (1) Assessment of the credentials of the Faculty Member for tenure or promotion shall include written letters of evaluation from individuals outside the Law School and the University who are qualified to assess the credentials of the Faculty Member for tenure or promotion. A preponderance of these letters shall be obtained from persons who are independent, meaning that they have not worked or collaborated with the Faculty Member.
  - (2) The Faculty Review Committee and the Faculty Member shall each separately submit lists to the Dean that contain the names and professional affiliations of persons whom they recommend to be external evaluators. After review of these recommendations the Dean may, in his or her discretion, add additional evaluators to the lists. The Dean, after consultation with the Faculty Review Committee, shall select at least 3 external evaluators from the lists.
  - (3) The Dean or the Chair of the Faculty Review Committee shall solicit from each of the selected evaluators a written report that assesses the Faculty Member's credentials for tenure or promotion, and shall provide to the evaluators the Faculty Member's curriculum vita, the published work and other materials to be evaluated, and a copy of the relevant tenure or promotion standards. In particular, the external evaluators will be asked to discuss the quality of the Faculty Member's scholarship, the extent to which it reflects substantive knowledge of the subject matter and makes a positive contribution to the field, the recognition the Faculty Member has achieved in his or her field, the Faculty Member's potential for continuing and greater achievements in scholarship in the future, whether the



Faculty Member meets the relevant standard for tenure or promotion, as well as such other information or commentary as the external evaluators deems relevant to the Faculty Member's qualifications for promotion or tenure.

- (4) The Faculty Member under review shall be entitled to see and to respond to any written report prepared by an external evaluator, provided that the report is redacted to preserve the evaluator's anonymity.
- b. Evaluation of a Faculty Member's service should include consultation with the Chairs of any Law School Committees on which the Faculty Member serves as well as consultation with individuals outside the law school who have personal knowledge of the Faculty Member's professional, community, or University service.
  - c. At a minimum, at least three members of the Faculty Review Committee shall each visit three classes taught by the Faculty Member under review during the period under consideration.
    - (1) Members of the Faculty Review Committee shall provide at least 24 hours notice (excluding Saturdays and Sundays) of intent to visit the class of a Faculty Member under review.
    - (2) Except where every class of the Faculty Review Committee member and the Faculty Member under review conflict, class visits shall be in person. Where the reviewer's and candidate's class schedules conflict, electronic taping is permissible and the Faculty Review Committee member may rely on the tape. In other cases, the use of taping as a supplement to personal visits is permissible only with the consent of the candidate. If taping is used, the Faculty Review Committee member shall review the tape in the presence of, or in consultation with, the Faculty Member under review.
    - (3) Before visiting the class of a Faculty Member under review, each member of the Faculty Review Committee should meet with that Faculty Member to discuss, in the context of the overall course, that teacher's plans for the class(es) the reviewer will observe. After each Committee

member has completed the scheduled class visits, the Faculty Review Committee member shall discuss with the Faculty Member under review the class(es) visited and the Committee member's observations concerning the class(es) visited.

3. The Faculty Review Committee shall write a report describing its observations and evaluation of the Faculty Member, stating its findings and conclusions regarding the Faculty Member's satisfaction of the relevant tenure or promotion standards, and setting forth its recommendation regarding the grant of tenure or promotion.
  - a. With respect to teaching, the report should discuss and assess the Committee's classroom visits, the Faculty Member's student evaluations, non-classroom teaching, and any other information relevant to the Faculty Member's teaching. The report shall also specify which classes were visited and by which members of the Faculty Review Committee. If any members of the Faculty Review Committee viewed classes electronically, the report shall identify the Faculty Review Committee member(s) and shall specify the name and number of the classes viewed electronically.
  - b. As to scholarship, the report should discuss the Committee's and other peer evaluation of the Faculty Member's written work, the external evaluations, and the influence of the Faculty Member's scholarship.
  - c. For service, the report should discuss and assess the Faculty Member's service to the Law School, the University, legal education and the profession, and the community.
4. In all cases where a Faculty Member is seeking tenure, the Chair of the Tenorial Faculty shall circulate the report to the members of that Faculty. Where a Faculty Member seeks promotion, the Chair of the Tenorial Faculty shall circulate the report only to those members of the Tenorial Faculty who have attained the rank to which the Faculty Member seeks to be promoted.

C. Timely Distribution of Reports and Supporting Documentation.

1. Any report regarding tenure, promotion or a Faculty Member's progress shall be distributed to the relevant Faculty at least 7 calendar days before the meeting at which such report will be considered.

2. The Faculty Member being reviewed shall have at least three days to review the report before it is distributed to the relevant Faculty and shall have the opportunity to meet with the Committee or Panel that prepared the report before the report is distributed to the Faculty. The Faculty Member being reviewed shall also have the right to submit to the relevant Faculty a document commenting on or supplementing the report.
  3. Any writings upon which a Faculty Member being reviewed is relying shall be distributed electronically to the relevant Faculty at least two weeks before the meeting at which the report on the Faculty Member will be considered. In the case of Faculty Members who have multiple writings, at least the last writing and one other writing selected by the Faculty Member shall be distributed electronically. All of the Faculty Member's writings shall be made available to the relevant Faculty in the Dean's Office.
  4. Compliance with any time requirement set forth in this subsection may be waived at the election of the Faculty Member being reviewed.
- D. Any report that the Chair of the Tenorial Faculty or the Dean forwards outside the Law School to any University body or official regarding the tenure, promotion, or progress of any Faculty Member evaluated pursuant to the procedures set forth herein, shall be distributed to the Faculty Member at the time such report is forwarded outside the Law School, and shall be shown to any Member of the relevant Faculty upon request. In any case where the Dean makes a negative recommendation regarding promotion or tenure, the Dean shall discuss that recommendation in advance with the Faculty Member. If the Dean makes a recommendation that is in conflict with that of the Faculty, the Dean shall notify the relevant Faculty prior to making such a recommendation.
- E. By October 1 of the academic year the Chair of the Faculty Review Committee shall circulate a copy of the following notice to the Law School Community. The Chair of the Faculty Review Committee shall circulate this notice to the Law School Community again by February 1 of the spring semester.

“The Faculty Review Committee must make recommendations to the Tenorial Faculty regarding promotion and tenure. Panels composed of tenured members of the Faculty also evaluate progress toward promotion and tenure. Faculty Members are reviewed under these procedures even if they are not seeking tenure or promotion during a given academic year.

The Faculty encourages members of the student body, the Faculty and the administration to express their views on the performance of any individual Faculty Member under review. Views so expressed will be considered in

preparing the evaluation report. Anyone wishing to express an opinion should do so in a signed writing addressed to Professor [insert name of Chair of the Faculty Review Committee] by [insert appropriate date].

During this academic year the following Faculty Members will be subject to review: [insert names and proposed action as appropriate].”

- F. Tenure on Appointment. The regular Tenure procedures provided above cannot apply strictly to a Tenure on appointment candidate, because the candidate is not in residence at the Law School at the time of the Tenure review. In addition, the timing requirements stated above may not be practicable in view of the often narrow time frames involved in the faculty recruitment and selection process. However, the following procedures for Tenure on appointment should be applied in a manner as consistent as feasible with the regular Tenure procedures and as promptly as possible.
1. At the earliest time practicable during the recruitment process, the Faculty Selection and Recruitment Committee shall notify the Chair of the Faculty Review Committee that it is considering a serious candidate for Tenure on appointment.
  2. As promptly as is practicable after notification by the Faculty Recruitment and Selection Committee, the Faculty Review Committee shall evaluate serious candidates for Tenure on appointment to determine whether the candidates will likely be approved for Tenure.
  3. The Faculty Review Committee shall seek input on each candidate’s scholarship from Temple Law Faculty in each of the candidate’s fields. If needed, the Committee will also contact outside scholars for a preliminary evaluation of the scholarship, consistent with section IV.B.2.a.
  4. The Faculty Review Committee shall seek from each candidate for Tenure on appointment, access to the candidate’s prior tenure and other evaluation reports at other law schools, prior scholarship evaluations by internal and external reviewers, peer and student teaching evaluations, information about service, and other materials of the types listed in section IV.B.1.
  5. The Faculty Review Committee shall prepare and submit to the Law Faculty a preliminary Tenure report (see section IV.B.3.) in sufficient time for the report to be considered by the Law Faculty before it decides whether to recommend offering the candidate a Tenure on appointment position.

6. After the Faculty Review Committee submits its preliminary Tenure report and before the Law Faculty decides whether to recommend appointment, the Tenorial Faculty shall meet and vote preliminarily on Tenure.
7. When it is contemplated that a candidate might be offered Tenure on appointment at the rank of Full Professor, that shall be disclosed to the Law Faculty at the earliest time practicable and, if requested by a member of the Promotions Faculty, that Faculty shall meet before the Law Faculty decides whether to recommend offering the candidate a Tenure on appointment position.

V. ELECTION OF FACULTY REVIEW COMMITTEE

- A. The Faculty Review Committee shall be composed of 5 Faculty Members. The Chair and two members of the Faculty Review Committee shall be elected by the Faculty. Two members shall be appointed by the Chair of the Tenorial Faculty, in consultation with the Dean. If the Dean, in consultation with the Executive Committee and the Chair of the Tenorial Faculty, determines that the number of tenure and promotion matters likely to arise requires that the size of the Committee be increased, the size of the Committee may be increased by adding no more than two (2) members, one elected and one appointed.
- B. At the duly scheduled April meeting of the Faculty of Law during the academic year, or at such other time as the Faculty may decide, the Faculty shall elect one individual to serve as Chair of the Faculty Review Committee for a term of one year and one individual to serve as a member of the Faculty Review Committee for a term of two years. If the size of the Faculty Review Committee has been increased under IV.A. above, the Faculty shall also elect an additional member for a term of either one or two years.
- C. Within two weeks after the election of the Chair and the member(s) of the Faculty Review Committee, the Chair of the Tenorial Faculty shall appoint one individual to serve as a member of the Faculty Review Committee for a term of two years. If the size of the Faculty Review Committee has been increased under V.A. above, the Chair of the Tenorial Faculty shall also appoint an additional member for a term of either one or two years.
- D. Only Faculty Members who have achieved the rank of Professor of Law, with tenure, may serve as Chair and as members of the Faculty Review Committee.
- E. Election of the Chair of the Faculty Review Committee and of members of the Faculty Review Committee shall be by secret ballot.

VI. MEETINGS OF THE TENURIAL FACULTY

- A. The Chair of the Tenorial Faculty shall, by September 15 of every academic year, circulate to the Tenorial Faculty a schedule of the reasonably anticipated meetings of such Faculty and shall endeavor to schedule such other meetings as become necessary during times when classes are not ordinarily scheduled. The Chair of the Tenorial Faculty shall provide a minimum of 48 hours' notice for any such additional meetings and shall conclude the meetings by the time set forth in such notice.
- B. All meetings of the Tenorial Faculty shall be held in executive session, shall be regarded as confidential, and attribution of specific comments and views to particular individuals shall be regarded as a breach of confidence, except that:
  - 1. The Chair of the Tenorial Faculty shall communicate the result of any vote taken at such a meeting to the individual whom the vote concerns and the Chair of the Faculty Review Committee shall discuss with those Faculty Members about whom a report was submitted, the general tenor of any discussion regarding the Faculty Member or the report, and
  - 2. No person shall regard as confidential any statement or remark that violates applicable law or University policy.
- C. All votes taken by the Tenorial Faculty shall be by secret ballot.
- D. In votes taken by the Tenorial Faculty, absentee ballots are discouraged but permitted at the discretion of the individual Faculty Member seeking to cast such a ballot.
- E. Associate and Full Professors with tenure are eligible to vote on promotion from Assistant Professor to Associate Professor. Associate and Full Professors with tenure are eligible to vote on tenure. Only Full Professors with tenure are eligible to vote on promotion to Full Professor.
- F. The vote of a majority of those present and eligible to vote at a meeting when a quorum is present shall constitute the decision of the Tenorial Faculty.
- G. The following Faculty Members shall not vote at meetings of the Tenorial Faculty:
  - 1. The Dean of the Law School,
  - 2. Faculty Members who have been on leave of absence, whether with or without pay, for more than two consecutive calendar years, as long as they remain on leave, and

3. Faculty Members who have been serving in University administrative positions on a full-time basis for more than two consecutive years, as long as they serve in those positions.
- H. If required by the Temple Law Faculty Agreement, and only for the purpose of considering Faculty Members for tenure or promotion, the Tenorial Faculty shall include one (1) student member selected by the President of the Student Bar Association, in consultation with the Chair of the Tenorial Faculty. The student member shall be entitled to attend meetings of the Tenorial Faculty at which tenure or promotion cases are considered; to vote on Faculty Members for tenure or promotion; and to receive or have access to all reports and other materials with respect to the tenure or promotion of Faculty Members to the extent provided in these Policies and Procedures. The student member shall be bound by the confidentiality requirements under section VI. B of these Policies and Procedures.