

ASSOCIATION OF AMERICAN LAW SCHOOLS (AALS)

Bylaws of the AALS Section on Minority Groups

Article I. Name and Purpose

Section 1. *Name.* This Section shall be known as the Section on Minority Groups.

Section 2. *Purpose.* The purpose of this Section is to advance the work of the Association of American Schools (AALS) by: (1) providing a common meeting ground for law school faculty and professional staff who are interested in integrating the legal profession and diversifying the law professoriate; (2) facilitating communication between and collaborative action among Section members; (3) increasing access to the legal profession through programs relating to racialized, diverse, or marginalized communities and persons; (4) outreaching to publishing recommendations and reports to effectuate the goals, policies, and programs of the Section; and (5) recognizing Section members' accomplishments and advocating for their professional advancement.

a. Diversity, Equity, and Inclusion. The Section shall work to ensure diversity, equity, and inclusion in Section programming, presenters, and awards.

- I. The Section defines diversity to include: ideological diversity, diversity in schools represented, diversity in faculty and administrative responsibilities, and diversity based on race, ethnicity, cultural heritage, skin color, religious affiliation or lack thereof, national origin, geographic location, sex, gender (including identity and expression), sexual orientation, age, neurotypicality or neuroatypicality, and disability.
- II. The Section defines equity to include “the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ▲) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.” White House, Executive Order No. 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, 86 Fed. Reg. 7009, 7009, § 2(a) (Jan. 20, 2021).
- III. The Section acknowledges that inclusion varies in content and meaning for minoritized people, but at its core it represents the act, actions, and behaviors to create environments in which people can participate meaningfully.

- b. *New Faculty and Professional Staff.* The Section welcomes new law school faculty and professional staff and shall collaborate, develop, and provide them with professional development opportunities and support. For example, the Section’s programs at the annual meeting may include a “New Voices” panel focused on new faculty and professional staff and will strive to include first time AALS presenters.

Article II. Membership

Section 1. *Regular Members.* Membership is open to faculty and professional staff of any law school that is a member of the Association of American Schools (AALS).

Section 2. *Associate Members.* Associate membership is open to others (including, *inter alia*, lawyers, law students, and the faculty and professional staff of non-AALS-member law schools), who are concerned with the teaching, administration, and improvement of legal education (*e.g.*, producing legal scholarship or joining the law professoriate) in accordance with the Purpose of the Section, as detailed in Art. I, Sec. 2, *supra*. The number of Associate Members may not exceed 25 percent of the Regular membership.

Section 3. *Privileges of Members.* All Members may participate in Section activities with the exception that, pursuant to AALS Bylaws, only Regular Members may vote and hold office, as encompassed in Article III (Officers and Executive Committee), *infra*.

Section 4. *Dues.* The Executive Committee of the Section may establish and assess dues from Section members if it determines it is in the best interest of the Section. If so, the Executive Committee may establish the Section office of Treasurer to account for and administer collected dues in accord with AALS policies.

Article III. Officers and Executive Committee

Section 1. *Officers.*

- a. *Officers.* The officers of this Section are the Chair, Chair-Elect, and Secretary and may include a Treasurer, if established per Art. II, Sec. 4 (Dues), *supra*.

- b. *Duties.*

- I. *Chair.* The Chair of the Section shall oversee and administer the affairs of the Section, including but not limited to, meetings, elections, awards, selection of committee and subcommittee membership, and delegating all tasks to ensure the purpose and aim of Section is maintained.
- II. *Chair-Elect.* The Chair-Elect of the Section shall assist and support the Chair in the administration of the Section. The Chair-Elect shall automatically succeed the Chair in the leadership of the Section, and Article V shall not apply to this succession.

- III. *Secretary.* The Secretary of the Section shall capture and maintain records of the Section's activities and communicate those records to the other members of the Executive Committee upon request or, upon direction at the majority vote of the Executive Committee members in attendance at a duly noticed meeting (hereinafter, "majority vote of the Executive Committee"), to the Section members at large.
 - IV. *Treasurer.* The Treasurer of the Section, if established by the Executive Committee, shall account for and administer collected Section dues and the Section's expenditures from those dues and otherwise in accordance with AALS policies.
 - V. *Definitions.* The Offices and duties may be assigned to more than one individual as deemed necessary by the Chair and approved by the Executive Committee.
 - VI. *Diligence and Transitions.* Upon election, all Section officers owe duties of loyalty and diligence to the Section. Section officers shall provide support and documentation to facilitate the orderly transfer of the Section's governance responsibilities to their successor.
 - VII. *Duty of Loyalty.* Officers shall make decisions and execute their duties in faithful service of the Section in singular commitment to the purpose and aim.
 - VIII. *Diligence.* Officers shall serve the duration of their term(s) so long as they are diligent in carrying out their service to benefit the Section.
- c. *Eligibility.* Regular Members of the Section are eligible to serve as Section officers. Pursuant to AALS Bylaws, Associate Members are ineligible to thus serve. *Cf.* Article IV (Elections), *infra*.
 - d. *Term.* Section officers shall typically serve for a 12-month term commencing at the conclusion of the AALS annual meeting at which they were elected (typically during the Section Awards Ceremony) or upon their election by an electronically-mediated Section vote, as the case may be.

Section 2. *Executive Committee.*

- a. *Membership.* The Executive Committee of the Section shall consist of the Officers of the Section, the Immediate Past-Chair of the Section, and *at least* three other Section members as duly elected per Art. IV (Elections), *infra*.
- b. *Duties.* Upon election, all Executive Committee members owe duties of loyalty and diligence to the Section. The Executive Committee shall advise the Section Officers and discharge such other functions as requested by the Officers or that it decides to undertake upon a majority vote of the Executive Committee.
- c. *Eligibility.* All Regular Members of the Section are eligible to serve as members of the Executive Committee. Pursuant to AALS Bylaws, Associate Members are not eligible to thus serve. *Cf.* Art. II, Sec. 3 (Eligibility), *supra*.

- d. *Term.* Non-officer members of the Executive Committee shall typically serve for a term of two years, *i.e.*, 24 months, commencing at the conclusion of the AALS annual meeting at which they were elected (typically during the Section Awards Ceremony) or upon their election by an electronically-mediated Section vote, as the case may be. The non-officer member of the Executive Committee who is Immediate Past-Chair shall typically serve for a term of one year, *i.e.*, 12 months, following the conclusion of his, her, or their term of service as Section Chair.

Meetings. The Executive Committee shall meet annually and as otherwise convened.

- I. *Annual Meeting.* The Executive Committee shall meet at least once each year in a manner open to all Section members (typically before or during the annual meeting of the AALS). The Section Chair, or the Section Chair's designee, shall timely notify the Executive Committee members of the time, place, and manner of the meeting.
 - II. *Other Meetings.* The Section Chair, or the Section Chair's designee, may convene other Executive Committee meetings upon timely notice of the purpose, time, place, and manner of the meeting.
- e. *Special Committees.* By a majority vote of the Executive Committee, the Executive Committee may create Special Committees. The Chair shall appoint the members of such committees, with the advice and consent of the other Executive Committee members. Special committees shall have such duties as are assigned by the Chair or the Chair's delegee.

Section 3. Removal. If a Section Officer or Executive Committee member has not been diligent in carrying out their service to benefit the Section, that Officer or Executive Committee member may be removed. The Chair may convene an Executive Committee meeting to consider removal of an Officer or Executive Committee member upon timely notice to the Executive Committee of the purpose, time, place, and manner of the meeting. Alternatively, upon petition of a majority of the Executive Committee, the Chair shall convene an Executive Committee meeting to consider removal of an Officer or Executive Committee member upon timely notice to the Executive Committee of the purpose, time, place, and manner of the meeting. The Officer or Executive Committee member being considered for removal shall be notified of the reason(s) for consideration of their removal and may argue against their removal. After due consideration of the matter, the Executive Committee shall vote whether to remove the Officer or Committee Member, who shall be removed upon the two-thirds supermajority vote of the Executive Committee. *Cf.* Art. III, Secs. 1.e. & 2e.

Article IV. Nominations and Elections

Section 1. *Nominations.* Annually, by December 1st, the Chair shall invite Members of the Section to nominate themselves or another Member of the Section for election to the Executive Committee—with timely notice of the deadline for nomination and the time, place,

and manner of the election. The Chair, or the Chair's designee, shall compile the list of timely received nominations and faithfully report it to the Section members in accessible ways (*e.g.*, posting to Section listservs, newsletter, relevant blog).

Section 2. *Elections.* The Members of the Section shall directly elect Section Officers and other members of the Executive Committee—except for the Chair—typically before or during the AALS annual meeting. For example, the Chair, or Chair's designee, may conduct the election by: (1) online means of voting, with appropriate security and documentation to verify the results; (2) in-person paper ballots during the AALS annual meeting; or (3) other reasonable and accessible means. (Typically, Section Members do not directly elect the Chair because that position shall be occupied by the person who served as Chair-Elect in the preceding year.)

Article V. Filling of Vacancies

Section 1. *Officers.* If an Officer resigns, becomes ineligible to serve, dies, or is removed, the position shall be deemed vacant and shall be filled promptly. If the position of Chair becomes vacant, the Chair-Elect shall immediately become the Chair until the AALS annual meeting when the Chair-Elect's anticipated term as Chair would normally end. If the position of Chair-Elect becomes vacant, the Chair, with the advice and consent of the Executive Committee, shall appoint the Secretary to serve as Chair-Elect until the next annual meeting of the AALS, when the former Secretary (now Chair-Elect) shall become Chair. If the position of Secretary, Treasurer, or another new Officer position becomes vacant, the Chair, with the advice and consent of the other Executive Committee members, shall appoint an eligible person to serve in the position until the next Section election.

Section 2. *Executive Committee Members.* If a non-Officer member of the Executive Committee resigns, becomes ineligible to serve, dies, or is removed, the position shall be deemed vacant. The Chair, with the advice and consent of the Executive Committee, may appoint an eligible person to serve in the position until the next Section election.

Article VI. Awards

The Section has established several awards to honor and acknowledge exemplary and extraordinary law faculty who have demonstrated steadfast commitment to the goals of the Section as set forth above.

In this Article VI, "Professional Legal Educators" shall mean full-time law school administrators, librarians, clinical faculty, legal writing teachers, and non-tenure track, tenure track, and tenured faculty.

Section 1. *C. Clyde Ferguson, Jr. Award.*

- a. The Section hereby establishes the C. Clyde Ferguson, Jr. Award, named in honor of the civil and human rights advocate, former Howard University School of Law dean, and second tenured African American on the Harvard Law School faculty. The Award may be granted to an outstanding Professional Legal Educator, who, in the course of his, her, or their career, has provided support, encouragement, and mentoring to colleagues, students, and aspiring Professional Legal Educators; and/or has otherwise achieved excellence in the areas of public service, teaching, and scholarship.
- b. Eligibility. All current and former Professional Legal Educators are eligible for the Award, as long as they have served more than seven years at the time the Award is to be conferred. However, no serving member of the Executive Committee shall be eligible for the Award.

Section 2. *Derrick A. Bell, Jr. Award.*

- a. The Section hereby establishes the Derrick A. Bell, Jr. Award, named in honor of the activist legal scholar and first tenured African American on the Harvard Law School faculty. The award honors a junior faculty member who, through activism, mentoring, collegueship, teaching, or scholarship, has made an extraordinary contribution to legal education, one or more legal systems, or social justice.
- b. Eligibility. All current Professional Legal Educators are eligible for the Award, so long as they have not received tenure and have served no more than a total of seven years at the time the Award is to be conferred. However, no serving member of the Executive Committee shall be eligible for the Award.

Section 3. *The Impact Legacy Award.*

- a. The Section hereby establishes the Impact Legacy Award. The Award may be granted every year by the Section to an outstanding Professional Legal Educator, who, in the course of her, his, or their career, has had a sustained commitment to and transformative impact upon legal education, one or more legal systems, or social justice through teaching, public service, scholarship, or other contributions.
- b. Eligibility. All current and former Professional Legal Educators are eligible for the Award, as long as they will have served in the legal academy for at least fifteen years at the time that the Award is to be conferred and further subject to the below-stated conditions as to serving members of the Executive Committee

Serving members of the Executive Committee are eligible for the Impact Legacy Award, provided, that:

1. Serving Executive Committee members shall not self-nominate or be nominated by any member of the Executive Committee for the Impact Legacy Award; and
2. Serving members of the Executive Committee who are nominated for the Impact Legacy Award shall not participate in the deliberation or selection of *any* Section Award during the year in which they are so nominated, provided that their nomination for the Impact Legacy Award occurred before such deliberation or selection was conducted.

Section 4. *Award Processes.*

- a. Each Section Award is anticipated to be conferred once annually. The Executive Committee, however, may determine not to confer one or more of the Section Awards in any given year, depending upon quantity and quality of nominations received or other relevant considerations.
- b. Nomination Process. The nomination process described in this subsection shall apply to all Section Awards, subject to the limitations and other conditions established for the Impact Legacy Award, as set forth in Article VI, Section 3.
 1. Nominations may be made at any time to the Chair of the Section or a subcommittee as may be appointed by the Chair (“Awards Subcommittee”). Each year, the Chair or duly appointed Awards Subcommittee should announce the existence of the Award and solicit nominations widely through e-mail listservs, any Section or AALS newsletter, and by other appropriate means. The Chair may, at her, his, or their discretion, issue additional calls for award nominations or to delegate same to the Awards Subcommittee, if any. Except as to the Impact Legacy Award, self-nominations shall be permitted.
 2. Nominations must be made in written form, detailing why the nominee is eligible for and should be considered for the subject Award and providing specific examples. For example, a nomination for the Impact Legacy Award should demonstrate the extent of the nominee’s impact on legal education, one or more legal systems, or social justice. The nomination should include the nominee’s curriculum vitae (“CV”) or other similar document. Additional relevant materials or information may accompany the nomination. Self-nominees, where permitted, are encouraged to include one or more letters of support or other relevant information or materials from one or more parties other than the nominee.
- c. Deliberation and Selection Processes. The deliberation and selection processes described in this subsection shall apply to all Section Awards, subject to the limitations and other conditions established for the Impact Legacy Award, as set forth in Article VI, Section 3.

1. The Chair shall convene the Executive Committee in advance of the Annual Meeting of the AALS to discuss all nominees for the respective Section Awards under consideration. Copies of all materials submitted in support of the nominations shall be distributed or otherwise made available to all members of the Executive Committee sufficiently in advance of the meeting to permit careful review of those materials. If conditions require, the Chair shall have the authority to alternatively use electronic means by which the Executive Committee shall carry out, in whole or part, its awards deliberation and selection process.
 2. After discussion at the above-referenced meeting or by electronic means, the participating members of the Executive Committee shall select the recipient of the corresponding Section Award by consensus; or, if no consensus is reached, by majority vote of those participating members. The Executive Committee may vote not to grant one or more of the Section Awards in any given year. The Executive Committee may vote to delegate initial consideration of nominees to the Awards Subcommittee, which may make a recommendation to the full Executive Committee, but no Award shall be conferred without consideration by that full Committee, as outlined above.
- d. Award Presentation. Section Awards shall typically be presented at the Section's Awards Ceremony at the Annual Meeting of the AALS.

Article VII. Income and Authorized Expenditures

Section 1. *Non-law School Speaker Funding.* The Chair may, with the advice and consent of the Executive Committee, invite a non-law school speaker to the Section's annual meeting program in accordance with AALS policies to waive meeting registration fees for non-law school speakers and reimburse up to \$900 for travel, meal, and lodging costs so long as the Section requests such travel funds by the designated AALS deadline and in accordance with the relevant AALS Section Officer Planning Guide.

Section 2. *Law School Speakers.* All speakers, moderators, and presenters from law schools (both AALS member/fee-paid schools and non-member, non-fee-paid schools), or their respective institutions, are required to pay the annual meeting registration fee and cover their own travel expenses.

Section 3. *Reimbursement for AALS Section Award Plaques.* The Chair, or Chair's designee, may request reimbursement from the AALS for Section award plaques that the Section grants during the AALS annual meeting in accordance with AALS policies and the relevant AALS Section Officer Planning Guide (*i.e.*, submitting receipts to the AALS by the designated deadline).

Section 4. *Co-sponsorships, Donations, and Other Section Expenses.* The Section may request the AALS Executive Committee to approve the Section's co-sponsorship of an event

outside of AALS and/or to appropriate general AALS funds to support Section activities or programs.

Article VIII. Policy Statements

Section 1. *Policy Statements.* The Section may adopt statements of policy or publish similar positions only in accordance with the Bylaws and Executive Committee Regulations of the AALS.

Article IX. Amendments

The Chair, upon a majority vote of the Executive Committee, may call for the amendment of these bylaws by timely notifying the Section Members of the intended amendment(s), specifying them, and providing the reasonable and accessible time, place, and manner of the Section membership's vote as to such amendments. For example, the Chair, or Chair's designee, may conduct the election by: (1) online means of voting, with appropriate security and documentation to verify the results; (2) in-person paper ballots during the AALS annual meeting; or (3) other reasonable and accessible means. Such amendment(s) shall take effect upon their approval by the AALS Executive Committee under its applicable policies and procedures.