

**Rules for Priority of Tenured and Tenure-Track Faculty in
The Selection of Faculty Offices
Wayne State University Law School
(As Adopted February 7, 2007)**

Preamble. These rules govern the selection and retention of faculty offices at Wayne State University Law School for tenured and tenure-track faculty. A faculty office, for purposes of these rules, is an office traditionally made available to tenured or tenure-track faculty that is not within the contiguous set of offices known as the Deans' suite. It also includes offices that may be constructed at some future time for faculty use.

Rule 1. *Selection Procedure.* When a faculty office become vacant, a member of the tenured/tenure-track faculty ("member") may select that office in accordance with a bidding procedure established by the Associate Dean. A member shall have priority in selecting an office as determined by these priority rules. This selection process shall not affect the rights of faculty members to retain offices already assigned to them.

Rule 2. *Priority Rule.* Except as otherwise provided in these rules, a member's priority in the selection of offices shall be based on his or her seniority as a member of the Wayne State University Law School faculty. Seniority shall start as of the academic year in which the individual began service as a tenured/tenure-track faculty member.

Rule 3. *Tie-Breaker Rules.* If two or more members have the same seniority by application of Rule 2, then the priority of those members shall be established as follows:

(1) The member with the most years of service at one or more other accredited law schools as a tenured/tenure-track faculty member or as a visiting professor shall have priority;

(2) If priority of a member cannot be established under (1), above, then the member who received his or her JD degree (or equivalent) the earliest (by year) shall have priority;

(3) If priority of a member cannot be established under (1) and (2), above, then the member who is oldest (by day of chronological age) shall have priority;

(4) If priority cannot be established under (1),(2) and (3), above, then priority shall be established by a coin flip, administered by the Associate Dean.

Rule 4. *Interruption of Service.* If a member leaves the Wayne State Law School faculty for any reason and then returns to the faculty, that individual's priority shall be affected as follows:

(1) An individual taking an official leave of absence from the law school to visit at another law school or for some other reason shall not lose priority as long as

that individual returns to the faculty within the period provided in the leave of absence;

(2) An individual taking an administrative assignment within the Law School or within the University shall not lose priority as long as that person has retained the right to return to the Law School throughout that administrative assignment and returns to the faculty immediately after the completion of that assignment (and any related leave of absence);

(3) Unless governed by (1) and (2) above, an individual who resigns from or otherwise terminates employment with the Law School shall lose all priority rights that existed at the time of the resignation.

Rule 5. *Special Priority for Chaired Professors.* If a member is hired from outside the faculty with a named chair, the years that member spent as a tenured/tenure-track faculty member or visiting professor at one or more other accredited law schools shall be treated as years of seniority at the Law School. Any question as to whether an individual qualifies for priority under this rule shall be determined by vote of the faculty at the time of hiring.

Rule 6. *Special Rule for Visiting Professors.* For purposes of Rule 2, an individual who was hired as a visiting professor at the Law School and subsequently is hired as a tenured/tenure-track faculty member shall be deemed to have been hired in the year of the visit as long as there has been no interruption (other than the summer) between the time of the visit and the time the person begins service as a tenured/tenure-track faculty member.

Rule 7. *Offices for Lateral Hires.* By vote of the faculty, an individual who has at least five years of service as a tenured/tenure-track faculty member at another law school and is hired at the Law School as a tenured faculty member shall be deemed, for purposes of Rule 2, to have begun service at the Law School five years prior to the year that service actual began.

Rule 8. *Priority List.* The Associate Dean shall maintain a list showing each faculty member's priority for selecting a vacant faculty office. That list shall be circulated to all affected persons whenever a change in it is made and shall be made available to members on request. The list shall be updated each year to reflect the priority of new members and changes in status of other individuals on the list.

If a member believes that the priority shown on the priority list is incorrect, that member may bring the matter to the faculty for resolution in the academic year the change was made to the list or in the first subsequent academic year. Changes in the list not challenged during this period may not be challenged at a later date. Errors in the preparation of the list, however, shall not have any precedential value.

Rule 9. *Retention of Rights to a Particular Office During Administrative Assignment.* An individual who takes an administrative assignment within the Law School or the University and retains priority rights under Rule 4(2) shall be allowed to retain rights to the particular office that individual has vacated for a period not in excess of two years, but only if that

individual has given written notice to the Associate Dean of an intention to retain those priority rights.

Rule 10. *Grandfathering of Current List.* Notwithstanding any of the rules set forth above, the priorities set forth on the attached list shall be deemed to have been set in accordance with Rules 2-6. Consequently, the Associate Dean shall use the attached list as the starting point in establishing the priority list under Rule 7.