

BYLAWS OF THE BYU EDUCATION AND LAW JOURNAL

I. PURPOSES

II. ORGANIZATION

The BYU Education and Law Journal shall be organized into the Executive Board, the Senior Editors, and the Associate Editors. The Associate Editors shall include all first-year members of the Education and Law Journal. All Journal members who have served as an Associate Editor for one year and who are not appointed to a position on the Journal's Executive Board shall be appointed as Senior Editors.

The Executive Board shall be made up of the following members: the Editor-in-Chief, the Managing Editor, the Executive Editor, the Street Law Coordinator, all Publications Editors, all Solicitations Editors, all Lead Editors, and all Note and Comment Editors. The presumptive number for each of these positions shall be: 1 Editor-in-Chief, 1 Managing Editor, 1 Executive Editor, 1 Street Law Coordinator, 2 Publications Editors, 2 Solicitations Editors, 2 Lead Editors, and 2 Note and Comment Editors. The Executive Board shall have discretion to add or to subtract individual positions among this group.

III. RESPONSIBILITIES AND FUNCTIONS

Every position within the general organization of the Journal shall have substantial discretion over its area of special responsibility.

A. Executive Board.

The Executive Board shall be the major governing body of the Journal. It shall be responsible for making the overall policy decisions of the Journal (i.e., planning for special issues of the Journal, determining the number of invitations to be extended each year, and so forth). The Executive Board shall also be responsible for selecting individuals to fill positions in each new Executive Board. The Executive Board shall hold regular meetings to discuss the general affairs of the Journal.

1. Editor-in-Chief

The main duty of the Editor-in Chief ("EIC") is to ensure the efficient operation of the Journal through the appropriate delegation of essential tasks to the proper members of the Executive Board or other members of the Journal. The EIC is the liaison between the Journal and all other organizations. These organizations may include, but are not limited to: the law school faculty, the law

school administration, the Career Services Office, other law school co-curricular programs, other universities, and the outside community.

As the EIC is ultimately responsible for the overall quality of the Journal, the EIC may make all final decisions regarding the quality of submissions and the quality of editing by all staff members. The Staff Handbook will be produced by the EIC and the EIC will conduct all training sessions for the staff. The EIC will also work with the Executive Editor in establishing all standards and guidelines for the editing process.

The EIC will produce a Master Calendar for the Journal and will schedule all meetings and activities with consideration given to the law school calendar.

The EIC, working with the Managing Editor, will develop the annual budget for the Journal.

The enforcement of all standards and guidelines is the responsibility of the EIC. As such, the EIC makes the final determination about whether a student will receive any credit for participation in the Journal. In making such determinations, the EIC will consider the completion of all assignments, the meeting of all deadlines, and attendance at mandatory meetings. The EIC will also monitor the progress of all Senior Editors and members of the Executive Board who are writing papers for additional credit, as well as staff members who have elected to complete the substantial writing option.

2. Executive Editor

The main duty of the Executive Editor is to oversee the editing process of the Journal. The Executive Editor will work closely with the EIC to establish all guidelines and standards for the editing of all potential publications.

The Executive Editor will work with the EIC and the Solicitations Editors in completing the article selection process. Once an article is selected for publication, the Executive Editor becomes the liaison between the selected authors and the Journal. All necessary direct communication with the author in coordinating the process of editing the article and preparing the article for publication is the responsibility of the Executive Editor.

The Executive Editor, in consultation with the EIC, will establish all editing teams and will provide initial training for the editorial staff. It is the responsibility of the Executive Editor to ensure that each staff member is able to conduct thorough technical and substantive edits. Any staff member who is not able to perform satisfactory edits may be recommended by the Executive Editor to be placed on a probationary status until improvement is seen.

When articles have been selected, the Executive Editor will distribute, via email, each article to the appropriate editing team, including all Senior and Associate Editors. The Executive Editor must stay in close communication with all Senior Editors as the Executive Editor is the liaison between the staff and the EIC. The Executive Editor will inform the EIC of all issues/concerns with the editing process, with deadlines, or with specific staff members.

The Executive Editor will complete an edit after the lead edit, an edit of the article in macro form, and, in conjunction with the Publication Editors and the EIC, a review of page proofs before approval for final printing.

3. Managing Editor

The responsibilities of the Managing Editor are primarily, but not exclusively, in dealing with the business of the Journal.

The Managing Editor will work with the EIC to monitor the Journal's finances and to develop the Journal's annual budget. The Managing Editor is also responsible for monitoring the Journal's budget throughout the year.

The Managing Editor is responsible for overseeing all subscriptions to the Journal. This responsibility includes working with the law school Accounting Office to monitor current subscriptions, as well as with the law school administration and library staff in efforts to increase subscriptions.

All contracts between the Journal and other organizations, including Westlaw, Lexis, and Hein Online, are the responsibility of the Managing Editor. The Managing Editor must ensure that all contracts are current and that all necessary information required by these contracts is made available to each organization in a timely manner.

The Managing Editor is responsible for all aspects concerning the Journal's webpage.

The Managing Editor will ensure that social functions are planned for the staff of the Journal at least once every semester.

4. Publication Editors

The main responsibility of the Publication Editors is to ensure that all articles are in proper macro form before the Executive Editors sends them to the publisher. Steps included in this process shall be found in the appropriate assignment sheet located in the Journal's Staff Handbook.

When page proofs are returned from the publisher, the Publications Editors will be responsible for communicating all necessary changes to the Executive Editor and the EIC.

The Publications Editors are responsible for ensuring that the entire issue is error-free.

5. Solicitations Editors

Solicitations Editors are primarily responsible for gathering articles for possible publication in current and subsequent editions of the Journal. Solicitations Editors will aggressively seek submissions by communicating with law professors, education administrators, teachers, and all other institutions involved in the legal interests surrounding education

The Solicitations Editors, along with the EIC, the Executive Editor, and the Note and Comment Editors, are responsible for the quality of all items submitted

to the Journal. All items will be initially screened by the Solicitations Editors as they are received. Decisions to offer publications shall involve the Solicitations Editors in addition to the EIC, the Executive Editor, and the Note and Comment Editors.

Solicitations Editors will contact the author of each submission and acknowledge receipt. A specific date will be set to notify authors if their articles have been selected for publication. Authors will be informed of this date and will receive notification on or before this date of whether their article will be published or not.

The Solicitations Editors will be responsible for obtaining all publication agreements from each author to allow the Journal to publish each article. Along with publication agreements, Solicitations Editors will send each author a copy of the Student Author Reprint Agreement or the Non-Student Author Reprint Agreement to sign and return.

Solicitations Editors are responsible for ensuring that correct deadlines for submissions to the Journal are printed in each issue.

6. Note and Comment Editors

Note and Comment Editors are responsible for working with Associate Editors on the completion of the case note or comment requirement. Note and Comment Editors will inform Associate Editors of the details of the requirements and will assist in topic selection.

The process for the completion of the note and comment requirement will be established by the Note and Comment Editors together with appropriate deadlines and feedback opportunities.

Note and Comment Editors will collect all final drafts by the assigned due date and select suitable pieces for publication.

Note and Comment Editors will make sure a specific date will be set to notify authors if their piece has been selected for publication. Authors will be informed of this date and will receive notification on or before this date of whether their note/comment will be published or not.

The Note and Comment Editors will be responsible for obtaining all publication agreements from each author to allow the Journal to publish each article.

The Note and Comment Editors will inform the EIC of any problems or missed deadlines concerning this process.

7. Street Law Coordinator

The Street Law Coordinator will be responsible for operating the Journal's Street Law Program. This includes securing classrooms at local high schools for student to present the program, assisting in the creation of curriculum, and monitoring the progress of the program. The Street Law Coordinator will collect, read, and comment on all reflection journals that are written by the staff who participate in the program.

The Street Law Coordinator will report to the EIC concerning any problems or difficulties with the program or participating staff members.

8. Lead Editors

Lead Editors are responsible for a comprehensive substantive and technical edit after the final edit is complete. Lead Editors will meet with each Senior Editor to discuss needed changes. The Lead Editor has the final decision on any proposed changes before the article is sent to the author for review.

Upon return of the article from the author, the Executive Editor and the Lead Editors will review any further proposed changes. The Executive Editor has the final say in this review.

Lead Editors will immediately contact the Executive Editor if any errors are found in an article after the Lead edit has been performed.

B. Staff.

1. Senior Editors

Senior Editors will strictly follow all guidelines in the Staff Handbook and any further guidelines given by the Executive Board concerning the editing process.

Senior Editors will ensure that all editing deadlines are met and that all edits are thorough and complete. Senior Editors must have all changes saved onto the correct file on one of the 4th Floor co-curricular computers by the date of the deadline in order to have any edits be considered on-time.

It is the responsibility of the Senior Editors that every article is passed on to Lead Editors technically and substantively ready for publication. Senior Editors will set deadlines for each step of the editing process and will remind Associate Editors of each deadline via email.

Senior Editors will review all edits by Associate Editors and make a determination as to which changes will be accepted. If any Senior Editor misses three deadlines, they will be given a failing grade and not invited to participate in the Journal the following semester.

Senior Editors will contact the Executive Editor concerning any problems with the editing process or with Associate Editors.

2. Associate Editors

Associate Editors are responsible for completing all assignments given to them by Senior Editors or by members of the Executive Board.

In completing the editing process and in fulfilling the Note/Comment requirement, Associate Editors will follow all guidelines given in the Staff Handbook or given by the Executive Board.

Associate Editors will contact their supervising Senior Editor concerning any problems or difficulties with the editing process.

IV. DECISION MAKING

Except as otherwise provided, Journal members may individually decide and resolve all matters over which they have sole responsibility. All other matters shall be decided either by the Executive Board or the entire staff, depending on the nature of the matter as discussed below.

A. Executive Board Decisions

A binding decision by the Executive Board requires the majority of a quorum present at any Executive Board meeting, provided that reasonable notice of the meeting was given to every Executive Board member prior to the meeting. A quorum shall consist of fifty percent of the Executive Board members. Any Executive Board member may vote by authorized signed proxy.

B. Publication Decisions

1. Articles

2. Notes and Comments

The Note and Comment Editors are responsible for soliciting quality notes and comments that are suitable to be published in the Journal. Notes and comments must be related to both law and education, and would preferably be concerned with an important current issue. Note and Comment Editors will consider the technical and substantive qualities of each piece, with readability, academic tone, and organization also being considered.

The amount of editing that will be required of the staff if a publication offer is made will be taken into account.

Upon receiving a submission, the Note and Comment Editors will contact each author to acknowledge receipt and to inform the author of a publication decision date.

All Note and Comment Editors will read each submission. After discussing the strengths and weaknesses of each submission, the Note and Comment Editors will inform the Executive Editor and the EIC of the choices. Notes of the reasoning and analysis concerning each article will be taken during the discussion. These notes will be kept by one of the Note and Comment Editors as evidence of the discussion and the reasoning behind each selection. Once the selections are made, the Note and Comment Editors will inform the authors of all submissions whether their pieces were selected or not.

C. Decisions of the Entire Journal

1. Amending Bylaws

Any changes to the Bylaws of the Journal shall require the consent of two-thirds of the entire staff of the Journal. All changes shall be voted on at a mandatory all staff meeting. All staff members shall be given reasonable notice of the meeting and all proposed changes shall be provided to all staff members prior to the meeting. Any staff member may vote by authorized signed proxy.

The EIC shall keep a record of any successful vote in an accessible place as evidence of an amendment's authorization. The record shall contain the total number of staff members and the total number of votes for and against the amendments.

2. Override Vote

Any decision of the Executive Board may be overridden by a two-thirds vote of the entire membership of the Journal. Notice of the request for an override vote shall be submitted to the EIC in the form of a petition signed by at least one-third of the entire membership of the Journal. Any staff member may vote by authorized signed proxy.

D. Entire Membership of the Journal

For the purposes of these Bylaws, the entire staff membership for the Journal shall consist of all members of the Executive Board, all Senior Editors, and all Associate Editors. All votes requiring the entire membership of the Journal shall be taken after the first all-staff meeting of Fall Semester and before the last day of classes for Winter Semester. No votes shall be held during the summer interim period.

V. MEMBERSHIP SELECTION

A. First-year students

First-year students who would like to participate in the Journal shall follow the following three steps:

Step 1: Submit an extra copy of the 1L Advocacy Brief to the circulation desk at the same time the Advocacy Brief is turned in. The extra copy should be labeled as being for the Journal's write on competition. All Advocacy requirements concerning page-limit, format, font, margins, and outside assistance also apply to the brief that is turned in for the write on.

Step 2: Submit a one-page "**BYU Education and Law Journal Statement of Interest**" indicating why the student would like to be invited to join the Journal. The statement of interest must be date stamped and turned in to the Law Library circulation desk by the date and time specified by the EIC.

Step 3: Attend the mandatory meeting as scheduled by the EIC. The meeting will last for no more than one hour and will provide instruction on rules for the technical edit. The technical edit must be completed, date-stamped, and submitted to the Law Library circulation desk by the time and date specified by the EIC.

B. Second-year Students

Second-year students who wish to join the Journal the following year may be considered for membership by submitting a 1L Appellate Brief together with the required statement of interest. The brief and the statement of interest will have the same due date as the statement of interest for first-year students. Both items must be date stamped and turned in to the Law Library circulation desk by the specified deadline.

Second-year students must also attend the mandatory technical edit meeting and participate in the technical edit.

If a second-year student would like to submit a writing sample other than a 1L Appellate Brief, the sample must be approved by the EIC prior to the deadline.

C. Students Who Take One-Year Absences from Law School

Students who are invited to join the Journal and then elect to take a one-year absence from law school (i.e., to participate in a Joint degree program) may still participate in the Journal as long as they remain a full-time graduate student at BYU, or the student may defer their invitation for a year.

D. Requirements for Journal Credit and Continued Membership

All members of the Journal shall meet certain minimal requirements in order to receive a passing grade for Journal participation and continued membership on the Journal. Any member who does not meet the minimum requirements may receive a failing grade, have their membership reviewed and revoked by the Executive Board.

(1) In order to receive credit for Journal participation:

- (a) each member shall fulfill all assigned duties and responsibilities by the assigned deadlines
- (b) each member shall contribute at least fifty hours each semester in performing their respective Executive assignments or other responsibilities. Hours spent on Note or Comment assignments do not count towards these fifty hours
- (c) all first-year staff members shall (1) submit a casenote or comment of sufficient length and quality to meet the standards established in the Staff Handbook, or (2) participate in the Street Law Program and meet

all requirements as established by the Staff Handbook and the Street Law Coordinator.

- (d) each member will attend all Journal meetings at which their presence is required.

VI. SELECTION OF A NEW EXECUTIVE BOARD

Members of the BYU Education and Law Journal Executive Board will be selected based on the following criteria:

1. Writing and editing skills, including but not limited to:
 - substantive editing skills
 - technical editing skills
 - quality of case note
 - relevant prior work experience
 - publications or other professional writing
2. Commitment to the value of education and the law, including but not limited to:
 - former educator
 - prior degree in education
 - participation in street law program
 - other relevant work experience
3. Commitment to the Journal, including by not limited to:
 - quality of work performed
 - timeliness, observance of deadlines
 - recommendations of senior, lead and executive editor based on past performance
 - personal interview and application
 - resume, prior related work experience
4. Leadership abilities, including but not limited to:
 - prior leadership experience
 - organizational skills
 - ability to motivate staff
 - commitment to the Journal's success

VII. OFFICIAL FORMAT REQUIREMENTS

All articles, notes, and comments published in the Journal shall conform to (1) the Staff Handbook, (2) the latest edition of the ALWD Citation Manual, and (3) the latest edition of the Chicago Manual of Style. These requirements also apply when grading written work of members and technical edits of potential members of the Journal, and for notes and comments written by staff members to meet the note or comment requirement for the Journal.

