

STATUTES OF NOVA SCHOOL OF LAW

NOVA University, Lisbon



Statutes of NOVA School of Law

NOVA UNIVERSITY, LISBON

ARTICLE 1

Nature

- 1.** NOVA School of Law, hereinafter referred to as the School, is an organic unit of NOVA University, Lisbon, endowed with administrative, financial, tax, and academic autonomy.
- 2.** Within the scope of its administrative autonomy, the School may:
 - a)** Issue regulations;
 - b)** Exercise administrative functions;
 - c)** Enter into administrative contracts.
- 3.** Within the framework of financial autonomy, the School may:
 - a)** Draw up its multi-annual plans;
 - b)** Draw up and execute its budgets;
 - c)** Settle and collect its own revenue;
 - d)** Authorise expenditure and make payments;
 - e)** Undertake all budgetary changes, with the exception of those that are not compatible with the allocation of assigned revenue.
- 4.** Within the scope of academic autonomy, the School may:
 - a)** Propose to the competent University bodies the tuition fees for all study cycles, the creation of new study cycles, the recruitment and promotion of its human resources, and strategic partnerships with other institutions;
 - b)** Define the respective academic curricula, student assessment schemes, and research agendas for its scientific areas.
- 5.** The School adopts the name “NOVA School of Law” in the English language.

ARTICLE 1-A

Mission

The School's mission is the production and dissemination of high quality scientific knowledge in teaching and research in Law, enhancing the differences and individuality of each student, making diversity a starting point for adapting to the challenges to which Law responds.

ARTICLE 2

Vision

- 1.** The School intends to establish itself as an innovative centre in the development of legal science and in the teaching of Law in Portugal, through the progress of

research, the teaching of new subjects and the use of innovative pedagogical methods, with the aim of responding to new training requirements.

2. The School also considers its vocation to be open to society, to new branches of Law and to other social sciences, stressing special attention to the contemporary evolution of public life and its new problems.

3. In addition to the classic functions of research and teaching, the School intends to develop activities of debate, collaboration and dissemination with other sectors of society, also strengthening relationships with the most modern European and International Law Schools.

4. The School also intends to reinforce the idea of academic community, considering that the professional vocation of university teaching in Law shall develop in balance with its other essential cultural and scientific functions.

ARTICLE 3

Relations with other institutions

The School privileges collaboration with other organic units of NOVA University, Lisbon, in the conception and execution of research and teaching programmes of a multidisciplinary nature, bringing together different groupings, under the terms of the statutes of NOVA University, Lisbon, with the following specific purposes:

- a)** Promotion of interdisciplinarity and internationalization in training and research and development activities;
- b)** Sharing of services.

ARTICLE 4

Bodies

The School bodies are:

- a)** The School Council;
- b)** The Dean;
- c)** The Management Board;
- d)** The Scientific Council;
- e)** The Pedagogical Council.

ARTICLE 5

Principle of collaboration

Whenever the resolution of a matter implies or recommends the exercise of competences by bodies of the School, those to whom decision-making power is

conferred have the duty to promote prior hearing of the others.

ARTICLE 6

Votes and deliberations

- 1.** Unless otherwise provided by law or the statutes, the decisions of the School bodies are adopted by simple majority.
- 2.** Deliberations regarding the qualities or behaviour of persons, as well as those for the election of the members of any organ, shall be made by secret ballot.
- 3.** In the case of a tied vote, the President of the collegial body shall have a casting vote.

ARTICLE 7

School Council

- 1.** The School Council is formed of six professors or researchers, one student, and three persons of recognised merit from outside the School.
- 2.** Professors and researchers shall be elected by a single college composed of all their peers, by the system of proportional representation of the D'Hondt method of the highest average.
- 3.** The student is elected by all the students of the three study cycles of the School; however, students who are enrolling for the first time in the first study cycle are not eligible.
- 4.** The three individuals mentioned under n. ° 1 are appointed by the Rector under the proposal of the elected members of the School Council itself.
- 5.** The President of the School Council shall be elected from among the external members of the Council by an absolute majority of the members of the Council in full exercise of their functions.
- 6.** The Council shall hold one ordinary meeting every semester, while extraordinary meetings may be held at the initiative of the President or of three of its members or at the request of the Dean.
- 7.** The Council may invite the Dean of the School to attend its meetings, or other persons whose presence is considered useful, without the right to vote.
- 8.** The rules of the Statutes of NOVA University, Lisbon, that regulate the election of the members of the General Council, the election of its President, as well as the terms of office of its members and the functioning of this body shall apply complementarily to the School Council.

ARTICLE 8

Responsibility of the School Council

- 1.** It is the responsibility of the School Council to:
 - a)** Approve and amend the School Statutes;
 - b)** Elect its President;
 - c)** Approve its Rules of Procedure;
 - d)** Elect and dismiss the School Dean;
 - e)** Approve the regulations for the election of the Dean;
 - f)** Assess the budget, the activities plan and the activities report;
 - g)** Issue pronouncements regarding any matter related to the life of the School on the initiative of any of its members or of another body.
- 2.** The decisions referred to in subparagraph a) of the preceding paragraph shall be taken by a two-thirds majority of the members of the School Council.
- 3.** The rules established in the Statutes of NOVA University, Lisbon regarding the election and dismissal of the School Dean shall apply to the election and dismissal of the University Rector, except with regard to the need for approval by the Board of Trustees.

ARTICLE 9

Director

- 1.** The Dean is the governing and representative body of the School.
- 2.** The Dean is elected by the School Council following the presentation of a candidature accompanied by an action programme, which must be in line with the strategic guidelines defined for NOVA University, Lisbon.
- 3.** Candidates eligible for the position of Dean are:
 - a)** Full professors or coordinating researchers of NOVA University, Lisbon, or other national or foreign university teaching or research institutions; or
 - b)** Full professors, coordinating researchers, associate professors or principal researchers of NOVA University, Lisbon, or of other national or foreign university teaching or research institutions in the case where there are fewer than seven full professors or coordinating researchers in active service.
- 4.** If there are no candidates, the Dean is appointed by the Rector from among the professors or researchers with passive elective capacity for the position, after hearing the School Council.

ARTICLE 10

Responsibilities of the Dean

It is the responsibility of the Dean to:

- a)** Appoint the Sub-Deans;
- b)** Appoint the members of the Management Board;
- c)** Preside over the Management Board;
- d)** Approve the regulations necessary for the functioning of the School;
- e)** Manage the services of the School as well as appoint and exonerate under the legally applicable terms the respective School executives;
- f)** [Repealed]
- g)** Approve the calendar and schedule of teaching tasks after consultation with the Pedagogic Council;
- g)** Approve and announce the regulatory frameworks;
- i)** Exercise the disciplinary powers delegated by the Rector, under the terms of subparagraph b) of paragraph 1 of article 22 of the Statutes of NOVA University of Lisbon;
- j)** Draw up the budget and the activities plan as well as the activities report and accounts;
- k)** Present to the organs of NOVA University, Lisbon the strategic plan, budget, and activities and accounts report of the organic units;
- l)** Represent the School to the Council of Deans and before other bodies of NOVA University, Lisbon as well as externally;
- m)** Appoint juries for bachelor and master degree examinations on the proposal of the Scientific Council;
- n)** Appoint juries for recognition of qualifications at bachelor, master and doctoral levels, upon proposal of the Scientific Council;
- o)** [Repealed];
- p)** Appoint the members of the School electoral committees and promote the holding of elections;
- q)** Approve the distribution of the teaching service, as well as the statement of responsibilities for the curricular units;
- r)** Approve the results of the evaluation of the performance of non-teaching staff;
- s)** Institute School awards for students who distinguish themselves for their performance in courses, whether or not they lead to a degree;
- t)** Authorise professors who reach their retirement age during a school year to remain in service until the end of that year, in accordance with the law;
- u)** Propose to the Rector the creation or alteration of study cycles, after consultation with the Scientific Council;
- v)** Create, suspend or terminate courses that do not lead to a degree;
- w)** Carry out the decisions of the School bodies;
- w)** Instruct applications promoted by the School to projects or programmes financed by external entities, provided that there are situations in which it is possible to submit more than one application on behalf of the University, regardless of whether it is the main entity or a partner;
- y)** Enter into contracts with a view to receiving financing for the implementation of projects financed by external entities, provided that they:
 - i.** Do not exceed the maximum amount set annually by the Management

Council of the University in terms of the School's financial responsibilities,
or;

ii. Do not involve the exploitation by third parties of intellectual property
or business secrets.

z) Propose, under the terms of the law, student tuition fees;

aa) To set the prices of any services provided by the School;

bb) To exercise such other powers as are conferred on it by law according to
the Statutes of NOVA University, Lisbon by the School Statutes or delegated
by the Rector.

ARTICLE 11

Vice-Deans

- 1.** The Dean shall be assisted by one or two Vice-Deans chosen by the Dean, who shall be responsible for exercising the powers delegated to them.
- 2.** The Dean is substituted in their absence or impediments by the Vice-Dean designated for that purpose.
- 3.** The Vice-Deans are appointed by the Dean from among full professors, associate or assistant professors who meet the conditions for application for associate status.
- 4.** The end of the Dean's term of office determines the cessation of functions of the Vice-Deans, who may be dismissed at any time by decision of the Dean.

ARTICLE 11-A

Guarantees of Impartiality

- 1.** The positions of Dean and Vice-Dean are incompatible with the existence of an employment contract or membership of a governing or management body of another Portuguese or foreign higher education institution.
- 2.** The execution of powers by the Dean shall be undertaken full-time, without detriment to the positions they hold.
- 3.** The position of Dean may only be combined with other functions upon prior authorisation from the Rector.

ARTICLE 12

Management Board

- 1.** The Management Board is the body responsible for the administrative, patrimonial,

and financial and human resources management of the School, within the scope of autonomy granted by law and by the University Statutes.

2. The Management Board shall be composed as follows:

- a)** The Dean, who shall preside;
- b)** The Executive Administrator of the School;
- c)** One or two members to be appointed by the Dean from among professors, researchers, or non-teaching staff members;
- d)** [Repealed]

3. The term of office of the members of the Management Board shall coincide with that of the Dean;

4. It is incumbent upon the Management Board to:

- a)** Assist the Dean in the exercise of their role;
- b)** Ensure the integration of the School's financial management into that of NOVA University, Lisbon;
- c)** [Repealed]
- d)** [Repealed]
- e)** Exercise the powers delegated by the Management Board of the University.

5. [Repealed]

ARTICLE 13

Composition of the Scientific Council

1. The Scientific Council is composed of twenty-five members, of which:

- a)** Twenty members are obligatorily career professors or researchers in full exercise of their functions;
- b)** Four members may be professors or researchers, integrated or not integrated in the career, provided that they are hired full-time and in active service with a contract of at least one year, and they must hold a doctoral degree, regardless of the nature of their contract with the School;
- c)** A member representing CEDIS, who shall be its Director.

2. The members referred to in subparagraphs a) and b) of paragraph 1 above shall be elected by a single college made up of their peers.

3. The members referred to in paragraph 1 shall include a minimum of two members belonging to each category of professors: full, associate, and assistant professors.

4. The Scientific Council elects the President and the Vice-President from among its members.

5. The President of the Scientific Council shall be a full professor or coordinating researcher, except if at the time of their election there are fewer than five full professors or coordinating researchers, in which case they may be an associate professor or senior researcher.

ARTICLE 14

Responsibilities of the Scientific Council

1. The responsibilities of the Scientific Council are to:
 - a) Draw up its own regulations;
 - b) Propose or issue pronouncements regarding the scientific activities of the School;
 - c) [Repealed]
 - d) [Repealed]
 - e) Define and apply the rules for accreditation of curricular units and recognition of academic degrees;
 - f) Submit to the Dean proposals for the granting of titles or honorary distinctions to be eventually attributed by the Rector;
 - g) Decide upon the distribution of teaching services, subject to the Dean's approval;
 - h) Decide upon the pedagogical guidelines and the teaching and assessment methods;
 - i) Decide upon the assessment of professors' performance, under the terms of the Regulations for Performance Assessment and Change of Remuneration Position of NOVA University, Lisbon, also taking into consideration the analysis of the Pedagogic Council referred to in item j) of article 17;
 - j) Issue pronouncements regarding the creation of study cycles and approve the study plans of the study cycles taught;
 - k) Issue pronouncements regarding the calendar and timetable of teaching assignments;
 - l) Issue pronouncements regarding the scientific activity developed relating to the cultural extension and provision of services to the community;
 - m) Propose or issue pronouncements regarding the signing of international agreements and partnerships;
 - n) Propose the composition of juries of academic recruitment procedures;
 - o) Propose to the Dean the juries for recognition of qualifications at bachelor, master and doctoral levels and for equivalence to master and doctoral degrees;
 - p) Perform other duties prescribed by the law applicable to academic and research staff, including the recruitment of teaching and research staff;
 - q) Issue pronouncements on any matter submitted by the Rector or by other bodies of the University or the School or those which require intervention by law;
2. Pedagogical guidelines and teaching and assessment methods cover:
 - a) Teaching methodologies;
 - b) Attendance regimes for teaching and research activities;
 - c) The nature and the criteria for weighting and assessing extracurricular activities;
 - d) Assessment methods, ensuring transparency and respect for the principles of equality, impartiality, and proportionality;
 - e) Coordination of teaching and research activities with the tasks of assessment

of knowledge and skills, ensuring that the organisation and scheduling of the latter do not affect the former.

- 3.** No member of the Scientific Council may speak on matters concerning:
 - a)** Acts relating to the career of professors with a rank higher than their own;
 - b)** Competitions or examinations for which they fulfil the conditions of being an opponent.

ARTICLE 15

Composition of the Pedagogical Council

- 1.** The Pedagogical Council is composed of five professors and five students.
- 2.** Members of the teaching staff are elected by a single college made up of their peers.
- 3.** The student members are elected:
 - a)** Two students from the first study cycle;
 - b)** Two students from the second study cycle;
 - c)** One student from the third study cycle.
- 4.** The Pedagogical Council elects the President and the Vice-President from among its members.
- 5.** The President of the Pedagogical Council shall be a full professor or coordinating researcher or an associate professor or principal researcher.

ARTICLE 16

Responsibilities of the Pedagogical Council

The responsibilities of the Pedagogical Council are to:

- a)** Approve its regulations;
- b)** Approve the regulations for assessing students' performance;
- c)** Issue pronouncements regarding the pedagogical guidelines and the teaching and evaluation methods;
- d)** Issue pronouncements regarding the regulatory frameworks;
- e)** Issue pronouncements regarding the creation of study cycles and the plans of the study cycles taught;
- f)** Propose or decide upon the establishment of scholarly awards.
- g)** Issue pronouncements regarding the academic calendar, the teaching schedule and the examination schedules of the School;
- h)** Assess complaints regarding pedagogical failures and propose the necessary measures;
- i)** Promote the carrying out of regular surveys on the pedagogical performance of the School, ascertaining the respective results, analysing, and disseminating such information;

- j) Promote the evaluation of the teaching performance of professors, by professors and students, and analyse and disseminate such information;
- k) Perform all other duties conferred by law.

ARTICLE 17

Term of office

1. The term of office for elected professors or researchers shall be four years and for elected students two years.
2. The Dean's term of office shall be four years, and re-election for a third consecutive term is not allowed according to the Statutes of NOVA University, Lisbon.
3. The members of the elected bodies shall remain in office until their successors take office.

ARTICLE 18

Executive Administrator and services

1. The School may have an Executive Administrator who shall assist the Dean in matters of administrative, economic, financial and patrimonial nature, in the current management and coordination of the School services.
2. The Executive Administrator shall be appointed and dismissed by the Dean and shall exercise the powers delegated to them by the latter.
3. The organisation of the services of the School shall be regulated by internal rules approved by the Dean.

ARTICLE 19

Revision of Statutes

1. Proposals for revision of the statutes, duly justified, may be submitted by any member of the School Council or addressed to it by any of the other bodies.
2. The School Council shall promote the hearing of the other bodies of the School.

ARTICLE 20

Entry into force

The present Statutes shall come into force on the day following their publication.

