



Response to:
Committee for the Evaluation of Law Study Program
Netanya Academic College Evaluation Report
2015

01.09.2015

Part 1

Netanya Academic College School of Law's response to the International Law Study Evaluation Committee's report

1. Chapters 1 and 2 detail the background for the report as well as the protocol for the Evaluation committee's work (pp. 3-4), and on which accordingly we have no comments. *We copied in italics the text of the committee*

Chapter 3 – Netanya Academic College's curriculum evaluation

1.Executive Summary

A. A new generation of faculty members

A new generation of faculty members has been hired by the Netanya Academic College School of Law. All the elderly faculty members have retired and lecturers at the outset of their academic path have taken their place. Following are the names of faculty members who have retired:

- Professor Aharon Enker
- Dr. Pinchas Goldstein
- Professor Marsha Gelfi
- Dr. Fania Domb
- Professor Yitzchak Hadari (retired this year)
- Judge Jacob Turkel
- Professor Justin Sweet
- Professor José Faur
- Professor Michael Corinaldi (retired this year)

Nine out of the 27 faculty members, in fact, all of the older members who taught at the law school, have retired, and their place have been filled by the following:

- Professor Yuval Sinai
- Dr. Roy Gilbar
- Dr. Guy Ben David

- Dr. Sharon Vaintal
- Dr. Michal Ofer-Tzfon
- Dr. Guy Sagi
- Dr. Sharona Aharoni Goldberg
- Dr. Hezi Margalit (recruited this year).
- Professor Emanuel Gross (recruited this year)

Thus, in place of 9 faculty members over the age of 70, 8 younger faculty, in their 30s and 40s, and at the start of their academic teaching careers, have been recruited.

Only one senior professor was recruited (Emanuel Gross). Furthermore, we plan to add two more young faculty – recent doctors from top universities.

B. The recommendation for smaller group instruction

About 70% of all courses offered at the law school: seminars, legal clinics, English classes-for-law students and exercises are conducted in small groups of 40 or fewer, and some under 20, as presented below.

A thorough class-size survey of all the law school classes (required and elective courses, seminars and workshops) reveals that out of a total of 96 classes, 77 have under 40 students, and in 22 instances the classes are even smaller with a maximum of 25 students. These figures demonstrate the importance our law school attaches to small group instruction.

Following is a list of law school courses and the number of students in them:

| The course | No. of students |
|--|------------------------|
| Legal and constitutional practicum workshop | 15 |
| Computer law | 23 |
| The minor in and outside the family | 34 |
| Issues in criminal law and military law | 23 |
| Commercial torts | 16 |
| Intellectual property | 33 |
| Criminal law dilemmas | 22 |
| Real estate transaction taxation | 16 |
| Planning and construction law | 29 |
| Criminal law practice – from indictment to verdict | 28 |
| Local government law | 12 |
| Legal writing | 33 |
| Legal practice | 30 |
| Medicine and the law | 15 |
| Medical malpractice | 25 |
| Employment law and human rights clinic | 30 |
| Environment and business | 34 |
| Mediation 1 | 22 |
| Mediation 2 | 25 |
| Mediation 3 | 29 |
| Law in Arab countries | 15 |
| Defense lawyers supervision program | 24 |
| Law Review editorial team | 13 |
| Internship program | 15 |
| Criminal punishment | 35 |
| Acquisition, merger and company take-over | 22 |
| Class of excellence 1 | 11 |
| Class of excellence 2 | 32 |
| Class of excellence 3 | 37 |
| Beginners English 1 | 13 |
| Pre-English | 18 |
| Legal English 1 | 23 |
| Legal English 2 | 14 |
| Legal English 3 | 16 |
| Legal English 4 | 19 |
| Principles of marketing (for the legal professionals) | 36 |
| Principles of management (for the legal professionals) | 35 |
| Introduction to computers (for the legal professionals) | 23 |
| Mathematics (for the legal professionals) | 20 |
| Principles of the information system (for the legal professionals) | 17 |

| | |
|--|----|
| Statistics for business managers and the legal professionals | 21 |
| Principles of financing (for the legal professionals) | 18 |
| Introduction to macro-economic (for the legal professionals) | 18 |
| Principles of accounting | 37 |
| Principles of accounting (exercise) | 37 |
| Financial tools (for the legal professionals) | 19 |
| Selected issues in public law | 12 |
| Human rights in the criminal process | 20 |
| Practice of real estate investments' taxation | 25 |
| Constitutional review in Israel | 19 |
| Tort and social change | 23 |
| Companies law exercise 1 | 36 |
| Companies law exercise 2 | 36 |
| Tax law exercise 1 | 39 |
| Tax law exercise 2 | 38 |

This course listing shows that many of the courses offered at the law school are given in small groups, allowing for more personal and close dialogue with the teacher, and closer teacher-student interaction. In the law school, we emphasize positive communication flow and smaller groups help facilitate that.

C. Legal writing programs

There are already a large number of courses in which students are required to submit written work. In fact, in 40% of the law school courses the student must submit several written papers. There is also a course for the drafting legal documents. Moreover, each law school student must take two seminar courses during the course of his studies. The professors in these seminars instruct the students in legal writing and research. However, we do accept the Evaluation Committee's request to bolster the legal writing program and as of the coming academic year, we will accordingly act to implement it by adding a legal writing course to the first year students' curriculum, in which exemplary students from the class of excellence will act as tutors, and we are confident that this will improve students' legal writing skills. We also intend to add additional courses in legal writing to the second year law school curriculum. Furthermore, we plan to arrange for another program for students from the

Arab sector, who will receive tutoring in Arabic and Hebrew, so they can overcome problems they may have with the writing in Hebrew.

The law school's program committee has decided to appoint two faculty members – Dr. Yossi Green and Adv. Niv Vigoda to lead the program to improve Arab students' reading and understanding. In addition to the regular legal writing classes, this program will offer several sessions during the first semester of tutoring in legal reading and in understanding legal texts in Hebrew, to be taught by Arabic speaking excellent students who are at the end of their LL.B. degree. Teaching will be done in Arabic and in Hebrew, and several students who have expressed their willingness to participate in the project have been chosen.

In addition, in order to improve the Arab student's achievements in legal studies, we plan to give them special instructions before the submission of the first two papers in the 1st semester, and before the first two exams after the 1st semester. The instructions will be taught by the same group of students mentioned above. We believe that it will improve the grades of this sector.

2. Organizational Structure

Observation & findings

A. *Netanya Academic College is one of the oldest law colleges. It is a large institution with a relatively small faculty, necessitating large classes.*

The law school response:

Netanya Academic College has eight schools that grant Bachelor's and Master's degrees in many programs, mostly with small classes. Following is a list of the schools at Netanya Academic College and the academic degree programs offered:

- School of Business Administration – B.A and M.B.A
- The School of Insurance– B.A
- The School of Law – LL.B and LL.M

- The School of Computer Sciences and Mathematics– B.SC
- The School of Behavioral Sciences– B.A and M.A
- The School of Communication – B.A and M.A
- The School of Banking and the Capital Market – B.A and M.A
- The School of Real Estate – M.A

With thirteen different degrees offered in the various Schools, the classes are relatively small – 50 students or less.

The day program of studies at the School of Law is the only relatively large program where classes are bigger – around 110 students.

The law school itself offers several smaller programs as follows:

- The LL.B for M.A. graduates program – 30 to 60 students,
- The evening LL.B. section - 60-80 students,
- The LL.M (without thesis) program – has 20 to 40 students,
- The LL.M |(with thesis) program – has 10 to 15 students

Any impression that most classes are large is therefore a mistaken one.

B. Many among faculty members are senior professors who had retired from other universities

With the founding dean still heading the institution after 18 years, NAC is administered in a centralized and hierarchical fashion. Even though faculty committees exist, NAC seems to be a highly centralized organization with very little distribution of authority, deliberations, or room for initiatives that are generated by members of the faculty, impeding dynamic rejuvenation and new ideas. This is aggravated by the fact that, as in other law colleges, many of the faculty members are senior professors who have retired from various universities, from whom, at the twilight of their careers, one cannot expect initiative or active involvement in the institution.

The law school response

Out of the entire law school faculty of 27 members, only two of them were senior professors who have retired from various universities, and both of them have retired

from the College as of this year. Only one senior professor was recruited this year, Professor Emanuel Gross as a matter of fact he teaches already 20 years in the Netanya law school and is involved in the school activities.

Hence, as of this academic year, there are almost no retired former university faculty members whose employment at the Netanya Academic College School of Law is a second career (Professor Gross teaches already in the NAC for the last 20 years).

Below is a list of all faculty members and their academic records.

(Parenthetically, a Ph.D is not enough to be granted a title of lecturer, which requires publications as well as the approval of a professional academic committee and recognition of academic ability by external academics):

- **Professor Aharon Namdar**
He never held a university appointment prior to joining the law school faculty. Most of his 12 books and 150 articles have been written and published while a member of the faculty.
- **Professor Hadara Bar-Mor**
She joined the College as a lecturer shortly after completing her doctorate. She earned all her academic ranks - lecturer, senior lecturer and associate professor, as a member of the law school faculty.
- **Professor Yuval Sinai**
He joined as the College as a lecturer shortly after completing his doctorate. All of his academic ranks were awarded by Netanya Academic College, and all of his writing, including two books and dozens of articles, were written at NAC. He has taken several sabbaticals, including one in 2014-15, in which he taught at the Yale University School of Law.
- **Professor Ruth Plato-Shinar**
She joined the faculty shortly after completing her doctorate. She was awarded all her academic ranks - lecturer, senior lecturer and associate professor, and published her vast academic works while on the law school faculty.
- **Professor Israel Zvi Gilat**
Joined shortly after completing his doctorate he was awarded all his academic ranks - lecturer, senior lecturer and associate professor, and published his voluminous academic works as a law school faculty member.

- **Dr. David Elkins**
Completed his doctorate at the beginning of his employment at NAC. All of his publications; several books in Hebrew and in English, as well as many articles, were written while employed by NAC. Before coming to the College, he never held a university position. Since becoming a senior lecturer here, on number of occasions he served as a visiting professor in MSU in the U.S.
- **Dr. Roy Gilbar**
He joined the law school at the beginning of his academic career.
He received both his ranks- lecturer and senior lecturer from the NAC.
He has written all of his publications while at Netanya Academic College School of law.
- **Dr. Yossi Green**
Came to NAC just before completing his doctorate. He received both his ranks - lecturer and senior lecturer, from Netanya Academic College, where he published his many books and articles.
- **Dr. Moshe Gelbard**
Joined the college before completing his doctorate, climbed up the academic ladder from lecturer to senior lecturer, and published all his books and articles as a law school faculty member.
- **Dr. Yocheved Deutch**
She joined the college before completing her doctorate, climbed up the academic ladder from lecturer to senior lecturer, and published all her book and articles as a law school faculty member.
- **Dr. Barry Feinstein**
Never held a faculty appointment from any other university in Israel. He received the rank of senior lecturer from the School of Law, where he published his many articles. He has also served as a visiting professor in several universities in France, Germany, Switzerland and Luxemburg, and in the United States during the summer.
- **Dr. Shuki Segev**
Sent by Netanya Academic College School of Law, with its funding, to write his doctoral dissertation at the University of Virginia School of Law. He then

returned to the law school, where he received the ranks of lecturer and senior lecturer and published his academic writing.

- **Dr. Guy Ben David**

A graduate of the Netanya Academic College School of Law, he was hired for teaching following the completion of his doctorate. He is a lecturer at the law school, where he also publishes his academic writing.

- **Dr. Michal Ofer-Tzfofi**

Recruited by the NAC soon after she had completed her doctorate. She was hired by the law school and received the rank of lecturer. She publishes at the College.

- **Dr. Sharon Vaintal**

Following the completion of his doctorate, he joined the law school and received the rank of lecturer. He publishes at Netanya Academic College.

- **Dr. Amichai Kerner**

His first academic appointment was that of a lecturer at the law school, where he also publishes all of his academic writing.

- **Dr. Gadi Ravid**

Joined the College many years ago, where he received the ranks of lecturer and senior lecturer.

- **Dr. Michal Horovitz**

She joined the law school shortly after completing her doctorate. She received the rank of lecturer at the NAC, and published her papers as lecturer at the NAC.

- **Dr. Sharoni Gil**

Never had a previous position at any university. He joined the NAC before completing his doctorate. In the NAC he received his rank as lecturer and he is a full-time faculty member.

- **Dr. Hezi Margalit**

Joined the NAC this summer as a lecturer pending his promotion to senior lecturer. He never had a previous position at any university.

- **Dr. Guy Sagi**

Never held a previous position in any university. When he finished his doctorate at the School of Law at Columbia University, he was hired by Netanya Academic College, where he received the rank of lecturer.

- **Professor Sinai Deutch**

An associate professor and Dean of Bar Ilan University Law School. At the age of 47, he founded the School of Law at Netanya Academic College, where he published most of his numerous books and articles. Over the course of his term as Dean at the law school, he was promoted by the Supreme Council for Higher Education to the rank of full professor.

In conclusion, as of August 2015, we almost do not have any faculty members who have retired from previous university academic positions and who are teaching at the law school as a post retirement career.

C. **Academic activity must be expanded to include seminars and conferences the students will be interested in**

The centralized administration seems to impede innovation in pedagogy, teaching methods and content. We believe that the institution must find ways to invigorate and rejuvenate the administrative approach and to expand the range of academic activities to include seminars and conferences that might attract and engage the students as well. Currently, the students are only exposed to traditional classroom educational activities, which are generally conducted in large groups utilizing somewhat outdated approaches and content. To accomplish this, NAC should recruit additional young faculty members who are eager to teach with dynamic pedagogical methods and engaging course contents, and to integrate them into the organizational system.

The law school response:

There are many diverse activities at the law school, such as conferences, seminars, interactive gatherings, workshops, moot courts, academic competitions and department colloquia. The law students take part in all of the special academic activities from their first year and throughout their entire course of studies at Netanya Academic College. The Evaluation Committee's recommendation that students should

be invited to conferences and seminars has always been customary practice in the law school, which has always believed that teaching independent theoretical thinking should be an integral part of legal education, and that traditional lectures are not the only method of achieving this goal. Faculty members have been applying diverse methods to encourage both passive and active participation in these special academic activities.

We would like to point out that conferences sponsored by the law school are typically open to the student body, and in many of the conferences, students' attendance is mandatory.

The full list appears at:

In the English language site, there is a list of academic conferences, year by year from 1997- of the more than 200 conferences, held under the auspices of the law school (see for convenience the following internet link:

<http://www.netanya.ac.il/englishSite/Academics/Law/AcademicConferences/Pages/default.aspx>)

It is an average of 14 conferences in the last 10 years

Following is a list of conferences and proposed conferences to be held during the upcoming academic year 2015/2016:

- (1) Conference on: *Standard contracts*, in association with the Hebrew University Faculty of Law. Organized by: Dr. Moshe Gelbard
- (2) Conference in honor of the publication of the book: *Obligation of Trust in Israeli Law*, by Professor Ruth Plato-Shinar and Dr. Shuki Segev – editors.
- (3) Conference on: *Chinese Law*. Organized by: Professor Ruth Plato-Shinar.
- (4) Conference with Former Supreme Court President Aharon Barak.
- (5) Law and Medicine: *Patient's Conscious Consent: Do Patients Really Have a Choice?* Organizers: Dr. Yossi Green and Dr. Roy Gilbar.
- (6) Constitutional Law – conference *The Prime Minister as acting Ministers' Deputy*. Organized by: Dr. Shuki Segev.
- (7) *Public Law as part of the Excellence Program*, organized by Dr. Aviva Adler and Dr. Shuki Segev.

- (8) Law school seminar in association with the Touro University.
- (9) Third Netanya Academic College conference on: *Constitutional Law*. Organized by: Dr. Sharon Vaintal and Dr. Shuki Segev.
- (10) Conference with Knesset Speaker Mr. Yuli Edlstein, hosted by Dr. Shuki Segev.
- (11) Conference on: *The Cost of Living*, in association with the Real Estate School. Organized by: Professor Aharon Namdar and Dr. Amichai Kerner.
- (12) *Financial Regulation*. Organized by: Professor Ruth Plato-Shinar.
- (13) Conference with Professor Daniel Friedman, former Minister of Justice in honor of the publication of his book: *Before the Revolution*, hosted by Dr. Shuki Segev
- (14) *The Forbidden Correlation between Law Enforcement Entities – the Police and the State Attorney, and Public Defender*. Organized by: Professor Emanuel Gross.
- (15) *Does the Obligation of Disclosure Benefit the Consumers?* Organized by: Professor Sinai Deutch.
- (16) Launching Volume 10 of the Netanya Academic College Law Review. Organized by: Dr. Shrona Aharoni-Goldberg.
- (17) Department assembly: Dr. Shuki Segev hosts Minister of Justice, Ms. Ayelet Shaked.
- (18) Conference on: *Family Law*. Organized by: Dr. Hezi Margalit.

Certainly, few if any other law schools in Israel hold as many conferences and seminars each year as Netanya Academic College School of Law, most of which are open to students and in some of those more than 150 students attend.

D. Students are mostly exposed to traditional classroom educational activities, generally conducted in large groups, using somewhat outdated approaches and contents.

To accomplish this, NAC should recruit additional young faculty members who are eager to teach with dynamic pedagogical methods and engaging course contents and to integrate them into the organizational system.

The law school response:

A significant amount of teaching at the law school is not conducted in large groups, as mentioned earlier, and does not employ traditional approaches and contents. It would be too much to list the entire curriculum, but here are some of the activities and contents:

- The curriculum includes visits to prisons, leading law firms, courts and especially the Supreme Court.
- The curriculum includes numerous legal clinics – which naturally do not incorporate traditional teaching methods.
- All classrooms have power point projectors and are also equipped with computers and projection devices and video and sound systems. Many faculty members make use of them in their teaching.
- Every year the law school holds law competitions in which the winner receives 10,000 NIS. We do not know of any other law school or law faculty that engage in these types of activities.
- Many guest lectures are offered to students by visiting academics, legal practitioners, judges, government lawyers, both local and international.
- Students have the opportunity to travel with senior faculty members to Geneva, the United States, Jordan, and China. We intend to expand this activity to Italy and the United Kingdom over the next few years.
- Students have the opportunity to meet and interact with visiting law students from different countries, such as a groups from Holland and Italy who visited the College recently.

- Students attend a course on rhetoric (the art of speech and persuasion), which naturally improves their verbal and public speaking skills.
- Students in the first year receive instructions in the library from third year outstanding students who act as tutors, and are carried out in groups of up to 15 participants.
- Students can choose one of the mediation courses, at the successful completion of which they receive a Mediator Certificate.
- Many of our students are involved in volunteer legal activities, helping the less fortunate throughout Israel.
- Outstanding students may participate as student editors in the editing of the Netanya Academic College Law Review, which is considered the pinnacle of academic activity for law students.
- Outstanding students participate in the class for excellence, where they take part in class activities and discussions with some of the leading attorneys in Israel.
- Many students take also business management courses. At the successful completion of which they will be granted an M.B.A degree, to broaden their academic and professional education.
- Students also participate in debate competitions throughout the country, where they improve their discussion skills.
- Students have the opportunity to take part in moot courts held before a large audience of their fellow law students and law faculty members.

E. Recruiting young faculty members

As mentioned above in response to the Executive Summary, eight young faculty members have been recruited to the Netanya Academic College school of Law law school in recent years. In our response in chapter 2, section b above, we have listed the faculty recruitment processes. That section also indicates that all faculty members whose employment has been terminated recently have been senior, older faculty members.

All young faculty members teaching at the School of Law hold P.h.D or S.J.D/J.S.D degrees. We have 11 junior faculty members who teach at the College. Currently it is impossible to hire them as core faculty, because they have not obtained their doctorate. That having been said, it is our intention to hire two outstanding young faculty members over the next two years, one of whom has already signed a contract to begin teaching in the coming 2015-2016 academic year. The other one will in all likelihood sign a contract with us during the course of next year for the 2016-2017 academic year.

F. The requirement for faculty members who have tenure

The college has the right to promote faculty members to the status of senior lecturer with tenure. However, we have had some difficulty discerning who among them have tenure and who don't, and what is the protocol by which these questions are decided. Furthermore, we are under the troubling impression that faculty members preferred not to discuss this subject.

The law school response

Indeed, not all faculty members have tenure, and to be awarded tenure they must be at least at the level of senior lecturer, a rank awarded by a professional academic committee.

However, the issues of tenure is not high on faculty members' priority because, tenure or no tenure, in all of the history of the law school more than 20 years, no faculty member has ever been fired before reaching retirement age of 68.

Faculty members that are hired by the law school are expected to remain faculty members for many years until they retire, which naturally provides all of them with job security. This is also the reason why we target experienced lecturers with P.h.D who have published law publications.

3. Missions & Goals

Observations and findings

One of the core objectives of Netanya Academic College when it was first founded some twenty years ago was to provide higher education to students from the geographical periphery, with a special emphasis on Arab and Druze students, who comprise approximately 15% of all law students in the College.

4. Curriculum

Observations and findings

The LL.B. program

A. The law school appreciates that the Evaluation Committee acknowledged that in many of the courses offered, term papers are required; and many of the students in addition participate in legal clinics and in special courses for drafting legal documents. In fact, 250 out of the 340 law students take advantage of, and participate in at least one of these programs.

The law school is pleased that the Evaluation Committee recognizes the importance of the class of excellence, which, to a large extent, is the school's "Flagship" program.

We place great importance in maintaining good relations with the Arab sector of society, thus some of the courses offered at the law school are in Arabic, including Middle East Law legal systems at the Amman University in Jordan as well courses on Muslim Law in Arabic.

We were pleased to learn that the student-faculty ratio in the Netanya Academic College School of Law is 48 to 1, which is much lower than the 80 to 1 ratio required by the Council of Higher Education, and much better than other law schools in Israel.

A. The requirement to teach in small groups

As explained earlier, most of the law school courses are conducted in small groups.

Recommendations:

Advisable:

1. As noted above, there is a lack of small group learning opportunities at NAC. Moreover, there are few opportunities for intensive instruction in writing. We recommend that NAC initiate a comprehensive first year writing and research program in small groups of no more than 30 students.

The law school response:

We are appreciative of the Evaluation Committee's above mentioned suggestion and will implement it in the coming 2015/2016 academic year. With this in mind, we have already appointed a faculty member with legal writing experience to head the program. He will be assisted by outstanding students from the class of excellence and members of the editorial board of the Netanya Academic College Law Review, who will tutor the students in legal writing.

The program was designed in accordance with the Evaluation Committee's recommendations, and we consider this an important tool for promoting and improving legal writing. The program was examined and approved by the school's program committee.

In addition, we are currently setting up a program for the 2015/16 academic year, which will be designed to promote academic success among students from the Arab sector. These students will receive tutoring in Arabic from outstanding students, who will help them overcome language barriers in their first year, boost their chances of success in paper writing, taking exams and with the transition from first to second year.

2. We believe that the college should make efforts to increase the number of elective courses offered by members of the faculty or outstanding adjunct professors, and to limit the number of students in such courses to 40. This will create more opportunities for students to conduct in-depth study in smaller, more intimate groups.

The law school response:

Seventy percent of the elective courses, the classes have fewer than 40 students. The number of elective courses offered each year is greater than the number of courses that students enroll to, thereby we have to close every year some elective courses. That having been said, the supply is greater than it seems as there are many legal clinics as well as other special programs, such as that of drafting legal documents, mediation, class of excellence, programs in business management and other departments, all of which qualify as elective courses.

Students interested in elective courses do not have a problem attending them, because the elective courses that are offered, are sufficient.

However, for the 2016/2017 academic year, we are going to add even more elective courses, based on the two faculty members we intend to hire as mentioned earlier.

The LL.M. (without thesis) Program

Students' satisfaction with the program and the teaching was noted by the Evaluation Committee and we appreciate this. Most of the program's participants were former LL.B. students at Netanya Academic College. However it should be pointed out that

admission requirements to the LL.M. (without thesis) program are identical to those of universities, so the participation of 59 students in the program at Netanya Academic College is a commendable accomplishment. As of last year (and after the Committee had finished its deliberations), the number of students has increased. In the meantime, the Israel Council of Higher Education approved an LL.M. (with thesis) program for outstanding students who desire to go into research. We are pleased to report that quite a few students have expressed interest in the program.

(note: The LL.M with thesis is not part of this report.)

5. Human resources/Faculty

Observations and findings

A. The law school is pleased with the Committee's observation that all senior faculty members hold Ph.D or S.J.D/J.S.D degrees. We are further appreciative of the Evaluation Committee's comments regarding the involvement of six faculty members in legal clinics, as well as the faculty-student ratio being better than the requirements of the Israel Council of Higher Education and the ratio in other law schools in Israel.

B. Faculty members' role in the selection of new faculty members

Faculty members have a limited role in selecting new faculty members. Selected applicants give a job talk, and then the Dean decides whether to extend an offer. This is consistent with the limited faculty role in governance that we noted in other sections of this report.

The law school response:

There is a clear distinction between the formal involvement of faculty members in faculty selection, and involvement in fact. Formally, their involvement is indeed insignificant, but in fact, the Dean always discusses this with most faculty members and presents all candidates to the senior faculty members.

There have been quite a few cases in which seemingly good candidates were rejected due to faculty objection. The Dean maintains an open-door policy with all faculty members and he confers with them on a regular basis.

In summary, there is a significant difference between formal and actual participation of the faculty in the selection of new faculty members.

Recommendations:

Advisable:

NAC should recruit additional young faculty members who are eager to teach with dynamic pedagogical methods and engaging course content, and to integrate them into the organizational system.

The law school response:

As already mentioned, about a third of the School of Law's faculty are young. However, we appreciate the Evaluation Committee's observations and we will ensure that the two new faculty members not only stand out in research but also possess modern skills and are well versed in pedagogical techniques. To this end, a four-member committee has been formed, whose mandate is to assess candidates who have completed their doctorates at universities in the United States (Harvard, Yale, Columbia, Chicago, Michigan etc.). The committee members are: Professor Ruth Plato-Shinar, Dr. Moshe Gelbard, Dr. Guy Sagi and Professor Sinai Deutch. The committee is slated to present its recommendations no later than the end of September of 2015, so that the School Program Committee and the Faculty Appointments Committee may examine all candidates for faculty positions for the coming two years.

6. Students

Observations and findings

Just as in universities across Israel, many of our students do not have previous academic background. They do not satisfy high admittance criteria. However, one of the main goals in founding this college was to encourage and promote higher education in the peripheral regions of the country, where typically more disadvantaged populations live. Nevertheless, it is important to note that every year 25% of our new admittees - that is more than 80 students - do have previous academic degrees from other universities.

Netanya Academic College has taken numerous steps to boost students' motivation of to succeed, which includes:

1. Offering scholarships and stipends are awarded to outstanding students.

2. Some of the legal clinics and elective courses are open to students with good and very good grades.
3. Students who fail examinations are required to repeat a course or to repeat the academic year, and in some cases are expelled.
4. With the cooperation of the student association, outstanding students tutor other students who need tutoring.

Students are well aware of these policies and are motivated by them. Nevertheless, we intend to incorporate more steps to further stimulate the students.

The number of students in each class is high, approximately 150, and even the related exercise sessions are quite large. Furthermore, there are very few elective courses that are presented within the format of small study groups, such as seminars and the like. As a result, the students are hardly exposed to an interactive learning environment in which they can receive personal attention from the lecturer, aspire to stand out, or become personally involved in the lesson. Most classes are taught in a frontal fashion in a lecture hall setting to a large heterogeneous group of students. This contributes to the many complaints we have heard about low levels of attendance, disruptions in class, and a lack of order.

The law school response:

We have previously pointed out (question 1B) that the number of students in the majority of the elective courses is less than 40.

In required courses, class size is significantly below the number referred in the Evaluation Committee's report, with most of the classes having no more than 110 students. The, size of 110 students or less permits classroom discussion and students can be exposed to other opinions and to feedback from the lecturer.

Below is a list of law school required courses and the number of students in them:

| St. no. | Course | ___ no. |
|----------------|----------------------------|----------------|
| 201-01 | Companies law | 108 students |
| 201-02 | Companies law | 107 |
| 202-01 | Contracts law | 95 |
| 202-02 | Contracts law | 102 |
| 203-01 | Tax law | 104 |
| 203-02 | Tax law | 111 |
| 204-01 | Family and inheritance law | 111 |
| 204-02 | Family law | 104 |

| | | |
|--------|-------------------------------|-----|
| 205-01 | Tort law | 98 |
| 205-02 | Tort law | 107 |
| 206-01 | Labor law | 111 |
| 206-02 | Labor law | 112 |
| 207-01 | Punitive law | 101 |
| 207-02 | Punitive law | 105 |
| 208-01 | Property law | 110 |
| 208-02 | Property law | 114 |
| 209-01 | Evidence law | 125 |
| 209-02 | Evidence law | 112 |
| 211-01 | Law and economy | 100 |
| 211-02 | Law and economy | 91 |
| 212-01 | Introduction to Jewish law | 112 |
| 212-02 | Introduction to Jewish law | 121 |
| 214-01 | Introduction to criminology | 107 |
| 214-02 | Introduction to criminology | 93 |
| 218-01 | Public international law | 108 |
| 219-01 | Constitutional law | 116 |
| 219-02 | Constitutional law | 113 |
| 220-01 | Administrative law | 112 |
| 220-02 | Administrative law | 106 |
| 221-01 | Jewish law | 95 |
| 221-02 | Jewish law | 84 |
| 222-01 | Rules of civil procedures | 113 |
| 222-02 | Rules of civil procedures | 110 |
| 223-01 | Rules of criminal procedures | 110 |
| 223-02 | Rules of criminal procedures | 103 |
| 224-01 | Philosophy of the law | 102 |
| 224-02 | Philosophy of the law | 107 |
| 225-00 | Introduction to Muslim law | 36 |
| 233-01 | Law and culture | 98 |
| 223-02 | Law and culture | 103 |
| 234-01 | Means of payment | 110 |
| 234-02 | Means of payment | 110 |
| 236-01 | Judgement and decision making | 108 |

Required courses have an average of 100 student per class, which is also an acceptable average in the United States. All of these courses are accompanied by a distant learning web site containing tutorial and supplementary materials. Some of these sites offer a talk-back with the teacher or the teaching assistant.

In many courses there is an exercise session comprised of small study groups, in addition to the larger classes, that afford more in-depth analysis discussion and interaction. The Evaluation Committee, at the end of the third paragraph on page 9 of the report, says:

This contributes to the many complaints that we heard about low levels of attendance, disruptions in class, and a lack of order.

The law school response:

It is important to note that attendance is a problem throughout all higher education institutions in Israel universities. Professor Joe Wheeler of NYU has written a very scathing article on this issue. All institutions, including Netanya Academic College take various actions to try to improve attendance, such as allotting 10 points of the final grade for among other things attendance, and constructive class performance.

Typically, class attendance in the first year of law school is high, and gradually decreases in upper level courses. Some of the lecturers stipulate that attendance is mandatory, which naturally effects students' class attendance.

As for disruptions, the steering committee was pleased to point out that these disruptions and lack of order were not ordinarily found in the classroom at the law school; students' behavior is exemplary and there are no disciplinary issues. We are aware of these problems in many academic institutions elsewhere in Israel, and are pleased that our law school is not one of them.

The Evaluation Committee recommends to increase faculty and teaching hours and reduce research and publication requirements, which would, as the Committee states, lead to smaller classes in many of the courses, as follows:

To accomplish this, the college must either increase the size of its faculty or increase the hours of instruction provided by the existing faculty combined with a reduction in research and publications. NAC should aspire to create an atmosphere in which a significant portion of the courses are offered in smaller groups of no more than 75 students.

The law school response:

As indicated earlier, most elective law school classes are smaller than 40 students, and required classes are about 100.

The suggestion that faculty members do more teaching and less research and publishing is interesting. The School of Law wishes to point out that this recommendation was examined by our faculty with some reservation.

There are a few faculty members of the School of Law law school, maybe two or three members who excel in teaching and whose research and publication output is relatively smaller than the NAC standards. We intend however to give them more teaching hours.

However, your suggestion is not without problems. The Dean believes it is indeed a good recommendation, but most of the steering committee members feel that it should not be accepted because any of Higher Education appointed committees that inspect the law school's academic progression insists that the entire faculty will conduct research and that the total of frontal lecture hours for a full time position throughout the academic year will be 6 to 8 hours a week.

It is unclear to the steering committee how can we satisfy both Evaluation Committee's recommendations and the Council of Higher Education's academic requirements. Consequently, we would be much appreciative of any advice that can be given as to how to accomplish this.

The Evaluation Committee commanded the class of excellence and the law school's positive overtures towards the Arab students, and we appreciate these commendations of the Committee.

7. Teaching and learning outcomes

Observations and findings

In addition to providing a solid basic legal education, NAC also assists its students in securing internships and in passing the bar exam. NAC does this through its placement center and through a contract with a private bar-preparation company, Machshavot. Impressively, as well, NAC is able to provide systematic data on the key outcomes, and the results speak for themselves. NAC reported that 90-91% of the graduating class continues on to staj; 80% ultimately pass the bar.

The law school response:

The law school is pleased with the Evaluation Committee's positive view on the NAC's placement center, and the fact that 90-91% of the graduates go on to legal internship, and 80% pass the bar exam.

Recommendations:

Essentials:

1. As we discuss in our general report, we recommend that NAC collect comprehensive and detailed data on placement outcomes (both internships and permanent employment) for their students and publish those data on their website. For students considering studying law, knowing up front how many graduates find internships, and of what sort, as well as their permanent employment will be enormously valuable. Likewise, better data on students and outcomes will aid NACM in meeting its mission and goals.

The law school response:

The School of Law agrees with the Evaluation Committee's recommendations regarding the publication of data on finding internships and permanent employments online. Internships can typically be found within a reasonable time, while employments for graduates are more complicated to find, especially since about 25% of the students have already previously academic degrees and a steady job; therefore are not interested in becoming lawyers. They complete their internship in order to receive their license, and many of them see the internship and the bar exams as a part of their education and training in law.

Until recently we did not collect data on graduates employment, but last year we began collecting information from our graduates before the degree awarding ceremony, which typically takes place a year after graduation and a short time after completing internships and taking the bar exam. This information will also be useful to help set up an alumni association.

This year for the first time, and as a consequence of the Evaluation Committee's recommendation, forms to gather such information were distributed to all the diploma recipients, and we believe that in two to three years we will have some employment statistics and will be able to post them on the College's web site.

We expect all law schools to do the same, because it will be unreasonable for only a handful of them to do so while others do not.

8. Research

Observations and findings

The School of Law appreciates the comments of the Evaluation Committee, according to which faculty members are highly accomplished in research and publications, and there is no point in elaborating any further.

Unfortunately, it was again stated that our relatively small college employs a significant number of professors who have joined after retiring from other academic institutions.

As explained in great detail in our response to B2 (pp. 3-4), as of August 2015, there is only one faculty member Professor Gros, who chose us as a second career after an age related retirement from another university. Professor Gros has been however teaching for the last 20 years at the NAC, and was also involved in its academic activities. Almost all the prolific publications of our faculty members, as reported in the evaluation report, were written and published since they have been on the faculty of the School of Law.

However, we accept the recommendation regarding the recruitment of younger faculty members and will implement it as we detailed before.

Page 11, second paragraph of the Evaluation Committee)

At the same time, the mission of NAC and the preparation level of its students require increasing the instructional resources, either through hiring more faculty or by developing various tracks with different demands for faculty members. NAC should consider establishing a track for faculty members with less prominent achievements in research who have a broad knowledge base and excellent teaching skills. Instructors on this track would be required to engage in more instruction. This approach would help to reduce class size and expand the course offerings, which we consider to be a critical need for the college.

The law school response:

The suggestions of the esteemed Evaluation Committee are worthy of serious consideration. Law schools might benefit from two types of faculty in the future;

outstanding teachers that do not do research, and would thus be available for more teaching hours, and lecturers and professors who excel in both research and teaching, who would be required to teach no more than eight academic hours a week.

The Netanya Academic College School of Law has been inspected by various committees of the Council of Higher Education at least seven times since its founding. As part of these evaluations, and by all of these committees, we were required to present the achievements of all of its faculty members. These committees have not looked kindly on any faculty member who has not published in respected legal journals.

As per the requirements of the Council of Higher Education, all faculty members hold at least the Ph.D. or S.J.D degrees, and all published in respected law journals. The law school could have certainly hired legal experts who do not hold Ph.D. degree and have not published researches, yet were nevertheless gifted teachers, but this would have of course require a change of Council's policy and a clear directive to its various committees to implement this policy alteration. To date, and so long as the Council's committees maintain their current policy, we are unfortunately unable to fully comply with the Evaluation Committee's recommendations. Nevertheless, we will try to include in the School of Law's faculty some members with more teaching distinction than research

The law school would of course appreciate any advice in this matter.

9. Infrastructure

Observation and findings

Overall, although the building is generally adequate and attractive, there is a shortage of dedicated space for students to meet to study together and discuss material. In addition, there is a lack of office space for teaching assistants.

The law school response:

The law school appreciates the Evaluation Committee's observations about the need to allocate additional areas where students can do their work. We intend to do that by enclosing spaces in the College, and allocating another area in the library for that purpose. If deemed necessary, we can assign one of the existing classrooms as well.

As for rooms for teaching assistants, we would be happy to comply, however, so long as there are no teaching assistants currently studying for their LL.M or S.J.D degrees at our law school, there is little chance of such rooms being used for that purpose. We believe and hope that since the NAC law school received the Council's approval for a program of LL.M with thesis in law this summer, the students in this program will devote their time to both thesis writing and academic tutoring. When we find a number of assistants who are not only adjunct teachers, but are involved in research as well, we will then have the opportunity to assign them rooms.

Another problem stems from the Council of Higher Education's policy whereby teaching assistants "don't count" and only senior faculty members are considered to be faculty members. This casts a chilling effect on the promotion of teaching assistants to a more meaningful position in the law school's faculty. It goes without saying that the reference to teaching assistants who are involved in both law and school teaching, and are not "outsiders" who come to the College only to teach.

10. Self-Evaluation Process

Observation and findings

The committee was impressed with the seriousness with which NAC approached the self-study and hope that it was a useful exercise for the institution.

The law school response:

The law school is appreciative of the Evaluation Committee's recognition of the seriousness and effort on the part of all faculty members in the self-evaluation process. Similar cooperative process was carried out by the faculty members on the steering committee, in preparing the responses to the Evaluation Committee's report.

Chapter 4: Summary of recommendations and time table

| Committee Recommendations | Steps toward implementation (including time table) |
|--|---|
| <p>Essential: 1. As we discuss in our general report, we recommend that NAC collect comprehensive and detailed data on placement outcomes (both internships and permanent employment) for their students and publish those data on their website. For students considering studying law, knowing up front how</p> | <p><u>The law school response:</u> The School of Law adopts the Committee's resolutions and will promptly act to implement them. We already have gathered full data regarding placement in internship. We work jointly with the College's "manpower direction and placement" office, and as pointed out in our report,</p> |

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| <p>many graduates find internships, and of what sort, as well as their permanent employment will be enormously valuable. Likewise, better data on students and outcomes will aid NAC in meeting its mission and goals.</p> | <p>about 90% of interns find internship placements. We can certainly publish these statistics on our web site. We intend to start gathering information regarding our alumni's permanent employments. To this end, we have distributed a feedback form in our most recent degree awarding ceremony held on June 16, 2015, in which graduates were asked to state their addresses and places of employment. We are pleased to report that more than 80% of these graduates have provided the required information, and an effort will be made to reach the remaining 20%. As of the coming academic year, we hope to have a proper database in a year or two. Furthermore, we are in the process of establishing an alumni organization, and hope that it too will help obtain the information. For that purpose, we have appointed senior lecturer Dr. Yossi Green as a coordinator.</p> <p>Time table: July 2017 (the goal is to have as comprehensive and full information as possible of at least three academic years)</p> |
| <p>Advisable:</p> <p>1. As noted above, there is a lack of small group learning opportunities at NAC. Moreover, there are few opportunities for intensive instruction in writing. We recommend that NAC initiate a comprehensive first year writing and research program in small groups of no more than 30 students.</p> | <p><u>The law school response:</u></p> <p>As elaborated on in the report, we have many courses in which the number of participants is around 30. During the 2015/2016 academic year, we plan to add a special workshop in legal writing that all first year students will be obligated to take. Adv. Adi Niv Yagoda will head this workshop, and the class of excellence students will assist him, so no group will have more than 20 participants. In addition to the regular legal writing workshop, we will add a special workshop for students from the Arab sector, to provide the necessary boost, as set forth in our report. This course for students from the Arab sector will be conducted by outstanding Arab students, who will teach the different classes in both Arabic and Hebrew.</p> <p>Time table: April 2016</p> |

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| <p>2. We believe that the college should make efforts to increase the number of elective courses offered by members of the faculty or outstanding adjunct professors, and to limit the number of students in such courses to 40.</p> | <p><u>The law school response:</u> As stated in our the report, more than 70% of the elective courses, legal clinics, legal English, courses exercises and workshops are already conducted with groups of under 40 students. However, we intend to increase the number of elective courses, and we would like to use outstanding adjunct professors. Per the Council's rules, these lecturers are not an integral part of the faculty. Moreover, there is a limit on the number of full time teachers who are not faculty members. Each year we include in our report to the Council of Higher Education the percentage of adjunct professors in the School of Law' faculty. An effort is nevertheless put into increasing the number of elective courses.</p> <p>Time table: April 2016</p> |
| <p>3. NAC should recruit additional young faculty members who are eager to teach with dynamic pedagogical methods and engaging course content, and to integrate them into the organizational system.</p> | <p><u>The law school response:</u> Over the years, the law school terminated the employment of nearly all elderly faculty members who have joined us after the end of their previous university positions. In their place, we have recruited young faculty members in their 30s and 40s. This year we intend to recruit an additional young faculty member, and a committee lead by Dr. Moshe Gelbard was formed to evaluate the recruitment of faculty members with dynamic pedagogical methods and engaging course content. We have received many applications from young, outstanding candidates for potential faculty members, and we will examine them closely as we begin recruiting for the 2016/2017 academic year.</p> <p>Time table: October 2016</p> |