

University of La Verne  
College of Law

**August 2018**

**MANUAL OF ACADEMIC  
POLICIES AND PROCEDURES  
(MAPP)**

UNIVERSITY OF LA VERNE  
COLLEGE OF LAW

**MANUAL OF ACADEMIC POLICIES AND PROCEDURES**  
(May 2018)

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UNIVERSITY OF LA VERNE COLLEGE OF LAW	

# MANUAL OF ACADEMIC POLICIES AND PROCEDURES

August 2018

All updates to the MAPP shall apply to all students at the University of La Verne College of Law from the date they are adopted, regardless of the student's date of enrollment.

## I. SCHOLASTIC STANDARDS

### A. MAPP EFFECTIVE DATE

All updates to the MAPP shall apply to all students at the University of La Verne College of Law from the date they are adopted, regardless of the student's date of enrollment.

### B. MATRICULATION REQUIREMENTS

1. For all academic credits undertaken and degree conferred prior to entering the College of Law, matriculating law students must provide official transcripts of the same to the Registrar's Office of the College of Law by October 15th following their initial registration for courses at the College of Law.
2. In addition to the official transcripts mentioned in subsection I (B)(1) any student transferring from another law school must provide official transcripts for courses undertaken at any other law school.
3. Failure to comply with Section 1 or Section 2 above may result in action by the College of Law including involuntary withdrawal.

### C. GRADUATION REQUIREMENTS

1. The conferral of the Juris Doctor (J.D.) degree requires that a student:
  - a. Shall have completed a minimum of 88 units (semesters hours of credit);
  - b. Shall have completed the required courses and any other curricular or co-curricular requirements as designated by the College of Law for the entering class to which the student belongs;
  - c. Shall have a minimum cumulative grade point average (GPA) of 2.0;
  - d. Shall have satisfied the Upper Division Writing Requirement described in Appendix A; and

- e. shall have satisfied all financial obligations to the University of La Verne.
2. Minimum and maximum unit loads
- The normal unit load for full-time students is 12-16 units per semester (fall and spring), with a maximum of 17 units permitted only by approval of the Associate Dean for Academic Affairs. Full-time students may enroll in a maximum of 8 units in the summer, except as described below (Study Abroad) and Appendix B (Dual Degree Programs).
- The normal unit load for part-time students is 8-11 units per semester, and up to 5 units in the summer (except as described in Appendix B).
- No student may register for, or drop to, fewer than 8 units for more than two semesters.
3. Courses taken on a credit/no-credit basis, whether required or elective, are not included in calculating a student's semester or cumulative GPA. Subject to the applicable ABA standards, and this MAPP, there is no prescribed limit to the number of credit/no-credit elective units in which a student may enroll.
- a. Courses in other divisions of the University of La Verne
    - i. Students not pursuing a second degree at the University of La Verne are eligible to enroll in courses in the graduate division of the University of La Verne only after completion of two semesters at the College of Law (full-time or part-time).
    - ii. Courses must bear a direct relation to the student's legal career goals.
    - iii. Details on Dual Degree Programs (JD/MBA and JD/MPA) can be found in Appendix B.
  - b. Courses taken at other law schools.
    - i. Generally, the course must be one not offered at the College of Law;
    - ii. The student must have a cumulative GPA of 2.3 or above;
    - iii. The student must earn a grade at least equivalent to the average required for graduation from that institution, or a C (2.0), whichever is higher.

iv. A student with a cumulative grade point average of 2.3 or above may petition the Office of the Dean for permission to complete up to 30 units of coursework at another ABA-approved law school and apply those units towards the Juris Doctor Degree. Any courses at the other law school that the student wants to count toward fulfillment of College of Law required courses for graduation must be approved in advance by the Associate Dean for Academic Affairs.

c. Study Abroad Credit

i. The student must have a cumulative GPA of 2.3 or above.

d. Externship Credit

i. No student shall receive more than 12 units of externship credit. Students with prior permission of the Director of Experiential Learning, may receive up to 4 units of externship credit in any one semester and up to 4 units of externship credit during the summer term. Students may not enroll in the same placement in consecutive semesters, the semester constituting a “semester” for purposes of this prohibition.

4. All requirements must be satisfied within five years of enrollment at the College of Law, and in no event more than 84 months after commencement of law study at a law school from which the College of Law has accepted transfer credit.
5. Until all requirements have been completed, a student shall not be allowed to graduate, a degree will not be conferred, nor will a student be certified by the College of Law to any state bar or other entity as having satisfied the educational requirements for completing the College of Law’s program of legal education for a Juris Doctor degree.
6. Any Student who takes the bar examination of any State before completing all graduation requirements will be denied approval for the award of the degree.

#### D. GOOD ACADEMIC STANDING

All students are required to maintain good academic standing at all times during the course of their law studies.

Good academic standing requires that a student maintain a cumulative GPA of 2.0 or above, and be in compliance with all terms and conditions imposed by academic warning or probationary status.

“Cumulative grade point average” (GPA) shall include the averaging of all semester-end grades received in courses (weighted by units), whether or not subsequently repeated. Summer grades are included with those of the following fall semester.

A determination of good standing shall be made after each semester, with the summer term being considered part of the fall semester.

Registration and/or enrollment in courses may take place during the prior semester. Neither registration, enrollment, nor class attendance constitutes waiver by the College of Law of academic requirements of good standing.

#### E. ACADEMIC WARNING

1. A student shall be placed on academic warning if:
  - a. The student’s grade point average for the first semester of the first year of study (full time or part time) is below 2.5; or
  - b. The student’s cumulative grade point average is below 2.3 but above 1.99 any subsequent semester.
2. A student on academic warning is subject to the following terms and conditions for continued study:
  - a. The student shall enroll in and complete a normal load (full time or part time) during the period of academic warning unless, for good cause, this requirement is waived by the College of Law;
  - b. The student shall meet as directed with College of Law personnel (such as faculty advisor or Center for Academic & Bar Readiness staff);
  - c. The student shall not hold office in any student-run organization during the period of academic warning and shall resign from any such office upon being placed on academic warning;
  - d. The student shall not represent the College of Law in any extramural competition;
  - e. The student may not receive credit for any course taken at another law school or summer-abroad program during the period academic warning; and
  - f. The student shall not be eligible to participate in any law review.

3. Failure to comply with any of the above terms and conditions will result in loss of good standing, and subject to the discretion of the Dean, the student will not be permitted to continue at the College of Law.
4. Strategic Legal Methods: If a student's cumulative grade point average is 2.7 or below after the second semester, that student shall take and pass Strategic Legal Methods I in their third semester. If the student's cumulative GPA is 2.7 or below at the end of the third semester, the student shall take and pass Strategic Legal Methods II in their fourth Semester. Strategic Legal Methods (SLM) I and II are one unit each offered on a credit/no credit basis and must be taken along with the other required second-year courses. Students with a cumulative GPA above 2.7 may take SLMI and/or SLM II as an elective. There are no prerequisites for either course.

#### F. ACADEMIC DISQUALIFICATION

##### 1. After the First Semester

A student whose overall GPA after the first semester (full- or part-time) is 1.6 or below is academically disqualified and may not continue. However, such a student may apply for readmission. If readmitted, no credit will be given for any course taken in the semester which led to disqualification, regardless of grades received.

##### 2. After the Second Semester

A student whose overall GPA after the second semester is below 2.0, will be academically disqualified and may not continue. However, such a student may apply for readmission. If readmitted, no credit will be given for any course taken in the semester which led to disqualification, regardless of grades received.

##### 3. After Three or More Semesters

A student is academically disqualified and will receive a notice of exclusion from the College of Law if

- a. The student's cumulative GPA falls below 2.0; **or**
- b. The student's semester GPA is below 2.0 AND the student's cumulative GPA (including the most recent semester) is below 2.5.



## G. PETITIONS FOR READMISSION

As stated in **I.(F)(1) and I.(F)(2)**, *supra*, a student academically disqualified after the first or second semester may not continue, but may only apply for readmission to re-start the program of legal education.

A student academically disqualified after the third or subsequent semester shall have the right to petition for readmission, permitting continuation of the program of legal education.

A petition for readmission must be filed no later than 10 calendar days following the student's receipt of a notice of academic disqualification.

A petition for readmission must include: the name of the petitioning student; the effective date of the notice of academic disqualification; the student's complete transcript; and a statement of facts and reasons which the student believes should allow him or her to continue the course of study at the College of Law.

Petitions for readmission will be considered and decided by the faculty of the College of Law, or by delegation to the Academic Standards Committee, based on written submissions only, in a timely fashion, but no less often than twice per year.

If a student filing a petition for readmission is also challenging one or more examinations or grades (*see III.F, infra*), the grade challenge must be included in the petition for readmission; the challenges to the examinations or grades be resolved first.

## H. READMISSION ON PROBATION

In granting a petition for readmission, the faculty may impose any terms of probation that it judges to be academically warranted.

In addition, students who are readmitted on probation are subject to the terms and conditions associated with academic warning status, **I(E)** *supra*.

A student on probation is not eligible to participate in a dual degree program. (For details on dual degree programs, see Appendix B.)

The conditions of probation remain in force until:

1. Two semesters have elapsed (with the summer term considered a part of the following Fall Semester); and
2. The student's cumulative GPA is 2.5 or above after the first semester of probation; or
3. The student has completed all degree requirements with a cumulative GPA of 2.0 or above.

The faculty may, in its sound discretion, waive non-academic terms and conditions of probation as these would otherwise apply to a graduating senior.

#### I. ACADEMIC DISQUALIFICATION FOLLOWING PROBATION

Any student on probation, including any student originally admitted on probation, will be academically disqualified without eligibility for readmission if:

1. The student's semester GPA falls below 2.0 for any semester included within the period of probation; or
2. The student's cumulative GPA is below 2.0 at the end of the period of probation; or
3. The student fails to meet any condition of probation imposed at the time of (re)admission.

#### J. ATTENDANCE POLICY

1. There are no excused absences.
2. Tardiness, leaving early, and/or lack of preparedness may, in the instructor's discretion, constitute an absence or partial absence.
3. Students in circumstances which they anticipate may lead to excessive absences are encouraged to officially withdraw from their classes and/or reduce their unit load, rather than waiting to be automatically withdrawn.
4. Absences in excess of 20% of regularly-scheduled class meetings result in automatic withdrawal from the course, ineligibility to take the final exam, and a grade of F/0.0 unless, upon petition by the student, the Dean determines that the student should receive an IWF (Involuntary Withdrawal Fail).

## K. ACADEMIC HONORS

1. The Dean's List is compiled after the fall and spring semesters and includes all students who have a current semester GPA of 3.0 in law school courses.
2. CALI (Computer-Assisted Legal Instruction) Awards are given to the student(s) receiving the highest grade in a class.

A student who is repeating a class is not eligible for the CALI Award in the repeated class.

3. The students in the top 15% of the graduating class receive honors at graduation, designated as summa cum laude, magna cum laude, and cum laude, as determined by the faculty. The "graduating class" includes all students who complete their graduation requirements during the academic year immediately preceding the commencement ceremony. Until all spring semester grades are received (after commencement), final cumulative GPAs and class rankings shall not be calculated. Honors at graduation (including honors appearing in the commencement materials) are therefore provisional and subject to change.
4. The student with the highest cumulative GPA in the graduating class as of the conclusion of the fall semester immediately preceding commencement shall be designated as Class Speaker and shall be invited to deliver the class address.
5. For purposes of determining honors at graduation, valedictorian, and Class Speaker, no grade earned at another law school will be included in the student's GPA. In addition, transfer credits and joint degree units earned in a ~~another~~ division of the University of La Verne other than the College of Law, or other graduate institution will be excluded from GPA calculations.
6. In order to be considered for valedictorian, or class Speaker a student must earn at least 44 units at the College of Law.

## L. PETITION FOR RELIGIOUS ACCOMMODATION

All requests for academic religious accommodations shall be addressed to the Associate Dean of Academic Affairs, or the Associate Dean's designee, within two weeks of the start of academic term or publication of the relevant date(s).

## M. STUDENT 510 COMPLAINTS

1. Submitting a Complaint: 510 complaints must be submitted in writing to the Associate Dean of Academic Affairs using the Student Complaint form, contained in Appendix C. Concerns which implicate the ABA Standards will, be communicated as appropriate to the ABA. The complaint must meet the following requirements:
  - a. Explain in detail the behavior, program, process, or other matter that is at issue, and describe how the matter directly implicates the law school's program of legal education. If the complaining student believes that the matter implicates compliance with a specific ABA standard, then the student must identify the specific ABA standard implicated. The ABA standard is available at: [URL].
  - b. Contain the student's name, law school email address, and current mailing address.
2. Addressing a Complaint: Within a reasonable time [SIC] days after a complaint from a student is received the Associate Dean of Academic Affairs, or the Associate Dean's designee, will advise the student in writing of any action the College of Law is taking to address the matter. If further investigation is needed, the student will be provided with a response to the complaint within a reasonable time [SIC] business days after completion of the investigation.
3. Investigation of Complaints: The Associate Dean of Academic Affairs, or the Associate Dean's designee, may conduct an investigation into any complaint filed. All University community members are required to cooperate with the investigation.
  - a. Obligation to Provide Truthful Information: All University community members are required to provide truthful information in any report or proceeding under this policy or any other subsection of the MAPP. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions under the Code of Student Conduct. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.
4. Appealing a Decision on a Complaint: A student may appeal a decision on a complaint within 10 business days from the date of the response by the Associate Dean of Academic Affairs, or the Associate Dean's designee. Any appeal will be brought before the Dean of the Collage of Law. The Dean's decision is final.

5. Records of Student Complaints: The Associate Dean for Academic Affairs will keep a record of all complaints and resolutions for eight years from the date of the final resolution of the complaint.

## II. EXAMINATIONS

### A. COMPOSITION OF EXAMINATIONS

1. Each faculty member shall be responsible for the preparation, content, and grading of the examinations and exam answers in the courses such faculty member teaches. Professors may collaborate on examination content. Examinations shall be appropriately rigorous and shall reflect the content taught over the course of the semester.

Take-home examinations shall be permitted in upper division courses with the permission of the Associate Dean for Academic Affairs. Such examinations shall be prohibited unless approved in advance.

2. The time allowance for a final examination should be one hour for each unit of credit for which the course is offered. No exam should exceed three hours without prior permission of the Associate Dean for Academic Affairs.
3. Skills-based and seminar courses are not required to have a written final examination; ~~and~~ the course grade may be based on alternative assessment criteria, including, but not limited to: class participation, written projects, oral arguments, and/or collaborative team-work.

### B. ADMINISTRATION OF EXAMINATIONS

1. Grading

Students' grades in all courses shall be based upon examination grade(s) or by the terms provided in the syllabus.

If the grading of the course is based on assignments in combination with a final exam, the professor may not allocate more than 10% of the final grade to class participation.

The professor may base up to 30% of the final grade on midterm exams, assignments, exercises, or other activities which require substantive, analytical skills. In bar-tested subjects, the final examination must be worth at least 60% of the overall grade.

2. The **course** syllabus **must** be available to students on the first day of the course and shall advise the class of the grading and weighting of course components.

### 3. Timing of Examinations

The examination for each subject taught by a faculty member shall be given at the same time to all students who took the course from that faculty member. The scheduling of examinations shall be the responsibility of the Associate Dean for Academic Affairs and the Registrar. They shall provide security for all examination questions and have the exams reproduced and furnished to faculty members or proctors for distribution to students. Instructors are required to be on campus during the administration of their exams unless exceptional circumstances exist and the instructor has the permission of the Associate Dean for Academic Affairs. Instructors not on campus must be available via telephone for the entire time during which students are taking the examination.

### 4. Anonymous Grading

Graded or for-credit examinations and papers submitted in lieu of written examinations, except for Seminars, shall be identified and graded through the use of a student identification number on the examination or paper. Anonymous grading shall not apply to individual assignments or assessments worth 10% or less of the student's overall course grade.

It is the responsibility of the student to make sure his or her personal identity does not appear anywhere on the examination documents or on written assignments. Each student must use the exam number assigned to him or her by the Registrar.

### 5. Approved Examination Materials

The Director of Information Technology shall release technology guidelines for students prior to orientation. Examination rules shall be released no later than the second week of the semester. In addition, the Office of the Registrar shall provide a list of items allowed into examination rooms in advance of the start of final examinations, including items approved for use by the professor.

Students are responsible for familiarizing themselves with and adhering to their professor's policies regarding approved information, materials or devices which are permitted during an exam.

## C. EXAMINATION SCHEDULE

1. Examinations will be taken at the time and place scheduled, except as provided below.
2. Rescheduling Examinations

Students requesting the rescheduling of an examination shall file a petition requesting a new date and time within two weeks of the posting of the final exam schedule. Students must provide documentation supporting their request. Students requesting a new exam date may not communicate directly with their instructors in order to preserve anonymity and the integrity of grading.

Students who have two final exams scheduled less than 24 hours apart, final exams scheduled on three consecutive calendar days, or final exams scheduled on the same day as their regularly-scheduled religious observance, may contact the Registrar following the guideline above.

### 3. Emergency Rescheduling of Examinations

If an emergency beyond the student's control prevents the timely filing of a rescheduling request, the student shall contact the Dean, the Associate Dean for Academic Affairs or the Registrar to request a new date and time for the examination. The student must provide documentation supporting the request. If the evidence does not justify rescheduling the examination, the student must take the exam at the regular date and time.

### 4. Missed Examinations

Students who miss an examination may file a request to take a rescheduled examination; the request must be filed within 48 hours of missing the examination. Students must provide documentation supporting their request, showing that extraordinary circumstances prevented them from attending the examination.

## D. REVIEW OF EXAMINATIONS

Following the release of grades, students may inspect their essay examination answers and upon request copies will be made.

Examination answers remain the property of the College of Law and are subject to College of Law document retention and destruction policies. Any student challenging the grading of an exam must first address such questions to the professor responsible for grading the examination; the student must contact the professor within 30 days of the release of grades. Thereafter, the student may file an appeal to the Associate Dean of Academic Affairs within seven days of meeting with the professor who graded the examination. If the professor does not respond to the student within seven days, the student may file an appeal directly to the Associate Dean of Academic Affairs; such appeals must be filed within 30 days of the release of grades.

Any student challenging examination content or the administration of the exam must file a formal protest with the Director of Student Experiences within seven days of taking the exam.

#### E. STUDENTS WITH DISABILITIES

1. Students with disabilities should refer to the policies described **in** the University of La Verne Disabled Student Services Handbook [as of September 13, 2017 located at <https://sites.laverne.edu/disabled-student-services/disabled-student-serviceshandbook/>], which can be found on the website of the University of La Verne Disabled Student Services website (<https://sites.laverne.edu/disabled-studentservices/disabled-student-services-handbook/>) or at their office. Temporary accommodations are offered on a case by case basis. All required documentation must be submitted by the student before any formal accommodations can be granted. and should be made directly to the Director of Student Affairs.
2. Any student eligible for and requesting academic accommodations due to a documented disability (or a suspected disability) must contact the College of Law Director of Student Affairs and Americans with Disability Act Compliance Officer, or the University of La Verne Disabled Student Services office; both listed below. In order to be considered for accommodations, disabilities must be documented and the proper medical evaluations must be submitted. The office is here to help you succeed in law school. Visit it online at <https://sites.laverne.edu/disabled-student-services/>.
  - a. College of Law  
Student Affairs and American with Disability Officer  
[NAME OF COMPLIANCE OFFICER]  
[ELECTRONIC MAIL ADDRESS OF COMPLIANCE OFFICER]  
[TELEPHONE NUMBER OF COMPLIANCE OFFICER].  
[OFFICE NUMBER OF COMPLIANCE OFFICER]
  - b. University of La Verne  
Disabled Student Services  
[NAME OF REPRESENTATIVE AT UNIVERSITY OF LA VERNE  
DISABLED STUDENT SERVICES]  
[EMAIL ADDRESS OF REPRESENTATIVE]  
[TELEPHONE NUMBER OF REPRESENTATIVE]  
[OFFICE ADDRESS FOR DISABLED STUDENT SERVICES OFFICE].
3. It shall be the duty of the Dean, or Dean's designee, of the Law School to update information in subsection (2)(a)(b) as changes occur.



## F. STUDENTS FOR WHOM ENGLISH IS A SECOND LANGUAGE

1. Students for whom English is a second language may qualify to receive extra time during written examinations which are administered under timed conditions. Accommodations for English as a second language will not be provided for any other assignments.
2. Any student seeking extra time must submit a written request to the Registrar as early as possible but no later than five working days before the examination. Such students should submit their request in writing with supporting documentation. The Registrar may grant the accommodations under the following circumstances:
  - a. The student native language is not English
  - b. The student's degree (undergraduate degree if JD student, law degree if LL.M. student) was completed at an institution where the language of instruction was not English.
  - c. The student has lived in the United States or another English-speaking country for no more than five years at the time of matriculation.
  - d. The student did not obtain a waiver of the TOEFL based on English proficiency.

Accommodations are limited to additional time as outlined below and/or the use of non-legal translation dictionary.

Students who qualify to receive extra time during written examinations shall receive up to 50 percent more time for each examination during the first two semesters of study and up to 25 percent more time for each such examination during the third and fourth semesters of study. No extra time will be permitted during the fifth and sixth semesters.

## III. GRADES AND GRADING

### A. GRADING OBJECTIVES

The grading policies and procedures are designed to achieve a fair, even-handed, and realistic evaluation of academic performance for each student as he/she proceeds through the course of study.

## B. GRADING SYSTEM

1. All students will receive grades upon completion of each course, which will be based upon the following system of numeric grades:

Outstanding	4.0
Excellent	3.7–3.9
Very Good	3.3–3.6
Good	3.0–3.2
Fairly Good	2.7–2.9
Adequate	2.3–2.6
Minimally Adequate	2.0–2.2
Inadequate	1.7–1.9
Poor, With No Credit	1.3–1.6
Very Poor, With No Credit	1.0–1.2
Extremely Poor, With No Credit	0.7–0.9
Failing, With No Credit	0.0–0.6

2. When approved in advance by the Dean or Associate Dean for Academic Affairs, certain advanced courses, as identified in the College of Law Catalog, may be offered on a “Credit/No Credit” basis. Such grading basis shall be announced to students no later than the first week of class. A "No Credit" grade shall not be considered in computing numerical grade point averages.
3. The following grade distribution requirements shall be applied to Contracts/DVS, Civil Procedure/DVS, Property/DVS, Constitutional Law/DVS, Torts, and Criminal Law, where the enrollment is 21 students or more. (Where more than one section of the same course is taught by the same professor and the same final examination is administered to all sections, total enrollment shall be used to achieve these grade distribution requirements.) The grade distribution does not apply to the ILS component of Torts or Criminal Law.

A forced mean of 2.5 and standard deviation of 0.50 shall be applied to the raw grades. The grades that result from the application of the forced mean and standard deviation shall meet the following distribution requirements:

3.5 – 4.0	2 – 5%
3.0 – 3.4	14%
2.5 – 2.9	34%

2.0 – 2.4	34%
1.6 – 1.9	12-15%
1.5 – 1.0	0 – 5%

Provided that the forced mean and standard deviation requirements are met, minor divergences from one or more of the distribution requirements may be waived by the Associate Dean for Academic Affairs. (E.g., if a set of grades is slightly high in the 3.5 – 4.0 range, and slightly low in the 3.0 – 3.4 range, but the forced mean and standard deviation requirements are met and the grade distribution requirements are otherwise met, the Associate Dean may waive the minor variance.)

4. The following grade distribution requirements shall be applied to all required, upper division, bar-examined courses where the enrollment is 21 students or more. (Where more than one section of the same course is taught by the same professor and the same final examination is administered to all sections, total enrollment shall be used to achieve these grade distribution requirements.)

When the enrollment of a section is fewer than 21 students, the distribution requirements shall be advisory, and the Associate Dean for Academic Affairs shall permit greater instructor flexibility when assigning grades.

3.5 – 4.0	5-10%
3.0 – 3.4	10-20%
2.7 – 2.9	15-20%
2.3 – 2.6	20-40%
2.0 – 2.2	10-20%
1.9 and below	0-20%

The median range for the upper-division grade distribution is 2.3-2.6. The Associate Dean for Academic Affairs may waive minor divergences from one or more of the distribution requirements.

### C. OTHER TRANSCRIPT GRADES

1. “Incompletes” (INC) shall be given to students who fail to successfully fulfill all requirements of a given course where the course instructor deems such a grade to be appropriate. In granting an "Incomplete," the instructor shall indicate in writing the nature of the deficiency, the reason for failure to complete the course given by the student and the time within which the instructor is requiring the deficiency to be corrected. No such period shall extend beyond the following academic year without approval by formal action of the faculty. No student shall advance to the next year with more than one outstanding grade of "Incomplete." In such case, the student must complete the unfinished courses or refrain from enrolling for further courses unless

she or he secures, by appropriate petition, approval of an alternative program from the Faculty.

In addition to the one-year completion requirement, incompletes given because of the failure to complete an examination in the course must be completed by taking the exam when next regularly given (or before, if a special examination has been approved).

Failure to comply with the course completion requirements will result in the incomplete grade being administratively changed to a failing grade, unless relief is given upon appropriate petition to the Faculty, based upon a showing of good cause therefore. Failing grades under this section, shall be entered as a numeric grade of "0.0" on the student's transcript, but shall not be computed in the student's grade point average.

2. An "Involuntary Withdrawal Fail" (IWF) shall be administratively entered by the Registrar when a student has been withdrawn from a class by reason of violation of attendance rules under circumstances in which the Associate Dean for Academic Affairs determines under section II.K.1 [SIC] that the withdrawal shall not be treated as an F/0.0.
3. "Authorize Withdrawal" (AW) shall be administratively entered by the Registrar when any student drops a class within the permitted time following the beginning of the semester or if otherwise allowed to withdraw without penalty by action of the Dean or Faculty.

The deadline for withdrawal from a course without petition to the Office of the Dean is the last day of week five of the semester in which the course is offered. The deadline for withdrawal from all courses in a semester without petition, and hence from the College of Law entirely, is the last day of week eleven of the relevant semester.

#### D. GRADING PROCEDURES – GENERAL

1. The faculty member teaching the course shall grade the papers in accordance with the provisions for grading set out herein.
2. Within three weeks from the date any examination is given, the faculty member shall deliver to the Registrar a finalized grade list for all examination papers.
3. The grade or score for each written examination question shall be clearly marked on the bluebook or on the front page of a student's answer if bluebooks are not used.
4. Faculty members shall deliver grades to the Registrar, who will post them after review and approval by the Dean as provided herein. Faculty shall not discuss or release grades (either individual grades or class distributions) directly to students prior to such posting.
5. Final examination questions shall not be distributed to students or posted without previous permission from the applicable faculty member.
6. Final examination answers shall not be distributed to students or posted without previous permission from the applicable faculty member.
7. Multiple choice questions and answers shall not be distributed or posted; such questions and answers may only be distributed by the applicable faculty member.

#### E. REPEAT CORSES

Generally, no student is permitted to repeat a course for credit. However, whenever a student is required or permitted to repeat a course, the new grade, whether higher or lower, will be considered for purposes of compliance with terms of probation or other issues related to scholastic standards. The student's transcript shall reflect all courses taken, whether repeated or not, and both the original grade received and the grade received in the course when repeated shall be used in computing the cumulative grade point average.

#### F. GRADE CHANGES

1. Individual Grade Changes – After the posting of grades, there shall be no individual grade changes except for clerical error subject to the following provisions.
2. Administrative Grade Adjustments – In order to maintain consistency in pursuit of the Faculty grading objectives set out in paragraph IV(A) herein, the grade distributions of all faculty shall be reviewed by the Dean prior to posting for the

purpose of assuring compliance with the institutional grading patterns that have resulted from the application of such grading objectives. Upon a determination by the Dean that any set of examination grades substantially deviates from expected grading ranges as determined by existing institutional grading patterns, the Dean shall first make inquiry of the grading professor to determine if there exists an acceptable reason for such variance. If the Dean, through such inquiry and any other evaluation thought appropriate, is satisfied that the variance is justified, no further action shall be taken with respect to grade adjustment. If the Dean determines that sufficient justification does not exist and that the grades represent a significant variance from institutional patterns for grade distribution, he or she shall consult with the grading professor to seek a voluntary adjustment of the grades to bring them into compliance with institutional patterns. If agreement cannot be reached with the grading professor on such an adjustment, the Dean shall make such adjustments as he or she deems appropriate, maintaining in such adjustment the relative ranking of the students arrived at by the grading professor (to the extent possible) while achieving an appropriate grading pattern.

If the Dean determines that the grading pattern is so aberrant that it calls into question the validity of the overall grading process, as distinguished from the pattern of grade distribution, he or she may convert all grades to "pass/fail," eliminate the grade from the overall computation of grades for the course, or have all examinations re-graded by another professor.

3. Clerical Errors – Questions regarding computational or other clerical errors affecting the numerical accuracy of grades should be addressed to the Registrar. The Registrar shall:
  - a. Verify whether an error was in fact made; and
  - b. Submit details of the error and the verification thereof to the Dean or Associate Dean for Academic Affairs.

The Dean or Associate Dean for Academic Affairs shall approve a change of grade to rectify the error or shall refer the matter to the faculty for resolution.

4. Examination and Grading Disputes Regarding Examination Content or Grading Procedures

- a. Preliminary Action Required in All Cases

Any student questioning the examination content or the grading procedure must first address any such questions to the faculty member responsible for grading the examination.

b. Procedures for Appeal to the Faculty

If, after exhausting this remedy, there are grounds for appeal to the Faculty as stated in Section (iv) below, then the student may present a petition to the Faculty, via the Academic Standards, Exams & Grading Committee subject to the following policies and procedures:

i. Objections to the Content or Administration of the Examination

If the petition is based on the premise that the content of the examination was unfair or biased, or that the administration of the examination caused unfairness or bias, any such claim must be initiated by petition to the Academic Standards, Exams & Grading Committee before the grades for that examination are posted by the Registrar.

ii. Objections to the Grading of the Examination

If the petition is based on the premise that there was bias or unfairness in the grading of the examination, any such claim must be initiated by consulting with the instructor within two weeks of the posting of the challenged grade and, regardless of any other circumstances, by submitting a formal petition to the Faculty, via the Academic Standards, Exams & Grading Committee, within 30 days of the posting of the grade.

iii. Procedures in Cases Affecting Academic Standing

In the event of academic exclusion, any grade-challenge petition must be submitted to the Faculty, via the Academic Standards, Exams & Grading Committee, prior to the hearing of the petition for readmission.

iv. Petition Requirements

The petition must show good cause for review of the examination or the administration of it or the grading of it. This showing must state the facts that support a finding of impropriety in the examination content or that the grant of the disputed exam grade constituted an abuse of professional discretion.

v. Actions by Academic Standards, Exams & Grading Committee

(1) The Academic Standards, Exams & Grading Committee shall review the petition to determine whether there has been a showing of "good cause" for review. This determination shall be made at the sole discretion of the Committee and only upon such a showing shall the Committee recommend to the Faculty that there be an investigation of the claim.

- (2) Any such investigation of the claim will be undertaken preliminarily by the Academic Standards, Exams & Grading Committee. The Committee may, at its discretion, interview the petitioner or any person, review any document, take written or oral testimony under oath, keep one or more files which may or may not be permanently retained, add committee members ad-hoc or undertake any other procedures which may, in the Committee's opinion, aid in the investigation of the claim.
- (3) The instructor shall be notified by the Committee or by the Dean of the specific nature of the claim and shall be entitled to provide such input as the instructor deems necessary for consideration by the Committee and the Faculty.
- (4) Based on the findings from this investigation, the Committee shall render a decision, which shall be promptly communicated to the student and the concerned faculty member by the Registrar.

vi. Appeal to the Faculty

The Committee's decision may be appealed to the full faculty by the student within two weeks of receipt of the Committee's action. The Faculty may grant the petition, deny the petition, grant any corrective action it deems fit and proper, and/or take any action it deems appropriate.

5. Instructor-Initiated Grade Change Requests

If, after grades have been finalized and posted, an instructor discovers that he or she made a significant, substantive error in the grading of an answer, the instructor may explain the nature of the error, recommend a grade change, and request approval of same. Grade changes under this provision should not be based upon a re-evaluation of the answer, except to the extent that the instructor clearly missed or overlooked a specific portion of the answer, whereby this erroneously perceived omission was the direct basis for lowering the student's grade.

G. RELEASE OF GRADES

Grades may be released by the Registrar only after they have been finalized and approved in accordance with the foregoing procedures. Prior to the release of (all?) grades, the approval of the **Financial Officer** must be obtained and students found to be in arrears on their financial obligations shall be deleted from the posted lists and shall not receive their grades until satisfactory financial arrangements have been made with the Financial Officer.



## H. GRADES OF “0.0” – “1.6”

### Single-Semester and Advanced Courses

1. A student who receives a course grade of “0.0”–“1.6” in any single-semester course must repeat that course, unless such course is an elective.

## I. CREDIT HOURS POLICY

1. For every one hour of classroom or direct faculty instruction, there shall be assigned a minimum of two hours of out-of-class student work. As a result, during the 14-week semester, there shall be a total of at least 42.5 actual hours of work per credit hour, to be spent by students in class, preparing for class (reading or completing class assignments or assessments), and preparing for and taking exams.
2. For courses involving research papers or dissertations, there shall be a total of at least 42.5 actual hours of work per credit hour, to be spent by students in class, preparing for class (reading or completing class assignments or assessments), and researching and writing the required papers. This includes the typical law school “seminar.”
3. For field placement or clinical courses, there shall be a total of at least 42.5 actual hours of work per credit hour, to be spent by students in class, performing field placement or clinic work, preparing for class or completing class assignments (e.g., reflective writing assignments), and preparing for or taking exams, if applicable.

## IV. STUDENT CONDUCT CODE

The University of La Verne community fosters a campus environment conducive to academic inquiry, thoughtful study and discourse and a productive campus life. The Student Conduct Code balances the interests of individual students with the interests of the University of La Verne community. The Student Conduct Code is not intended to punish students; rather, it exists to protect the interests of the community and to correct behavior that violates its policies. Sanctions should develop students’ moral and ethical decision- making and help them comply with community expectations

The College of Law Code of Student Conduct is a subsection of the University Code of Student Conduct. It mirrors and aligns with the general processes, guidelines and expectations in the University Code of Student Conduct; it also contains materials and interpretations that are applicable only to the College of Law. For more information on the University Code of Student conduct, please view the University website at

<http://sites.laverne.edu/student-affairs/the-disciplinary-process-for-student-socialmisconduct/>.

To protect the community and to create an atmosphere trust and respect, students at the College of Law have an obligation to report behavior that violates community standards; this requirement includes student reporting of personal violations.

#### A. JURISDICTION

Students must read and abide by the Code of Student Conduct. Students living in on campus housing during bar study are also governed by the Code of Student Conduct. In addition, the Code of Student Conduct applies to online communications and activities.

There is no time limit on reporting violations of the Student Code of Conduct, although delays may affect the Administration's ability to obtain information, interview witnesses, and reach conclusions. Anonymous complaints are permitted, but may limit the Administration's ability to investigate and respond. Those reporting misconduct are urged to do so in a timely manner and in person.

#### B. PROHIBITED CONDUCT

All students are prohibited from knowingly, recklessly, or negligently engaging in:

##### 1. Academic dishonesty, which includes but is not limited to:

- a. Beginning an examination before the specified time, continuing to write after the time has expired, or failing to obey examination instructions.
- b. Obtaining or helping another student obtain unauthorized information or materials related to an exam.
- c. Possessing unauthorized information, materials or devices during an exam. Students must familiarize themselves with each professor's policies regarding materials allowed for or prohibited from exam use.
- d. Divulging the contents of an exam to another when the professor has expressly prohibited doing so.
- e. Breaching or attempting to breach the anonymous grading system.
- f. Plagiarizing by submitting the work of another as one's own, submitting work prepared in collaboration with another without express permission, or failing to properly provide attribution of source materials. Plagiarism additionally includes (1) copying the language, structure, ideas, or thoughts of another and representing

the same as one's own original work, unless otherwise permitted by the policies of the course; (2) submitting a purchased research paper; (3) submitting another's research paper; (4) copying material and presenting it as one's own; (5) submitting one's own prior work without attribution; (6) submitting a canned brief; and (7) paraphrasing and/or quoting material in a paper without proper documentation.

- g. Misappropriating another student's or a professor's computing device, physical or electronic notes, textbook, course materials or other resources.
  - h. Signing the class roll for students who are not present or otherwise signing the class roll in violation of a professor's policy.
  - i. Misrepresenting the submission date of an assignment, deliberately concealing or obfuscating the submission time of an assignment or any other material fact related to the production or submission of any assignment.
  - j. Violating a professor's policies in the syllabus. This includes the use of briefs prepared by others in courses where such items are prohibited.
  - k. Aiding or attempting to aid another commit an act of academic dishonesty.
2. Inappropriate social conduct, which includes but is not limited to:
- a. Disruptive or harassing behavior impairing another student's ability to participate in the program of legal education, or which impedes a class or the educational objectives of the College of Law. Harassment includes, but is not limited to slurs related to ethnicity, gender, race, sex and sexual orientation. This prohibition applies both on and off the College of Law campus, and includes conduct on- and off-line.
  - b. Theft or intentional destruction of the property of another or of the College of Law.
  - c. Hiding, altering, removing, failing to properly return or destroying library materials. This includes acts intended to give a student an unfair advantage over others, but such intent is not required.
  - d. Possession or consumption of alcoholic beverages on campus, except at approved events which follow University guidelines.
  - e. Use, possession, distribution or sale of illegal drugs and marijuana on campus. Possession of drug paraphernalia on campus is also prohibited.

- f. Abuse of computing resources, including but not limited to:
  - i. Intentional unauthorized access of any file or network location, for any purpose.
  - ii. Intentional unauthorized transfer of any file.
- iii. Intentional unauthorized use of network credentials.
  - iv. Use of computing facilities to interfere with the work of any other member of the University of La Verne community.
  - v. Intentional interference with the University computing systems.
- g. Conduct that is disorderly, lewd, indecent, or a breach of the peace or which aids, solicits or attempts to aid or solicit another person to breach the peace on University premises or at functions sponsored by or participated in by members of the University community.
- h. Failure to comply with directions of University officials acting in performance of their duties, including failure to identify oneself to these persons when requested to do so.
- i. Improperly triggering a fire alarm or tampering with fire equipment.
- j. Possession of firearms, BB guns, ammunition, or explosives (including firecrackers) on campus. This includes the possession of articles that resemble a firearm.
- k. Lighting a fire or having an open flame on campus, without University permission and without required legal permits. This includes the use of candles at special events.
- l. Gambling prohibited by the State of California.
- m. Behaviors such as hazing or intimidation of other students. Hazing is any act or activity by an organization or group or by a member of that organization or group in which a member or prospective member may be subjected to an activity which may cause or create a risk to physical or mental health. Hazing includes but is not limited to fear or intimidation, embarrassment or ridicule, physical exhaustion, endangerment, harm, mutilation, or alteration of any part of the body, mental fatigue, harassment, or duress and defacement, damage, or destruction of property. The consent or cooperation of the hazing recipient is not a defense.

- n. Infringement of the right of others to pursue their activities as students or employees of the University of La Verne.
- o. Participation in a campus demonstration which disrupts the normal operations of the University and infringes the rights of other members of the University community. This includes leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area and intentional obstructions which unreasonably interfere with freedom of movement by either pedestrians or vehicles on campus property.
- p. Personal misrepresentation of oneself as another in person, in writing or electronically, with intent to obtain a benefit or to injure or defraud. This includes but is not limited to representing oneself as an attorney of law while still a student and representing oneself as an agent of the University without consent.
- q. Altering, forging or misusing University records or documents to obtain a benefit or to injure or defraud.
- r. Being dishonest before an administrative review board by knowingly misrepresenting facts, either verbally or in writing.
- s. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion or any other conduct that threatens the physical health, mental health or safety of another student or University employee.
- t. Sexual harassment/assault and sexual violence. Sexual harassment is unwelcome sexual conduct that includes, but is not limited to, sexual violence, sexual advances, requests for sexual favors, indecent exposure and other verbal, nonverbal or physical unwelcome sexual conduct. Sexual violence means physical sexual acts (such as unwelcome sexual touching, sexual assault, sexual battery and rape) perpetrated against an individual without consent or against an individual incapable of giving consent for any reason (including drug use and disability). For more information on the University policy, visit: <http://sites.laverne.edu/student-affairs/sexual-violence-assault-policy-prevention/>.
- u. Committing a felony or misdemeanor involving dishonesty or moral turpitude.
- v. Failing to disclose to the Director of Student Experiences in writing within 15 days any conviction, guilty plea or plea of nolo contendere to a felony or misdemeanor involving dishonesty or moral turpitude. This includes diversion programs and charges which result in court-ordered treatment, even if there is no incarceration, probation or other sanction.
- w. Falsely reporting a conduct violation by another person.

- x. Any other willful action not otherwise covered here, whether or not associated with the University that involves dishonesty or moral turpitude or adversely reflects upon the qualification of the student to be admitted to the practice of law.
- y. Violation of rules, guidelines, or directives contained within the College of Law's Student Handbook.
- z. Violation of University of La Verne Policies.

### C. STUDENT CONDUCT PROCESS

Students who violate the Student Code of Conduct or the University Code and Policies are subject to sanctions.

The student conduct process differs from criminal and civil court proceedings. Procedures are conducted with fundamental fairness in mind. However, they do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures:

1. Notice of the accusation will be in writing, and any administrative review meeting will be conducted by an objective decision-maker.
2. Notice will be given via University of La Verne email (@laverne.edu), the University's primary means of communication with students. Students must review all communications from faculty and staff members delivered to their University of La Verne email address.
3. Students may not be found in violation of the College of Law Code of Student Conduct or any University of La Verne policy without evidence that a policy violation occurred which meets the applicable standard below:
  - a. Social conduct cases will require a preponderance of the evidence.
  - b. Academic dishonesty cases will require clear and convincing evidence.
4. Sanctions imposed will be proportionate to the severity of the violation and to the cumulative conduct history of the student.
5. Parents or family members of the student may be notified at the discretion of administrators when permitted by the Federal Educational Rights and Privacy Act (FERPA) or with the consent of the student.

## D. OVERVIEW OF PROCESS

Because situations vary, these procedures are flexible, and will be tailored to the alleged violation. The conduct process and all applicable timelines commence with notice to an administrator of a potential violation of the University of La Verne or College of Law codes or policies.

Once notice is received from any source about a potential violation, the law school may proceed with an administrative review of the alleged violation.

The panel charged with overseeing the administrative review process will send notices; meet with the respondent, victims and witnesses; investigate the incident(s); make a decision; and send notice of decision to the affected parties.

### 1. ACADEMIC DISHONESTY REVIEW PROCESS

If the violation is academic, a faculty member of the College of Law will be assigned by the Dean to serve as the chair of the administrative review process. This chair will serve a one year term and the position will be circulated among the faculty.

The administrative review panel will consist of the faculty chair and two disinterested faculty members or staff members with teaching responsibilities. The faculty chair will select one panel member and the student charged will have the option to select one panel member. If the student does not select a panel member, the faculty chair will select the additional panel member.

### 2. SOCIAL CONDUCT PANEL

If the violation is social, the Director of Student Experiences will serve as the administrative review officer unless otherwise determined by the Dean of the College of Law.

### 3. STEP 1 – Notice of Administrative Review

- a. Students charged with violating a policy (respondents) will receive formal notice of an administrative review meeting via email to the respondent's University of La Verne email account. The notice will:
  - i. State the charge and factual allegations with the location/time/date on which the alleged violation occurred (to the extent possible); and
  - ii. State the specific rules respondent is alleged to have violated.

An administrative review meeting request will be sent by the faculty chair or administrative review officer within seven to ten business days after notice is sent.

Should a respondent not reply to the meeting request within seven to ten business days after the meeting request is sent, the administrative review officer will proceed with the investigation.

- b. The administrative review officer or faculty chair will conduct a preliminary investigation to determine whether there is reasonable cause to believe that the respondent violated the rules and to determine what specific policies were violated. As part of the investigation, the administrative review officer may take the one or more of following steps in his or her discretion:
  - i. Interview the party bringing the complaint;
  - ii. Interview the respondent
  - iii. Interview witnesses
  - iv. Obtain documentary evidence and information, including electronic records
  - v. Obtain physical evidence
  - vi. Review the history of the parties
  - vii. Review the context of the incident(s)
  - viii. Look for any potential patterns or prior violations by either party
  - ix. Take necessary interim measures
- c. The investigation will be conducted as promptly as possible. After the investigation concludes, the administrative review officer or faculty member(s) will:
  - i. Make a preliminary finding on whether there is sufficient evidence that the respondent committed the violation, applying the appropriate standard in MAPP IV. C. (3) (a) and (b).
  - ii. Notify the party bringing the complaint of the status of the investigation and the outcome, where appropriate or required by law (e.g., Title IX).



If insufficient evidence is found, there will be a determination of “no violation,” and the case will be closed.

#### 4. STEP 2 – Administrative Hearing

If there is a preliminary finding that a violation occurred, an administrative hearing will be held to investigate further the nature of the incident, complaint or notice, review the evidence available, and allow the parties to present testimony. The administration may discuss informal resolution and may engage in mediation with the respondent and affected third parties.

Should an administrative hearing be conducted, respondents will be:

- a. Informed of their right not to attend or participate
- b. Provided with an opportunity to submit a written response to the charge
- c. Allowed to present a statement, present related evidence, and identify possible witnesses
- d. Allowed to call witnesses in order to fully defend against the charge
- e. Given the opportunity during the hearing to review the statements received by the University indicating the violation
- f. Allowed to consult an attorney or other private advisor to provide the respondent with advice or support
- g. Informed of any follow-up by the administrative review officer as part of the hearing process. This may include additional administrative review meetings with the respondent, intermediate action, or requests for additional information.

The administrative hearing decision will be issued within seven business days of the proceeding, and the respondent will be notified of the outcome via his or her University of La Verne email address.

#### 5. Interim Measures

- a. Immediate Interim Suspension: Under the Code of Student Conduct, the Director of Student Experiences or the Faculty Discipline Committee Chair may impose restrictions and/or separate a student from the community pending the scheduling of an administrative review and/or hearing of alleged violation(s) of the College of Law Code of Student Conduct, the University Code of Student Conduct or other university policies when a student:

- i. Poses a threat of physical harm to others
- ii. Faces allegations of serious criminal activity
- iii. May compromise the integrity of the investigation
- iv. Poses a threat of serious harm to University of La Verne property
- v. Poses a threat of disruption to or interference with the normal operations of the University of La Verne.

Interim actions can include separation from the institution, removal from on campus housing, and restrictions on community participation pending an administrative review of alleged violation(s). During an interim suspension, a student may be denied access to University housing and/or the University campus/facilities/events. This restriction may include classes and/or all other University of La Verne activities or privileges for which the student might otherwise be eligible. Students who receive an immediate interim suspension will receive an expedited hearing.

- b. “No-Contact” Order: The University may impose a “no-contact” order on two or more students when:
  - i. it is in the best interest of the students identified to minimize contact with each other;
  - ii. there is a health and safety concern related to the students’ interactions; or
  - iii. contact may cause one or more of the students to violate the Code, or escalate his or her violation.

No-contact orders will remain in place until the University has concluded an administrative review. No contact orders may remain in place after administrative review or hearing without any finding of any violation, if the no-contact is intended and likely to (a) protect health and safety or (b) decrease the risk of future violations.

## 6. STEP 3 – Conduct Sanctions

One or more sanctions may be imposed upon any student for any single violation of the Student Conduct Code. Possible sanctions include:

- a. A lower grade or zero credit for assignments.
- b. A grade of “No Credit” in one or more courses.
- c. A requirement that a student retake a class.
- d. Probation.
- e. Social Probation/Eligibility Restrictions which may limit the student’s participation in or attendance at University events. This includes, but is not limited to attendance at extracurricular events, ability to run for student office, and ability to participate in competitions or journals.
- f. Suspension.
- g. Expulsion.
- h. A requirement to pay restitution for damage to property.
- i. A requirement to participate in community service.
- j. A requirement to perform service to, or with the University of La Verne.
- k. Imposition of a “No-Contact” order, requiring that a student not have any contact with a specified person or people.
- l. A loss of access to facilities, with restricted access to buildings, areas, or events normally open to the student.
- m. Confiscation of prohibited property, with items placed in temporary custody until they can be appropriately removed from campus or destroyed.
- n. Imposition of a behavioral contract, requiring the student to act in accordance with specified terms.
- o. A requirement to participate in an educational program, under which the student must complete a project as specified by the administrative review officer. Projects may range from participation in a program or activity, to writing a reflection paper. The details of such programs are at the discretion of the reviewer.
- p. A warning, formally notifying the student he or she has violated the Code of Student Conduct and that the violation is cause for concern.

- q. Other Sanctions: Any other sanctions may be imposed so long as they are appropriate to the nature and gravity of the violation, with the approval of the Dean or designee.

## 7. STEP 4 – Outcomes

The outcome of an administrative review is part of the education record of the respondent and is protected from general release under FERPA. The student's discipline record will be released to any state bar or other state certification agency or relevant accrediting body that properly requests it.

As allowed by FERPA, when a student is accused of a policy violation that would constitute a crime of violence or forcible or non-forcible sex offense, the University will inform the alleged victim/party bringing the complaint in writing of the final results of the administrative review, whether or not the conclusion is that a violation was committed.

Such release of information may only include respondent's name, the violation committed, and the sanctions imposed (if applicable). In cases of sexual misconduct and other offenses covered by Title IX, the rationale for the outcome will also be shared with all parties to the complaint in addition to the finding and sanction(s).

Where the university determines through the student conduct process that a student violated a rule that would constitute a crime of violence or forcible or non-forcible sex offense, the university may also release the above information publicly and/or to any third party. Under FERPA, crimes of violence include: arson; assault offenses (includes stalking); burglary; criminal homicide—manslaughter by negligence; criminal homicide—murder and non-negligent manslaughter; destruction/damage/vandalism of property; kidnapping/abduction; robbery; forcible sex offenses; non- forcible sex offenses.

### a. Failure to Complete Conduct Sanctions

All students must comply with sanctions within the timeframe specified by the administrative review officer. Failure to comply with sanctions by the date specified, whether by refusal, neglect or for any other reason, may lead to additional sanctions.

### b. Student Conduct Appeals Procedures

Any party directly involved in an incident (either as a complainant or respondent) may request an appeal of the administrative review decision by filing a written appeal request, using the procedures outlined below. All sanctions imposed remain in effect, and all parties will be timely informed of the status of requests

for appeal, the status of the appeal consideration, and the results of the appeal decision.

- c. Grounds for Appeal Request: Appeals requests will only be granted when:
- i. A substantive error occurred that significantly impacted the outcome of the administrative review (e.g. substantiated bias, material deviation from established procedures).
  - ii. The requisite administrative process was not followed, and the deviation may have significantly impacted the outcome of the administrative review.
  - iii. New evidence has arisen that was unavailable during the original investigation and hearing. Information regarding the new evidence and its potential impact on the administrative review process must be submitted in writing.
  - iv. The sanctions imposed are substantially disproportionate to the severity of the violation.

Appeal requests must be filed in writing with the Director of Student Experiences or designee within five business days of the transmission of notice of the administrative review outcome, barring exigent circumstances. Any exceptions are made at the discretion of the Director of Student Experiences and, when appropriate, the Title IX Coordinator. All appeal requests must include the original decision, sanction imposed, reason for appeal, and contact phone number and official University of La Verne email address of the appellant.

The Director of Student Experiences or designee will share the appeal request with third parties when appropriate. The Director of Student Experiences or designee will refer the appeal to the Dean of the College of Law who will serve as the Appeal Review Officer and conduct an initial review to determine whether the appeal request is properly grounded and timely. The Dean may consult with the Director of Student Experiences and/or Title IX Coordinator about any procedural or substantive questions that arise.

If the appeal request is not timely or substantively appropriate, the original finding and sanction will stand and the decision will be final. This result will be communicated to the appellant in writing via email.

If the appeal request has standing or merit, the Appeal Review Officer will consider the appeal or remand it to the original decision maker(s), typically within three to five business days. Efforts should be made to remand to the original decision maker with clear instructions for reconsideration only in light of the granted appeal grounds. Where the original decision maker is found to have been

unduly biased, the Appeal Review Officer will consider the appeal. Full administrative re-reviews are not permitted. In appeal reviews, the original finding and sanction are presumed to have been decided reasonably and appropriately. The appellant has the burden of showing clear error.

- d. On consideration, the Appeals Review Officer or original decision-maker may:
- i. Affirm the findings and/or sanctions of the original administrative review officer.
  - ii. Change the findings and/or sanctions of the original administrative review officer based on the limited grounds. Substantive errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All appeals decisions are to be made within five days of submission and are final, as are any decisions made by the original administrative review officer, Director of Student Experiences or Title IX Coordinator as the result of reconsideration consistent with instructions from the Appeal Review Officer.

## **APPENDIX A**

### **UPPER DIVISION WRITING REQUIREMENT**

- ✦ Every student must complete a Research Paper (either an Academic Paper or a Practice Related Paper) after his or her first year of law school but prior to the completion of that student's last semester.
- ✦ This graduation requirement cannot be satisfied by a paper written for a class required for Graduation.
  - Students must achieve a grade of 2.0 or higher for their Research Papers.
- ✦ If a student desires to fulfill the requirement through independent study the student must obtain permission from a full-time faculty member willing to supervise the Research Paper before beginning the independent study.
- ✦ If no full-time faculty member accepts the student's request, an adjunct faculty member teaching a course the student is taking may supervise a Research Paper in that subject with advance permission of the Associate Dean. The faculty member must agree to supervise prior to the research paper being written.

- ✦ A Research Paper submitted as an Academic Paper must be independent of the grade for the class and written by one student, must exceed 6,000 words, not including the Table of Contents or footnotes, and may be met by a required research paper in a seminar.
- ✦ Practice Related Papers may be satisfied by a student or a collaboration of efforts by a team with a series of pleadings and briefs authored by the student or team and submitted to a judicial or administrative tribunal and case related. Each student must be individually responsible for at least 6,000 words of his or her own text. Notwithstanding the foregoing word count minimum, this requirement may be met by a Moot Court Honors or Advanced Appellate Advocacy brief.
- ✦ All papers and documents shall require the submission of multiple drafts, the number and due- dates of which shall be determined by the supervising professor.

## **APPENDIX B**

### **DUAL DEGREE PROGRAMS: JD/MBA AND JD/MPA**

1. A matriculating student at the University of La Verne College of Law is eligible to participate in a dual degree program in either the University of La Verne's College of Business & Public Management's Master in Business Administration ("MBA") or its Master in Public Administration ("MPA"). In order to qualify, a student must comply with the following:
  - a. Obtain written permission from the College of Law to participate in a dual degree program of choice;
  - b. Maintain a cumulative GPA of at least 2.3 in the JD program;
  - c. Be officially enrolled in the MBA or MPA program at the University of La Verne; and
  - d. Obtain written approval from the College of Law in advance of enrolling in a graduate course in which a student intends to obtain transfer credit.
2. Not all graduate courses qualify for elective credit at the College of Law. For example, no on-line courses will be approved for transfer credit. See Paragraph 1(d) above. Only graduate courses pre-approved by the College of Law will qualify for transfer credit.
3. A student on academic probation at the College of Law is not eligible to participate in a dual degree program.
4. The maximum number of credits that are transferable into the JD program is six.

Such credit will not be posted until the third year of the JD program for full-time students and the fourth year of the JD program for part-time students, at the time the student is assured of graduating. Only those pre-approved courses wherein a grade of 3.0 or better shall qualify for credit. However, the grade will not be calculated into the student's College of Law grade point average.

5. Students cannot take any combination of graduate and JD courses during the summer that result in more than 11 units or its equivalent. Because of the compressed nature of the summer session, JD units are treated as double during the summer, while graduate units are counted at face value. Thus, a student may take 4 JD units and 3 graduate units during the summer, or 2 JD units and 7 graduate units; or 11 graduate units; or 5 JD units (with advanced permission).



6. Financial arrangements for courses taken in the graduate program must be made directly with the graduate school. Scholarships awarded for study in the JD program are not applicable to units taken outside the College of Law.
7. All graduate course work taken in addition to College of Law course work during any semester must be pre-approved by the College of Law. No more than 3 units of graduate course work in addition to College of Law course work may be taken during any semester unless prior approval is obtained from the College of Law.

**APPENDIX C**

**STUDENT 510 COMPLAINT FORM**

Name: \_\_\_\_\_

Email address: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Name the behavior, program, process, or other matter at issue:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide Details of the situation or incident:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Does your complaint implicate an ABA Standards? Yes \_\_\_\_\_ No \_\_\_\_\_ Which Standard?  
\_\_\_\_\_

How does your complaint implicate the named standard?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

-----DO NOT WRITE BELOW THIS LINE-----

Signature of Receipt: \_\_\_\_\_ Date: \_\_\_\_\_

Referred to: \_\_\_\_\_ Date: \_\_\_\_\_

Resolution Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Please attached resolution decision including a description of any remedial action taken.

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