

University of La Verne  
College of Law

**STATE BAR OF CALIFORNIA  
APPROVED AND ACCREDITED  
PROGRAM OF LEGAL  
EDUCATION**

August 2020

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

UNIVERSITY OF LA VERNE  
COLLEGE OF LAW

**STATE BAR OF CALIFORNIA APPROVED AND ACCREDITED PROGRAM OF  
LEGAL EDUCATION MANUAL OF ACADEMIC POLICIES AND PROCEDURES**

(August 2020)

**Table of Contents**

<b>I.</b>	<b>ACCREDITATION</b>	<b>5</b>
A.	CALIFORNIA STATE BAR ACCREDITATION	5
B.	REQUIRED DISCLOSURES	5
<b>II.</b>	<b>SCHOLASTIC STANDARDS</b>	<b>5</b>
A.	MAPP EFFECTIVE DATE	5
B.	MATRICULATION REQUIREMENTS	5
C.	GRADUATION REQUIREMENTS	6
D.	GOOD ACADEMIC STANDING	8
E.	ACADEMIC DISQUALIFICATION	9
F.	PETITIONS FOR READMISSION	9
G.	READMISSION ON PROBATION	10
H.	ACADEMIC DISQUALIFICATION FOLLOWING PROBATION	11
I.	ATTENDANCE POLICY	11
J.	ACADEMIC HONORS	11
K.	PETITION FOR RELIGIOUS ACCOMODATION	12
L.	STUDENT COMPLAINTS	12
<b>III.</b>	<b>EXAMINATIONS</b>	<b>13</b>
A.	COMPOSITION OF EXAMINATIONS	13
B.	ADMINISTRATION OF EXAMINATIONS	14
C.	EXAMINATION SCHEDULE	16

D.	REVIEW OF EXAMINATIONS	16
E.	ACCESSIBILLITY POLICY	17
F.	STUDENTS FOR WHOM ENGLISH IS A SECOND LANGUAGE	18
<b>IV.</b>	<b>GRADES AND GRADING</b>	<b>19</b>
A.	GRADING OBJECTIVES	19
B.	GRADING SYSTEM	19
C.	TWO-SEMESTER COURSES	19
D.	OTHER TRANSCRIPT GRADES	20
E.	GRADING PROCEDURES – GENERAL	21
F.	REPEAT COURSES	21
G.	GRADE CHANGES	22
H.	RELEASE OF GRADES	25
I.	GRADES OF “0.0” – “1.6”	25
J.	CREDIT HOURS POLICY	25
<b>V.</b>	<b>STUDENT CODE OF CONDUCT</b>	<b>26</b>
A.	JURISDICTION	26
B.	PROHIBITED CONDUCT	27
C.	STUDENT CONDUCT PROCESS	30
D.	OVERVIEW OF PROCESS	31
	<b>APPENDIX A: UPPER DIVISION WRITING REQUIREMENT</b>	<b>39</b>
	<b>APPENDIX B: DUAL DEGREE PROGRAMS: JD/MBA AND JD/MPA</b>	<b>41</b>
	<b>APPENDIX C: STUDENT COMPLAINT FORM</b>	<b>43</b>

**CALBAR PROGRAM OF LEGAL EDUCATION  
MANUAL OF ACADEMIC POLICIES AND PROCEDURES**

**August 2020**

**I. ACCREDITATION**

**A. STATE BAR OF CALIFORNIA ACCREDITATION**

The University of La Verne College of Law is approved by the California Committee of Bar Examiners for the State Bar of California as an accredited law school by the State Bar of California.

The California Accreditation Rules and Standards are located at the California State Bar Website at: <http://www.calbar.ca.gov/Attorneys/Conduct-Discipline/Rules/Rules-of-the-State-Bar/Title-4-Admissions-and-Educational-Standards>.

**B. REQUIRED DISCLOSURES**

Study at, or graduation from, the law school's program of legal education approved by the State Bar of California may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California. A student who intends to seek admission to practice outside of California should contact the admitting authority in that jurisdiction for information regarding its education and admission requirements.

**II. SCHOLASTIC STANDARDS**

**A. MAPP EFFECTIVE DATE**

This MAPP shall only apply to students enrolled in the State Bar of California approved and accredited program of legal education at the University of La Verne College of Law.

All updates to the MAPP shall apply to all students enrolled in the State Bar of California approved and accredited program of legal education at the University of La Verne College of Law from the date they are adopted, regardless of the student's date of enrollment.

It is the responsibility of the College of Law to continually assess and monitor the effectiveness of the MAPP provisions to ensure the College of Law is delivering a sound and effective program of legal education. The Academic Standards Committee

shall make recommendations to the faculty for appropriate changes, amendments, or additions to the MAPP.

## B. MATRICULATION REQUIREMENTS

1. For all academic credits undertaken and degrees 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 within 45 days from the commencement of classes 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 Subsection 1 or Subsection 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 within the five year residency requirement;
  - 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 11-15 units per semester (fall and spring). Upon good cause showing, a full-time student may petition the Office of the Dean for permission to enroll in a semester overload of either 16 or 17 units. Overloads are discouraged and such petitions rarely granted. Full-time students may enroll in a maximum of 5 units in the summer, except as described below (Study Abroad) and Appendix B (Duel Degree Programs).

The normal unit load for part-time students is 8-10 units per semester, with a maximum of 10 units permitted 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 State Bar of California 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 at the College of Law;
    - iii. In order to receive credit, 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 approved law school as a visitor 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 Office of the Dean.

c. Study Abroad Credit

- i. The student must have a cumulative GPA of 2.3 or above in order to qualify.

d. Externship Credit

- i. No student shall receive more than 9 units of externship credit. Students with prior permission of the Director of Career Development and Externships or the Externship Professor, 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 for more than two consecutive graded periods. *Students may not enroll in the same placement for more than three graded periods in total.* Additional information and requirements are set forth in the externship agreements for paid and unpaid externships on the TWEN Externship Information page.
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 at the end of the first semester a student have a GPA of 1.7 or above. A student who has a GPA between 1.7 and 1.99 at the end of the first semester, is required to take a series of academic support workshops during their second semester. Failure to attend all such workshops will be an important factor in determining such student's Petition for Probation should the student be academically disqualified at the end of their second semester.

In all subsequent semesters, 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 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 the academic requirements of good standing.

## E. ACADEMIC DISQUALIFICATION

### 1. After the First Semester

A student whose overall GPA after the first semester (full- or part-time) is below 1.7 is academically disqualified and may not continue. A student who has been academically disqualified at the end of the first semester may petition the faculty to re-start.

### 2. After the Second Semester

A student is academically disqualified from the College of Law if:

- a. The student’s cumulative GPA is below 2.0; or
- b. The student’s cumulative GPA is below 2.5 AND the student receives two or more grades below a 2.0 in the second semester.

However, such a student may apply for readmission on probation. A student with a cumulative GPA of 2.5 or higher is exempt from this provision.

### 3. After Three or More Semesters

A student is academically disqualified from the College of Law if:

- a. The student’s cumulative GPA falls below 2.0;
- b. The student’s cumulative GPA is below 2.5 AND the student receives two or more grades below 2.0; or
- c. The student’s semester GPA is below 2.0.
- d. **Graduating Seniors:** Students who finish their last semester of law school with a cumulative GPA of 2.0 or above who have complied with all unit, residence and required course provisions, shall be permitted to graduate.

## F. PETITIONS FOR READMISSION

As stated in II.E.1., *supra*, a student academically disqualified after the first semester may not continue, but may only apply for readmission to re-start the program of legal education. Any such student has the burden of presenting credible evidence that the disqualification was not caused by the applicant's lack of capability to satisfactorily study law, but resulted from a traumatic event or serious hardship that prohibited the student from performing at her or his normal level.

A student academically disqualified after the second or subsequent semester shall have the right to petition for readmission on probation, permitting continuation of the program of legal education on such terms and conditions set forth by the faculty.

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.

The petition must contain credible evidence that the disqualification was not caused by the petitioner's lack of capability to satisfactorily study law, but resulted from a traumatic event or serious hardship that prohibited the applicant from performing at her or his normal level.

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 must be resolved first.

## G. READMISSION ON PROBATION

In granting a petition for readmission, the faculty may impose any terms of probation that it judges to be academically warranted. Terms of probation are in effect for two semesters, with summer counting as part of the subsequent fall semester. A student on probation:

1. Must meet with their academic advisor who will prepare an Individual Academic Support Plan approved by the Office of the Dean that must be complied with;
2. Shall carry and complete a full and normal load during the period of probation, unless, for good cause, this requirement is waived by the faculty;
3. Is not eligible to participate in a dual degree program. (For details on dual degree programs, see Appendix B.)
4. Is not eligible to represent the College of Law on any competition teams, including, but not limited to, Moot Court, Trial Advocacy, or ADR competition teams;
5. May not hold office in any student-run organization during the period of probation;
6. Must not have a semester GPA under 2.0 in any semester while on probation or receive two semester grades below 2.0 in any semester while on probation; and
7. Must raise his or her cumulative GPA to a 2.0 or above by the end of probation.

Probation is terminated when all terms and conditions are successfully met. In addition:

- 1) Probation is terminated if the student's cumulative GPA is 2.5 or above after the first semester of probation; or
- 2) **Graduating Seniors:** The student has completed all unit, residence, and required course provisions with a cumulative GPA of 2.0 or above, notwithstanding a failure to meet terms of probation that do not affect these basic requirements, unless the faculty has, in granting probation, specifically determined that a condition of probation, if not met, will bar the granting of the degree.

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

#### H. ACADEMIC DISQUALIFICATION FOLLOWING PROBATION

Any student on probation will be academically disqualified without eligibility for readmission if:

1. The student's semester GPA is 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 gets two grades below 2.0 in any semester within the period of probation; or
4. The student fails to meet any condition of probation imposed at the time of readmission.

#### I. 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 Office of the Dean determines that the student should receive an IWF (Involuntary Withdrawal Fail).
5. Distance learning methodologies, in lieu of face-to-face classroom attendance, may constitute up to five weeks of instruction in any course (or its equivalence in the summer semester) or more with prior authority from the Office of the Dean. All requirements of academic engagement and preparation shall be adhered to.
6. **Distance-Education Credit:** In all distance-taught courses, academic engagement verification as required in Guideline 6.5(A) shall be strictly adhered to, primarily by use of synchronous class sessions held at regularly scheduled class times. Students are required to physically appear at all virtual class sessions using both audio and video modalities that enable the professor to monitor both attendance and engagement. Additional strategies in such courses can include requiring viewing and listening to recorded lectures or classes; completing interactive tutorial or computer assisted instruction; participating in asynchronous discussions; and completing online examinations, quizzes or timed-writing assignments. **Note:** the requirements of II.I.5 are suspended where holding face-to-face classes would create a health risk or would otherwise violate federal, state, or local governmental mandates

#### J. 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 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.

#### K. PETITION FOR RELIGIOUS ACCOMMODATION

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

#### L. STUDENT COMPLAINTS

1. Submitting a Complaint: complaints must be submitted in writing to the Office of the Dean using the Student Complaint form, contained in Appendix C. 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.
  - b. Contain the student’s name, law school email address, and current mailing address.

2. Addressing a Complaint: Within 30 days after a complaint from a student is received, the Office of the Dean, or designate, will advise the student in writing of any action the College of Law is taking to address the matter, including whether further investigation is required. The student will be notified in writing within seven (7) days of the conclusion of the investigation.
3. Investigation of Complaints: the Office of the Dean, or designate, may conduct an investigation into any complaint filed. All students at the College of Law are required to cooperate with the investigation.
  - a. Obligation to Provide Truthful Information: All students at the College of Law 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 Office of the Dean, or designate, before the Dean of the College of Law. The Dean's decision is final.
5. Records of Student Complaints: the Office of the Dean will keep a record of all complaints and resolutions for eight years from the date of the final resolution of the complaint.

### **III. EXAMINATIONS**

#### **A. COMPOSITION OF EXAMINATIONS**

1. All California Bar Examination tested courses shall have a closed-book final examination.
2. 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 are discouraged, but may be permitted in non bar-tested upper division courses with the permission of the Office of the Dean. Such

examinations shall be prohibited unless approved in advance and are prohibited in all doctrinal courses

3. Final examinations shall consist of all essay questions or a combination of essay questions and multiple-choice questions. Multiple choice questions may not exceed 33% of the final exam grade, with the exception of the Professional Responsibility final exam which may consist of 100% multiple-choice questions.

Performance-examination type questions may be included as part of the final examination with advance permission from the Office of the Dean.

4. The time allowance for a final examination should normally 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 Office of the Dean.
5. Skills-based and seminar courses are not required to have a written final examination; the course grade may be based on alternative assessment criteria, including, but not limited to: class engagement, written projects, oral arguments, and/or collaborative team-work.
6. Essay questions in bar-tested courses shall be of similar length and level of difficulty as essay questions typically administered on the California Bar Examination (designed to be answered in one-hour). Examinations should test students' knowledge, eligibility for advancement and enable students to acquire further perspective through the process of analysis and exposition.
7. A professor shall not use any essay question that has previously been published without consent from the Office of the Dean. Past California Bar Examination questions or past First-Year Law Students' Examination questions may be used primarily as assessment tools, but not as the sole examination in any course. Prior multi-state or previously used multiple-choice questions may be used in partial determination of a student's final course grade.
8. As part of the final examination, full-time 1L students may be administered a multiple-choice exam containing questions derived from all bar-tested doctrinal courses taken that semester: Contracts, Torts, Civil Procedure, and Property multiple-choice questions at the end of the first semester with Contracts, Torts, Civil Procedure, Property and Criminal Law multiple-choice questions at the end of the first year.

At the end of first semester for part-time students, a comprehensive multiple choice exam may be administered including questions in Contracts and Torts. At the end of the second semester, a multiple-choice examination that includes Contracts, Torts, and Criminal Law, may be administered as part of the final examination. (Topics are subject to change based on course scheduling).

## B. ADMINISTRATION OF EXAMINATIONS

### 1. Grading

Students' grades in all courses shall be based upon examination grade(s) as well as any other grading criteria clearly set forth in the course syllabus.

The professor may base 20% of the final grade on midterm exams, assessments, class engagement, assignments, exercises, or other activities which require substantive, analytical skills.

In bar-tested subjects, the final examination shall be worth at least 80% of the course grade.

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

### 3. Timing of Examinations

The examination for each section of a course taught by a faculty member shall be given at the same time to all students who took the course from that faculty member. An exception to this requirement is when a comprehensive semester-end component of the final exam, such as a semester-end multiple-choice exam is administered in which case full-time students and part-time students will have separate exams.

The scheduling of examinations shall be the responsibility of the Office of the Dean 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 Office of the Dean. Instructors not on campus must be available via telephone for the entire time during which students are taking the examination. The Registrar along with the Office of the Dean shall develop protocols for online testing when in class testing is not available.

### 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 skills courses, projects, papers, or presentations. Each professor is required to verify the authenticity of a student's work, which may require multiple drafts, individual student meetings, and written verification by a student.

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 (where anonymity is required.) 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 Office of the Dean 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 review their essay examination questions and answers for a reasonable period, and upon request, copies will be made. This policy shall not apply to multiple-choice, true-false, and other similar questions.

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 make a good faith effort to contact the professor within 10 days of the release of grades. Thereafter, the student may file an appeal to the Office of the Dean within seven days of meeting with the professor who graded the examination. If the professor, after a student has made a good faith effort to discuss the grade with his or her professor, does not respond to the student within seven days of such attempt, the student may file an appeal directly to the Office of the Dean; such appeals must be filed within 30 days of the release of grades. [See G.4. Below.]

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

#### E. ACCESSIBILITY POLICY

1. Accessibility services are described in the University of La Verne Accessibility Handbook [as of August 27, 2018 located at <https://laverne.edu/dss/university-of-la-verne-accessibility-handbook/>], which can be found on the University of La Verne Accessibility Services website (<https://laverne.edu/dss/>) 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 College of Law Director of Student Affairs.
2. Any student eligible for and requesting academic accommodations due to a documented disability (or a suspected disability) must submit a completed Information and Accommodations Packet with supporting documentation to the College of Law Director of Student Affairs and Americans with Disability Act Compliance Officer. You will be notified in writing within one week if your packet is complete, or if you need to provide additional information. When your packet is complete, it will be forwarded to the Chair of the Accommodations

Review Committee for consideration at the next scheduled meeting (the Committee meets monthly during the academic year). If accommodations are necessary before the next scheduled meeting, the Director of Accessibility Services will make a temporary decision regarding the accommodation(s) requested, and will call the Accommodations Review Committee for an unscheduled meeting within three (3) weeks. Once the Committee has reviewed the accommodations packet, you will be notified in writing within one (1) week of the decision of the team, and your accommodations will be continued or modified as deemed appropriate. Receiving temporary accommodations does not guarantee that the committee will approve ongoing accommodations. If the committee denies the accommodation request, the temporary accommodations will cease immediately following the committee decision.

a. College of Law  
Student Affairs and American with Disability Act Compliance Officer  
Akita Mungaray, J.D., *Director of Student Affairs*  
[amungaray@laverne.edu](mailto:amungaray@laverne.edu)  
(909) 460-2017  
Room 106

b. University of La Verne  
Accessibility Services  
Dr. Leo Barrera, *Director, Accessibility Services*  
[lbarrera@laverne.edu](mailto:lbarrera@laverne.edu)  
(909) 448-4938

University of La Verne  
Accessibility Services  
2215 E. Street  
La Verne, CA 91750

3. It shall be the duty of the Dean, or designate, of the College of Law to update information in subsection 2.a. and 2.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.

#### **IV. 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 Office of the Dean, 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.

#### C. TWO-SEMESTER COURSES

1. Grades in each semester of a two-semester course, including Contracts I and II, Torts I and II, Property I and II, Civil Procedure I and II, Constitutional Law I and II, Evidence I and II, and Business Organizations I and II, are considered a final course grade for that semester for purposes of good standing.
2. A student who does not get a 1.7 or better in the first semester of a two-semester course, shall move into the second semester of that course if otherwise in good standing.
3. A student who does not get a 1.7 or better in either semester of a two-semester course must retake and pass that semester as a condition of graduation.
4. Two-semester courses must initially be taken in sequence.

#### D. 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.

#### E. GRADING PROCEDURES – GENERAL

1. The faculty member teaching the course shall grade papers in accordance with the provisions for grading set out herein.
2. Within three weeks after receipt of the examinations from the Registrar, the faculty member shall deliver to the Registrar a finalized grade list for all examination papers, including additional assessments and other components of the final course grade.
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 Office of 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. Such grades are not final until they have undergone a normalization process by the Office of the Dean.
5. Final examination questions shall not be distributed to students or posted until grades have been finalized, posted and released by the Registrar.

6. Final examination answers shall not be distributed to students or posted until grades have been finalized, posted and released by the Registrar.
7. Multiple choice questions and answers shall not be distributed or posted until grades have been finalized, posted and released by the Registrar, and then, only with the specific permission of the applicable faculty member.
8. After grades have been posted, students shall be provided, upon request, a copy of examination questions and their answers to those questions (other than multiple-choice, true-false, and other similar questions) for a reasonable period.

#### F. REPEAT COURSES

1. 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.
2. Grades in each semester of a two-semester course, including Contracts I and II, Torts I and II, Property I and II, Civil Procedure I and II, Constitutional Law I and II, Evidence I and II, and Business Organizations I and II, are considered a final course grade for that semester for purposes of good standing.

A student who receive a grade of 1.7 or higher in the first semester of a two-semester course, shall move into the second semester of that course if otherwise in good standing.

A student who does not receive a grade of 1.7 or higher in either semester of a two-semester course must retake and pass the course for that semester as a condition of graduation.

Two-semester courses must initially be taken in sequence.

#### G. 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. Herein, the grade distributions of all faculty

shall be reviewed by the Office of 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 Office of the Dean that any set of examination grades substantially deviates from expected grading ranges as determined by existing institutional grading patterns, the Office of the Dean shall first make inquiry of the grading professor to determine if there exists an acceptable reason for such variance. If the Office of 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 Office of 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 Office of 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 Office of 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 Office of the Dean.

The Office of the Dean shall approve a change of grade to rectify the error or shall refer the matter to the Grade Review Committee 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, the student may present a petition to the Office of the Dean. If the Office of the Dean determines the petition shows good cause for review of the examination, examination grading, or examination administration, the petition will be forwarded to the Grade Review Committee.

The Grade Review Committee consists of five persons consisting of full-time faculty including the Dean, and, if necessary, either visiting or adjunct professors or administrators appointed by the Office of the Dean. The petition is 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 pursuant to III.D. above by initially filing a protest detailing the alleged problem with the Director of Student Affairs or with the Office of the Dean within seven days after the administration of the examination. A petition to the Office of the Dean must be submitted before the grades for that examination are posted by the Registrar.

ii. Objections to the Grading of the Examination

If a claim is based on the premise that there was bias or unfairness in the grading of the examination, a petition must be initiated pursuant to III.D. above by first making a good faith attempt to consult with the instructor within 10 days of the posting of the challenged grade. After consulting with the instructor, or after 7 days from having made a good faith attempt to do so, regardless of any other circumstances, a formal petition shall be filed with the Office of the Dean no later than 30 days after the posting of the challenged grade. If the Office of the Dean, in its sole discretion, determines good cause for bias or unfairness has been shown, the petition will be forwarded to the Grade Review Committee for a decision. **Note:** the Grade Committee shall consist of five members consisting of at least two full-time faculty members including the Dean, and, if necessary, visiting or adjunct professors or administrators appointed by the Dean.

iii. Procedures in Cases Affecting Academic Standing

In the event of academic disqualification, any grade-challenge petition must be submitted to the Office of the Dean and ruled upon 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. If the Office of the Dean finds good cause, the petition shall be forwarded on to the Grade Review Committee.

#### v. Actions by the Grade Review Committee

- (1) The Grade Review Committee shall exercise its independent determination of whether the petition shows "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 investigate the claim.
- (2) Any such investigation will be undertaken preliminarily by the Grade Review 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 Office of 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.
- (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 10 days 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 to the Office of the Dean. 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.

#### H. 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 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.

#### I. GRADES OF “0.0” – “1.6”

- a. A student who receives a course grade of “0.0”–“1.6” in any single-semester or advanced course must repeat that course, unless such course is an elective.
- b. A student who receives a course grade of “0.0”–“1.6” in any semester of a two-semester course must repeat that course however the student shall move into the second semester of that course if otherwise in good standing.

#### J. CREDIT HOURS POLICY

- a. 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. During a 14-week semester, there shall be a total of at least 45 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.
- b. For courses involving research papers or dissertations, there shall be a total of at least 45 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.”
- c. For field placement or clinical courses, there shall be a total of at least 45 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.

## V. 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 Code of Student Conduct balances the interests of individual students with the interests of the University of La Verne community. The Code of Student Conduct 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-social><http://sites.laverne.edu/student-affairs/the-disciplinary-process-for-student-social-misconduct/misconduct/>.

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 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 Code of Student 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, religion 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. Arrest, prosecution, and/or conviction a felony or misdemeanor involving dishonesty or moral turpitude.
- v. Failing to disclose to the Director of Student Affairs 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 of the potential violation is received from any source, the Office of the Dean may proceed with a preliminary investigation. If there is reasonable cause to believe a violation was committed, the Office of the Dean or designate 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.

##### d. ACADEMIC DISHONESTY REVIEW PROCESS

If the violation is academic, a faculty member of the College of Law will be assigned by the Office of 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.

#### 1. SOCIAL CONDUCT PANEL

If the violation is social, the Director of Student Affairs will serve as the administrative review chair unless otherwise determined by the Office of the Dean.

## 2. 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 administrative review chair or designate 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 chair will proceed with the investigation.

- b. The administrative review chair or designate 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 chair 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 chair 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.

### 3. 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 Affairs 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.

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

#### 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 Affairs or designate 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 Affairs 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 Affairs or designate will share the appeal request with third parties when appropriate. The Director of Student Affairs or designate will refer the appeal to the Dean of the College of Law who will serve as the Appeal Review Chair 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 Affairs 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 chair, Director of Student Affairs 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.
- This requirement includes papers written in seminars, some live-client clinics, Appellate Advocacy, Independent Study, Law Review, Moot Court Honors Program.
- 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 shall require that:
  - the student submit to the supervising professor, by due-dates set by the professor:
    - a detailed outline of the Paper, including the Paper's subject matter, the student's objectives in writing the Paper, and the student's research plan, and

- multiple drafts of the Paper.
  - the supervising professor provide individualized written feedback on all required drafts of the Paper.
  - the supervising professor meet with the student face-to-face at least twice to provide individualized feedback on the student's work.
  - the student submit a final Paper demonstrating to the supervising professor the student's competency in legal writing appropriate to upper-division law study.
  - the supervising professor keep an electronic or hard copy of the final Paper, as well as of all outlines and drafts submitted by the student, for at least one year.
- The Office of the Dean or Director of Legal Writing shall, before the start of each semester, provide a memorandum to each supervising professor specifying what the MAPP requires of students and faculty regarding the upper-division writing requirement.
  - The Office of the Dean or Director of Legal Writing shall oversee the creation and delivery of a training program detailing:
    - what the MAPP requires of students in order to meet the upper-division writing requirement, and
    - any other information deemed helpful for students.
  - Students must complete the training program within seven days of the start of the semester in which they begin work on a Research Paper or within seven days of registering for the course in which they will work on the Paper, whichever date is later.
  - Students may not do an independent study Research Paper in their final semester of law school.

## 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 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

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

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

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

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