



**NCCentral**  
UNIVERSITY

School of Law

**2020-2021**  
**Student Handbook**

## Preamble

On behalf of our Dean, Browne C. Lewis, I am pleased to welcome you to the 2020-21 academic year. I am confident that this year will be both productive and informative. The Dean, faculty, staff and administration are all committed to partnering with you to ensure your success, not only during your academic career, but also during your professional career.

The 2020-21 Student Handbook contains the policies, procedures and rules that govern your academic career here at North Carolina Central University School of Law. I urge you to take a few minutes to familiarize yourself with the contents of the Handbook, as you will find that it contains most, if not all, of the answers to questions that may arise during the year. It can be found on the law school website as well as on MyLaw.

If you have any questions, comments or concerns about the Handbook, please feel free to contact me. You may also contact April Dawson, Associate Dean of Academic Affairs and Pedagogical Enrichment or Malik Edwards, Associate Dean of Academic Affairs and Scholarly Enrichment.

I wish you a successful and productive year!

Sincerely,

Lisa Morgan

Assistant Dean for Student Affairs

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**NORTH CAROLINA CENTRAL UNIVERSITY  
SCHOOL OF LAW  
STUDENT HANDBOOK**

**1.00 GENERAL RULES**

**1.01 REGISTRATION**

The course of study for first-year students is prescribed by the administration and faculty. All courses are required. Courses for upper-level students include elective and required courses.

**1.02 FACULTY ADVISOR**

Each student has a faculty advisor. After the first year, schedules must be approved by faculty advisors and, when appropriate, by the Office of Academic Affairs. In addition, students must meet with their faculty advisor regularly, especially during the pre-registration period of each semester.

**1.03 REQUIRED COURSES**

**1.03-01 Day Program**

**Students who entered in 2018 and thereafter**

First-year students in the Day Program (1L) are required to successfully complete the following courses:

- Civil Procedure I & II
- Contracts I & II



- Criminal Law
- Critical Thinking I
- Legal Reasoning and Analysis
- Legal Research and Persuasion
- Property I & II
- Torts I

Upper-level students in the Day Program (2L/3L) are required to successfully complete the following courses:

- Appellate Advocacy
- Business Associations
- Comprehensive Legal Analysis
- Constitutional Law I
- Constitutional Law II
- Criminal Procedure
- Evidence
- Family Relations
- Intestate Succession and Wills (formerly Decedents' Estates I) OR Trust and Future Interests (formerly Decedents' Estates II)
- Torts II
- Professional Responsibility
- Sales and Secured Transactions

All upper-level students in the Day Program (2L/3L) must also successfully complete at least one of the five practice-oriented writing courses from the list below:

- Advanced Legal Writing
- Judicial Opinion Writing
- Legal Letters
- Legal Writing and Technique
- Pleadings and Practice

Additionally, all upper-level students in the Day Program (2L/3L) must successfully complete at least one course designated by the School of Law as an upper level writing course or writing seminar.

**Students must also successfully complete** one or more experiential course(s) totaling at least six credit hours. An experiential course must be a simulation course, a law clinic, or a field placement.

A list of upper level writing courses and writing seminars, as well as a list of experiential courses, will be published each semester by the Office of Academic Affairs.

Students who are interested in practicing law and litigating are also encouraged to take both an Alternative Dispute Resolution course and at least one clinical program prior to graduation.

### **1.03-02 Evening Program**

Students in the Evening Program are required to successfully complete the following courses during their enrollment at the School of Law:

- Appellate Advocacy
- Civil Procedure I & II
- Constitutional Law I
- Constitutional Law II
- Contracts I & II
- Corporations
- Criminal Law
- Criminal Procedure
- Evidence
- Family Relations
- Legal Reasoning and Analysis
- Legal Research and Persuasion
- Professional Responsibility
- Property I & II
- Sales and Secured Transactions
- Senior Writing
- Torts I & II

Evening Program students must also successfully complete one or more experiential course(s) totaling at least six credit hours. An experiential course must be a simulation course, a law clinic, or a field placement. A list of experiential courses will be published each semester by the Office of Academic Affairs.

Students who are interested in practicing law and litigating upon graduation are also encouraged to take an Alternative Dispute Resolution course and at least one clinical program prior to graduation.

### **1.03-03 Course Scheduling**

Classes for Day Program students typically run from Monday through Friday, from 8:00 AM to 5:00 PM. Evening classes typically meet on Monday, Tuesday, and Thursday nights from 6:30 PM to 9:20 PM.

Day students must receive permission from the Office of Academic Affairs in order to enroll in courses that are designated at times for Evening Program students, and Evening Program students must receive permission from the Office of Academic Affairs to enroll in a class designated at a time for Day Program students. All students are eligible to take classes listed in the “swing” hours from 5:00 PM to 6:30 PM. Any student may also take any class on Wednesdays from 5:00 PM to 9:20 PM.

## **1.04 CREDIT FOR REQUIRED COURSES**

All required courses must be taken at North Carolina Central University School of Law except for those taken at a Visiting Law School during the student's last year. (*See* 1.09-01). A student receiving a failing grade must repeat the course until a passing grade is earned.

The American Bar Association Standard 310 requires that for every hour a student spends in class, the student must spend at least two hours studying. For example, if a student is taking 15 credit hours, that would equate to 15 hours of classes per week and at least 30 hours of out-of-class study per week. That would be a minimum of 45 hours per week that a student would need to spend on their studies during the semester. See Appendix J for the North Carolina Central University School of Law full ABA Standard 310 Policy.

## **1.05 COURSE LOAD**

### **1.05-01 Day Program**

After their first year, students must take at least ten (10) credit hours per semester to maintain full-time status. Students who wish to take fewer than 10 credit hours in a semester must seek permission from the Associate Dean of Academic Affairs. Students must first obtain approval from their advisor before requesting permission from the Associate Dean of Academic Affairs. This includes instances where students may have originally registered for more than 10 credits in a semester, but then wish to drop classes that would take them below the 10-credit threshold. As long as a student is taking at least 4.5 credit hours, the student should be eligible to receive financial aid. Students should always consult with financial aid advisors for inquiries concerning eligibility and award status.

Students who conclude their first year with at least a 2.34 grade point average (GPA) may take up to 16 credit hours in either the fall or spring semester, but will need permission from the Associate Dean of Academic Affairs to take more credits (i.e., an "overload") in a semester during the academic year.

Students who complete their first year with a GPA below 2.34 shall abide by the following guidelines:

- (a) Students will take a maximum of thirteen (13) academic credits and shall be limited to three written final examinations in any semester during the academic year. Students shall also be limited to a maximum of five (5) academic credits per summer session and one written examination per summer session. For the purposes of this section, a written examination shall be defined as an examination consisting of either multiple choice questions, essay questions, or some combination of the two.
- (b) During their second year, students are strongly encouraged to participate in all workshops sponsored by the Office of Academic Support. If a student participates

in at least 80 percent of the above-referenced workshop, that student shall receive registration priority in the following semester.

- (c) In addition to the completion of all required courses, students must successfully complete the following courses: Advanced Legal Analysis (Civ Pro, Contracts, Crim Law), Advanced Legal Analysis (Real Property, Torts, Crim Pro), Intestate Succession and Wills (formerly Decedent's Estates I), and Trusts and Future Interests (formerly Decedent's Estates II).
- (d) Students who subsequently attain a cumulative GPA of 2.50 or greater at any point during their matriculation will be removed from the prerequisites in Section 1.05-1(a)-1.05(d). The earliest this can occur, however, will be after the completion of the fall semester of the student's second year.

### **1.05-02 Summer School Guidelines**

- (a) All Day Program students who attempt to register for summer school must be in good standing at the time of registration. Good standing shall be defined by maintaining at least a 2.0 GPA. First-year Day Program students who complete the fall semester with a GPA below 2.0 will be administratively withdrawn from any summer school course for which they attempt to pre-register. When good standing is confirmed upon receipt of all first-year grades, any eligible student may register for summer school classes.
- (b) Students typically must be registered for at least 4.5 hours of academic credit to be eligible for financial aid, but students should always consult with financial aid advisors for inquiries concerning eligibility and award status.
- (c) During the summer, Day Program students with a GPA that exceeds 2.33 and are working no more than twenty hours per week may take no more than five (5) credits per summer session and a total of ten (10) credits for both sessions and one written examination per summer session. Day students working more than twenty hours per week can take four credits per summer session and a total of eight credits for both sessions; however, students working in excess of twenty hours per week during the summer must receive permission from the Associate Dean of Academic Affairs to exceed four credits in any summer session.

### **1.05-03 Evening Program**

After the first year, students may take between eight and ten credit hours per semester. Students who wish to take fewer than eight credit hours in a semester must seek permission from the Associate Dean for Academic Affairs in order to do so. This includes instances where students may have originally registered for more than eight credits in a semester, but then wish to drop classes that would take them below the eight-credit threshold. In consultation with an advisor, an Evening Program student with a GPA of greater than 2.34 may enroll in up to 12 hours. An

Evening Program student with a GPA of 2.34 or lower cannot take more than ten credit hours in a semester without permission from the Associate Dean for Academic Affairs. (See NCCU Student Handbook 1.05-04 Course Overloads).

Evening students may take four credits per summer session, for a total of eight credits for both sessions. They must receive permission from the Office of Academic Affairs to exceed four credits in a summer session.

Students typically must be registered for at least 4.5 hours of academic credit to be eligible for financial aid, but students should always consult with financial aid advisors for inquiries concerning eligibility and award status.

### **1.05-04 Course Overloads**

A Day Program or Evening Program student seeking to take more than the maximum number of credit hours in a semester (i.e., an overload) should submit a written request to the Office of Academic Affairs, even if he/she is enrolled in a dual-degree program. Students must first confer with their advisor before submitting a request to the Associate Dean of Academic Affairs. The request should state the student's name, number of credit hours of the additional class, the reason for requesting the overload, their overall grade point average, and whether their advisor approves. Absent extraordinary circumstances outside of a student's control, the Office of Academic Affairs will only grant an overload if students have at least a 3.0 GPA and can demonstrate the additional credits will not hinder the student's ability to maintain their GPA. Pursuant to American Bar Association standards, however, students in the Day Program will not under any circumstances be allowed to exceed seventeen credits in any semester.

### **1.05-05 Registration Rules for Students Repeating a Course**

Day Program students who receive an "F" in a first-year course are required to repeat that course during the next semester in which that course is offered at the School of Law. Evening Program students who must repeat required classes they take in their first year and second year must consult with the Assistant Dean for the Evening Program to determine when the course will next be offered to evening students. Those students should plan to take the course the next time it is offered in the Evening Program rotation. All students who have other questions about registration for classes they must repeat should direct them to either the Office of the Registrar or the Office of Academic Affairs.

### **1.05-06 Transfer Between Programs**

Requests for permission to transfer between programs must be submitted in writing to the Associate Dean for Academic Affairs. A transfer is not automatic and cannot be granted before successful completion of the first year in either program.

### **1.05-07 Auditing a Course**

Students at the School of Law may audit classes in which there are available seats, but students

may not count these courses toward their credits necessary for graduation. In order to audit a course, students must receive written permission from both the instructor of the class and the Office of Academic Affairs.

Assuming permission is granted, students who audit courses are subject to the same obligations and responsibilities of regularly enrolled students, including those mandating class attendance. (See Section 1.13). Students who violate the School of Law attendance policy for audited courses will be precluded from further participation in the course. No other record, however, will be kept for audited courses and no additional fees are charged for full-time students.

Absent special circumstances, non-students will not be allowed to audit courses at the School of Law.

## **1.06 GRADUATION REQUIREMENTS**

### **1.06-01 Credit Hours**

In order to be eligible to graduate, a student must have earned a 2.0 grade point average, completed a minimum of eighty-eight credit hours, and successfully completed all required courses. A student may take a maximum of twelve non-required pass/fail hours of the 88 credit hours. There is no pass/fail limit on hours that exceed eighty-eight.

### **1.06-02 Completion of Degree**

The course of study for the J.D. degree shall not be longer than eighty-four months after a student has commenced law study at a law school or a law school from which the school has accepted transfer credit.

### **1.06-03 Joint Degree Programs**

The requirements for the joint JD/MBA degree, joint JD/MLS degree, joint JD/MIS degree, joint JD/MPA degree, and joint JD/MA in History are found at the end of this Handbook in Appendices A through E. Additionally, the requirements for the joint JD/MPP degree with Duke University are found at the end of this Handbook in Appendix F.

### **1.06-04 Honors**

Honors are awarded to students based upon their cumulative grade point averages earned by graduation as follows: 3.50 or higher, summa cum laude; 3.30 - 3.499, magna cum laude; and 3.0 - 3.299, cum laude.

## **1.07 DROPPING COURSES**

Courses must be dropped no later than the last day of class for the semester. However, if the final work product is a take-home exam, the course must be dropped prior to the take-home exam being handed out. Thereafter, a course may not be dropped. Students who meet these deadlines will receive the grade of “WC.” If dropping a course will take you below the minimum credit hours required per semester, you must first consult your advisor and obtain permission from the Associate Dean for Academic Affairs. (*See* Sections 1.05-01, 1.05-02, and 1.06-02). (First-year students should refer to Section 1.07-01).

### **1.07-01 Dropping Required First Year Courses**

All students must take the required first-year courses. In extraordinary circumstances, however, a first-year student may be permitted to withdraw from a course with the prior written permission of the Office of Academic Affairs, which may impose special requirements.

## **1.08 SECTION ENROLLMENT**

All first-year students at the School of Law will be assigned sections in which to take their first-year courses. Students may not switch from one section to another. Any student repeating a required first-year course may request a different section of that course at the next offering, subject to space availability.

Evening Program students who transfer to the Day Program after one year will be assigned to their remaining first-year courses by the Office of Academic Affairs.

## **1.09 COURSES AT OTHER SCHOOLS**

Students will not be permitted to take summer school courses offered by other law schools until Day Program students have successfully completed a fall and spring semester and Evening Program students have successfully completed four semesters. Generally, students will not be permitted to enroll in courses at other schools during their final semester because of difficulty in obtaining grades from other institutions in a timely manner for graduation certification.

### **1.09-01 Completing Courses at a Visiting Law School**

Students who desire to complete their courses at a Visiting Law School must first consult with their advisor to determine the courses required to complete their degree. The student must submit to their advisor the course description provided by the Visiting Law School for the advisor to give their opinion as to whether the course is substantially similar to the course offered at NCCU. The student must then submit their request in writing to the Associate Dean for Academic Affairs. The request should include the course description and the advisor’s opinion as to whether the course is substantially similar to the course offered at NCCU.

In those circumstances where the Visiting Law School does not have a required course that is

substantially similar to the course offered at NCCU, the student may petition the Curriculum Committee in order to demonstrate that the failure to take the required course or a substantially similar course at a Visiting Law School does not affect the integrity of the law degree that the student will receive from NCCU. The Curriculum Committee shall consult with those faculty members responsible for teaching the required course at issue.

To avoid any possible difficulties with satisfying graduation prerequisites in a timely manner, students who are in their final year at the School of Law are strongly discouraged from taking classes at other institutions during their last semester.

### **1.09-02 Limitations on Credits Toward Degree**

Students may earn a limited number of elective credit hours toward their law degree at NCCU by taking approved classes at other institutions. (*See* Sections 1.03 and 1.04).

Permission from the Office of Academic Affairs must be obtained before taking:

1. summer school courses at other accredited law schools;
2. up to six hours of credit for non-law school courses that are related to a student's program of law study, and
3. law school courses at Duke University and the University of North Carolina at Chapel Hill under the inter-institutional agreement, which permits not more than two courses to be taken at the other school in a semester, provided that the Law School does not offer the same course (or its substantial equivalent) in the same semester.

### **1.09-03 Transfer of Credit Hours**

**Fall and Spring Courses:** Any grade earned at another law school, graduate or undergraduate program during the fall or spring semesters may be transferred and included in the calculation of the student's grade point average. Where grading systems are substantially different from the grading system at this school, the student seeking transfer credit shall have the burden of providing sufficient information to the Office of Academic Affairs to support an equivalency determination.

**Summer School Courses:** A student must earn a grade of "C" or better for summer school credit hours to transfer. Grades earned during the summer will not be included in the calculation of the student's grade point average. However, credit hours transferred will count toward the 88 hours required for graduation. (*See* Section 1.06-01). A grade of "C-" or below will not be accepted regardless of the standards applied at the other schools. If a grade is earned on a system other than "A, B, C", the student has the burden of establishing equivalency. (*See* Section 1.09-01).

**Transfer students:** A student transferring into the School of Law will not receive credit for hours earned taking a required course at another law school, if that required course is offered for fewer credit hours than the student would receive for taking that course at this law



school.

## **1.10 EXAMINATIONS AND GRADING**

### **1.10-01 Anonymous Grading**

Grading of examinations is anonymous and is recorded by examination numbers assigned by the Office of Academic Affairs. Each student must obtain a number before the examination period begins. If the final grade for the course is different from the grade on the final examination, both grades should be reported to the student. Faculty may consider factors other than examination grades, but students should be informed of those other factors at the beginning of the semester.

### **1.10-02 Items During Examinations**

During examinations, all personal belongings of students, including electronic devices, cell phones, watches, backpacks, handbags, calculators, outlines, notes and books, must be left in lockers or elsewhere in the building (exception: calculators, outlines, notes, and/or books are permitted if allowed by professor). No external device can be used to monitor time, unless this is part of an approved accommodation. Students are not permitted to use earphones during the exam, but earplugs are permitted. Possession of any electronic device during an examination is grounds for an honor code violation.

### **1.10-03 Absences From Examinations**

Unexcused absences from an examination will result in a grade of “F” for that examination. Only the Associate Dean for Academic Affairs may excuse an absence from a scheduled examination. Excuses must be sought before the time for taking the examination, except in the most extraordinary situations that would prevent a diligent, reasonable person from obtaining a prior excuse. It is within the professor’s discretion whether to allow a make-up examination for students excused from mid-term examinations.

Excuses are not lightly granted. A student must show that circumstances beyond his/her control prevented appearance at the scheduled time.

In order to miss an exam due to a work commitment, a student must submit written documentation from his/her employer which certifies that it is imperative that the student miss the exam for work purposes. The documentation must appear on the employer’s letterhead. If a student is unable to receive such certification because of personal reasons, the student must certify in writing the reason they are unable to receive the certification.

Where an excuse is granted, the examination may be taken later from the same instructor, by arrangement of the instructor and the Associate Dean, or at the next time the course is offered and an examination given.

A grade of Incomplete (“I”) will be reported to the Registrar if the examination is not taken before final grades must be reported. Such incompletes must be removed (that is, the examination must be taken) not later than one year after the missed examination was originally scheduled, or when

the examination is given the next time the course is offered, whichever comes first. If the examination is not taken within that time, the grade will automatically become an “F”.

#### **1.10-04 Late Arrival For Examinations**

A student who arrives late for an examination will be permitted to take it without excuse, but the time for completing the examination will not be extended beyond that specified for completion for those who arrived on time. If the student can demonstrate to the instructor and to the Associate Dean for Academic Affairs that his/her lateness was for good cause, and beyond his/her control, the full scheduled time to complete the examination may be given, at the instructor’s discretion.

#### **1.10-05 Accommodations for Examinations**

##### **For students for whom English is a second language:**

1. Students who have spent two or more years of undergraduate or graduate study in an English-speaking institution will not be eligible for accommodation;
2. Accommodation will take the form of time and one-half for examinations in the first year only.

##### **For students with disabilities:**

Students with disabilities (physical, learning, psychological, chronic or temporary medical conditions, etc.) who would like to request reasonable accommodations and services under the Americans with Disabilities Act must register the Office of Student Accessibility Services (SAS) in Suite 120 in the Student Services Building. Students who are new to SAS or who are requesting new accommodations should contact SAS at (919) 530-6325 or [SAS@nccu.edu](mailto:SAS@nccu.edu) to discuss the programs and services offered by SAS. Students who are already registered with SAS and who would like to maintain their accommodations must renew previously granted accommodations by visiting the SAS website at [www.nccu.edu/SAS](http://www.nccu.edu/SAS) and logging into Eagle Accommodate. Students are expected to renew previously granted accommodations at the beginning of each semester, preferably during the first two (2) weeks of class. Reasonable accommodations can be requested at any time throughout the semester; however, they will not be effective retroactively. Students are strongly encouraged to contact their professors to discuss the testing and academic accommodations that they anticipate needing for each class.

Students identifying as pregnant or other pregnancy-related conditions who would like to request reasonable accommodations and services under Title IX must register with the Office of Student Accessibility Services

If you have any questions, please contact Brett Bowers, NCCU Law School Wellness Specialist at [bbowers2@nccu.edu](mailto:bbowers2@nccu.edu) or (919) 530-5156.

##### **For students who desire religious accommodations:**

Accommodations may be made due to religious observances.

### **1.10-06 Exam Conflicts**

Students are eligible to take a final exam on "Conflicts Day" if they have two exams that start within a 23-hour period.

Example 1: A 9:00 AM exam on one day and a 2:00 PM exam on the same day is a conflict.

Example 2: A 9:00 AM exam on one day and a 9:00 AM exam on the next day is not a conflict.

Students must notify the Law School Registrar if they are electing to take their exam on Conflicts Day. Students are NOT permitted to take an exam on Conflicts Day unless there is a legitimate conflict with another exam. Violation of the policy will result in an honor code violation and a failing grade in the course.

### **1.10-07 Grade Changes**

Once final grades have been turned in by a faculty member, they shall not be changed unless the faculty member satisfies the Dean and the Provost/Vice-Chancellor for Academic Affairs that they have made an objective mistake in determining a grade, such as an error in computation or averaging.

### **1.10-08 Extensions - Papers, etc.**

Where a work product other than an examination is required for a course, the instructor may, in his or her discretion, grant an extension of time for the completion of such work. Such extensions may be for such periods as the instructor shall determine, but in no event may the instructor permit the work to be completed later than:

Fall semester:	the following March 31
Spring semester:	the following August 31
Summer sessions:	the following October 31

If any extension of time is granted under this rule, the extended due date for the work should be communicated to the student in writing, and a copy should be furnished to the Office of Academic Affairs. An instructor may, in his or her discretion, reduce the grade of a student who is granted an extension under this rule. If the work is not completed before the extended time limit has expired, the grade of "F" will be awarded for the late work. Extensions are not to be lightly granted.

### **1.10-09 Grade Scale - Quality Points**

Grades are given each semester in each course. The grade scale is as follows:

A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67
D+	1.33
D	1.00
D-	0.67
F	0.00

In a Pass/Fail class, a student who earns a “P” receives credit hours toward his/her graduation requirements, but the “P” has no effect upon the student’s cumulative grade point average. A grade of “F” received in a Pass/Fail class will be factored into the student’s cumulative grade point average and no credit hours will be awarded toward his/her graduation requirements.

### **1.10-10 Grade Appeals**

Each faculty member shall prepare model answers or other objective standards setting forth the issues that the professor expected the students to discuss in their examination answers or other course work and the approximate number of points or weight assigned to each question or component. If not returned, these model answers or other objective standards and the student’s own materials will be made available for review on request.

A student who thinks that his/her grade was incorrect may appeal to the Office of Academic Affairs. All procedures will be confidential.

To appeal a grade:

1. The student must have a conference with the professor, and seek an explanation of the grade received and a resolution of the student’s complaint.
2. If the student still contests the grade, he/she may appeal the grade by writing to the Office of the Dean. If the Dean is persuaded that the appeal may be meritorious, the Dean may appoint a panel of three professors to review the matter and to make a written recommendation. The Dean will then discuss the appeal with the student and the professor. If the appeal is not then concluded by agreement, the Dean will render a decision in writing to the student and the professor.

3. To be regarded as meritorious, a grade appeal must be based on an objective arithmetical or computational error; manifest unfairness to the student in the evaluation process as compared with other members of the class as demonstrated by clear and compelling evidence; or qualitatively similar instances involving invidious discrimination based on clear and compelling evidence.
4. Non-meritorious appeals include those challenging: standards generally applied to the evaluation of the class; the form of the evaluation instrument administered to the class; or any matter involved with the substantive content of the course or the exercise of professional judgment.
5. All appeals must be made within a reasonable time. A discussion with the professor within ten school days from the date that the student receives notice of the grade will be deemed timely. A written appeal of the grade to the Office of Academic Affairs must be made within ten school days after the conference with the professor if the complaint has not been resolved.

### **1.10-11 Academic Eligibility – Continuation**

To remain academically eligible at the School of Law, a student must meet certain minimum grade point average requirements:

1. First-year students enrolled in the Day Program must earn a cumulative GPA of at least 2.0 by the end of the academic year (spring semester) to be eligible to return. Any student who falls short of the above-referenced threshold will be academically dismissed. Evening Program students who do not earn a 2.0 GPA at the conclusion of their second year of enrollment will be academically dismissed.
2. Day Program students who have a GPA of less than 1.4 at the conclusion of the fall semester of their first year will be academically dismissed. Similarly, Evening Program students who have less than a 1.4 GPA at the conclusion of the spring semester of their first year in the program will be academically dismissed.
3. A student enrolled in either the Day Program or Evening Program whose cumulative GPA drops below 2.0 at the close of each academic year will be academically dismissed.

### **1.10-12 Academic Eligibility – Competition Teams and Student Organizations**

1. Students must have earned an overall GPA of 2.34 to participate on inter-institutional competition teams or serve as officers for student organizations.
2. Students who have not earned an overall GPA of 2.34 who wish to participate on inter-institutional competition teams must have the permission of the Associate Dean for Academic Affairs and the team coach or advisor.

3. Students who have not earned an overall GPA of 2.34 who wish to serve as officers for student organizations must have the permission of the Associate Dean for Academic Affairs and the Assistant Dean of Student Affairs.

## **1.11 READMISSION**

### **1.11-01 Eligibility to Petition for Readmission Following Academic Dismissal**

A student who does not earn the minimum grade point average by the end of the academic year is dismissed. Subject to the following limitations, however, a student who is academically ineligible may petition the Standards Committee for readmission.

1. A first-year student enrolled in the Day Program or a second-year student enrolled in the Evening Program who achieves a cumulative grade point average below 2.0 but at least 1.8 may petition for readmission.
2. A first-year student enrolled in the Day Program or a second-year student enrolled in the Evening Program who fails to earn a cumulative grade point average of at least 1.8 by the end of the academic year is not eligible to petition for readmission.
3. An upper-level student enrolled in the Day or Evening Program who has been academically dismissed may petition for readmission, provided the student has a cumulative grade point average of at least 1.8 at the time of the dismissal.
4. All petitions for readmission following academic dismissal are governed by the procedure specified in Section 1.11-02.
5. A student may petition for readmission only once. All students are presumed and expected to be putting forth their best and most diligent efforts to perform satisfactorily in all courses; consequently, readmission will be rare.
6. A student who is readmitted following withdrawal pursuant to Section 1.11-04, and is subsequently academically dismissed, may petition for readmission under the provisions of Sections 1.11-01 and 1.11-02 following the initial academic dismissal. Pursuant to 1.11-01(5), the student may not thereafter petition for readmission following any future academic dismissals.

### **1.11-02 Readmission Procedure**

Petitions for readmission will not be considered until one academic year after a student's dismissal for substandard academic performance. A petition must be received by the Office of Academic Affairs by April 15th of the calendar year following the petitioner's dismissal. A student failing to file a petition for readmission by this date may submit a petition for readmission to the Office of Academic Affairs by November 1st of the calendar year following the petitioner's dismissal.

1. An eligible student may petition the Standards Committee for readmission by sending a letter to the Office of Academic Affairs. The petition should set forth specific reasons for the petitioner's substandard performance. The petition must contain a current return mailing address, a current email address, and a current telephone number.
2. The Office of Academic Affairs shall forward the petition to the Standards Committee for consideration, along with any contact information specified in 1.1102 (1) that was provided to the Office of Academic Affairs by the petitioner, as well as any documentation provided by the petitioner relevant to the petitioner's performance and petition.
3. The Standards Committee will meet as soon as possible after the end of the spring semester. Three faculty members of the Committee shall constitute a quorum.
4. The petitioner shall have the right to appear at the time set by the Committee for consideration of the petition and to demonstrate that extraordinary circumstances resulted in his/her substandard academic performance. Extraordinary circumstances are those that do not ordinarily occur. Financial concerns, employment obligations, family illness or commuting distances normally involve no element of extraordinary circumstances. The petitioner must demonstrate that the extraordinary circumstances have been resolved and that, if re-admitted, he or she will be able to successfully handle the rigors of legal education. The petitioner must submit written documentation to substantiate any physical or psychological conditions described in the petition. Furthermore, there is no presumption that petitioner will be readmitted by reason of having a cumulative average close to the required minimum.
5. Petitions for readmission shall be granted only if the Committee finds:
  - (1) That it is probable that the student will satisfy graduation requirements within the time permitted for graduation;
  - (2) That some extraordinary or compelling circumstance(s) contributed to the student's inability to meet the academic requirements of the school;
  - (3) That the prior disqualification does not indicate a lack of capacity to complete the course of study at NCCU Law; and
  - (4) If the Academic Standards Committee determines that the academic separation resulted (in whole or in part) from a deficiency in any skill(s), that the applicant has demonstrated a dramatic improvement in the deficient skills. The Committee may require the student to complete diagnostic exercises to determine proficiency in any one or more skills.
  - (5) In applying this standard, the Academic Standards Committee may consider any factors its members believe are relevant, including the student's apparent ability and demonstrated commitment to become a lawyer, his or her record of academic

performance at the school, and any other circumstances that may have impeded the student's performance. In its deliberations, the Committee will adhere to Standard 505 of the ABA Standards for the Approval of Law Schools.

6. If a majority of the Committee present and voting is in favor of readmission, the student is readmitted. Readmission may be conditioned as the Standards Committee deems appropriate.
7. In all cases, the Office of the Dean shall inform the petitioner by letter of the disposition of his/her case.

### **1.11-03 Admission as a New Student Following Academic Dismissal**

An academically dismissed student who does not petition for readmission by the specified deadline, or an academically dismissed student who is ineligible to petition for readmission, may not be admitted as a new student until two academic years have elapsed following his/her dismissal.

All applications for readmission as new students are governed by the procedures specified in Section 1.11-02.

Students who apply for readmission as a new student must include in separate statement apart from their personal statement that demonstrates that the "extraordinary and compelling circumstances" resulted in their substandard performance. The applicant must demonstrate that the extraordinary circumstances have been resolved and that, if re-admitted, he or she will be able to successfully handle the rigors of legal education.

Students admitted as a new student cannot transfer any credits from prior law school matriculation and must abide by the rules applying to their new incoming class.

### **1.11-04 Withdrawal from Law School**

All students must make a written request and obtain written permission from the Office of Academic Affairs to withdraw. A student who withdraws from the Law School, for whatever reason, shall be governed by the following requirements:

1. If the permission is granted during the student's first semester, before the student has taken any final examination or before completing the course work in any non-examination course, that student must reapply for admission at a subsequent fall semester and must submit a new personal statement. The student's previous LSAT and LSDAS report may be used if the re-application is within three (3) years of his/her last LSAT administration date; however, the student may retake the LSAT at his/her discretion.
2. Students who have completed course work and received grades must submit a petition to re-enter law school to the Office of Academic Affairs. The petition for



readmission must be received by the Office of Academic Affairs at least 60 calendar days before the start of classes for the semester or summer session of the proposed return. First-year students who withdraw in the Spring semester after completion of the Fall semester may petition for readmission to return only at the beginning of a Spring semester to complete their first-year courses without repeating any Fall semester courses. Such students must petition for readmission at least 60 calendar days before the start of classes of the Spring semester of the proposed return. Students who have completed their first year and then later withdraw may petition for readmission to return in any semester or summer session provided that the petition is received at least 60 calendar days before the start of classes at the time of the proposed return. Students who withdraw may petition to return only to the program from which they withdrew. The petition must contain a current return mailing address, a current e-mail address, and a current telephone number. If the student is re-admitted, any transfer from the day or evening program to the other program is governed by section 1.05-05. The Office of Academic Affairs shall forward the petition to the Standards Committee for consideration, along with any relevant documentation. Such students' prior grades will count toward their degree and they must be able to complete degree requirements in a timely manner as defined in Section 1.06-02.

The Standards Committee will apply the following standards in evaluating the petition for readmission:

If a student withdraws while having a grade point average of 2.0 or above, the student is presumptively re-admissible. If a student withdraws for a personal emergency (unrelated to law school) before taking any exams, including midterms, or before completing the course work in any non-examination course, the student is presumptively re-admissible. Further, if a first year student withdraws for a personal emergency (unrelated to law school) after midterms, but before final exams or before completing the coursework in any non-examination course, the student is presumptively re-admissible, if the student has performed above average in at least three of his/her midterms.

The presumption of re-admissibility can be overcome by a showing that the petitioner had engaged in conduct that (a) demonstrates unprofessional or unethical behavior, (b) poses an imminent threat to the orderly conduct of classes or to the orderly administration of the School of Law and its premises, or (c) could have adversely affected the petitioner's admission as an applicant to the School of Law. In applying these criteria, the Standards Committee may consider (i) whether the petitioner shows remorse for any conduct that might furnish grounds for rebutting the presumption of re-admissibility and (ii) whether the petitioner voluntarily disclosed the conduct that might furnish grounds for rebutting the presumption of re-admissibility. The burden of rebutting the presumption of re-admissibility of a petitioner is on the School of Law by a preponderance of the evidence.

If a student withdraws while having a grade point average below 2.0, to be readmitted, the student must demonstrate a compelling non-academic reason(s) for the withdrawal. These

reasons may include, but are not limited to, severe financial hardship, serious medical problems, or serious illness or death of a close family member.

A student who cannot demonstrate a compelling non-academic reason for the withdrawal would then be subject to the standard for readmission of a student who has been declared academically ineligible. Thus, the procedures specified in Section 1.11-02 would govern. If the student is readmitted, the student would be evaluated for academic retention at the appropriate time according to customary procedures. See generally, 1.10-11.

A student who does not comply with these rules upon his/her departure from the Law School, will not be eligible to re-enroll. Re-enrollment is not automatic.

### **1.12 STUDENT RECORD KEEPING**

Each student should keep a file throughout his/her law school career that contains tuition payment records, copies of pre-registration and drop/add cards, and any advising notes, doctor's excuses, and any other relevant materials related to the student's matriculation and class attendance.

### **1.13 CLASS ATTENDANCE RULES**

Students are required to attend all of their regularly scheduled classes. If, however, circumstances force professors to cancel a class, a student's inability to attend the make-up class will not count as an absence.

Faculty members will maintain a record of attendance in each course. Attendance for all students shall be taken starting the first day of class. Thus, students who anticipate registering for a class during the drop/add period are advised to obtain the instructor's permission to attend the class during the interim. Students are strongly encouraged to consult with their advisor before dropping or adding a course.

Faculty shall notify the Registrar when a student has missed two-thirds of the maximum number of classes that they can miss, and when they reach the maximum.

Students who accumulate more than the maximum absences within a semester will be dropped from the course. However, before a student is dropped from a class they will be notified by the Assistant Dean for Student Affairs and informed of their right to appeal the violation of the attendance policy.

Each 50 minutes of meeting time is considered a class hour. Students enrolled in required first-year courses who violate the attendance policy will receive a grade of "F." Please note that the fewer times a class meets during the week, the quicker students can reach the maximum absence threshold:

<u>Course credit hours</u>	<u>Maximum absences</u>
One (1) credit hour	Two 50-minute classes

Two (2) credit hours	Four 50-minute classes Two 100-minute classes
Three (3) credit hours	Six 50-minute classes Four 75-minute classes
Four (4) credit hours	Nine 50-minute classes Six 67-minute classes

If a course meets for fewer hours per week than the course awards for successful completion, the maximum absences will be based on the number of class meeting hours per week. Maximum absences for semester-long classes that are scheduled in a configuration different than that listed above will be based on the equivalent number of missed minutes allowed for a semester-long course. Maximum absences for classes that are scheduled for fewer than 14 weeks will be based on the equivalent number of missed minutes allowed for a semester-long course.

### **1.13-01 Appeals Procedure for Violations of Attendance Policy**

Notice of Violation. The Assistant Dean of Student Affairs shall notify students who have been dropped from a course for exceeding the maximum absences by e-mail at the student's NCCU email address. Notice will be deemed effective two days after the date of the e-mail from the Assistant Dean of Student Affairs. On the day an e-mail is dated, a copy shall be mailed to the student's address of record. (*See* Section 1.14).

Right of Appeal. A student who has received notice, as defined herein, that he or she has exceeded the maximum number of absences in a course shall have the right to appeal to the Student Attendance Committee for a determination of whether the student's absences are excusable.

Perfecting an Appeal. To perfect the right to appeal, a student must notify the Assistant Dean of Student Affairs of an intention to appeal within five days of notice that he/she has exceeded the maximum number of absences.

Stay Pending Appeal. The student's name shall not be withdrawn from the class roll until after a final adverse determination of his/her appeal or until the student abandons his/her appeal by failing to follow the procedures set out herein. The results of any examination taken during the pendency of an appeal shall be sealed unless there is a final favorable determination of the student's appeal. The student's final examination results will not be considered by the faculty member and no final grade will be recorded on the student's record if the Student Attendance Committee reaches an adverse determination on the student's appeal.

Presentation of Appeal. The student shall present a written statement of the basis of the appeal and supporting documentation to the Assistant Dean of Student Affairs within two weeks of the date the appeal is perfected.

Burden of Proof. The student shall have the burden of proving by a preponderance of the evidence (as defined in section 1-13.02) that there was sufficient justification for each absence over the number of allowable absences for the course, as defined herein. A student is presumed to have been absent if the attendance records submitted to the Registrar by the faculty member indicate that the student was absent.

Allowable absences. A student must provide an explanation on appeal for all absences **except:**

one credit hour course	one 50-minute class or one 75-minute class
two credit hour course	two 50-minute classes or two 75-minute classes
three credit hour course	three 50-minute classes or two 75-minute classes
four credit hour course	four 50-minute classes or three 75-minute classes

Review Procedure. Upon receiving the written appeal from the student, the Assistant Dean of Student Affairs shall distribute copies of the appeal and supporting documentation to the Student Attendance Committee consisting of the Associate Dean for Academic Affairs, the Associate Dean of Student Services, the Assistant Dean of Student Affairs, and the Director of Academic Affairs and Registration. The Assistant Dean of Student Affairs shall set a date for the hearing and shall notify the student of the date. The hearing shall be no sooner than two weeks before the last scheduled day of classes for the semester, and should be no later than the last scheduled date of class. The Committee shall determine, based on the student's written explanation, supporting documentation, and testimony, if the student's absences were for sufficient justification. The Committee shall also consider the opinion of the professor as to whether the student has attended sufficient classes to sit for the exam. If a majority of the Committee finds that the student has met the burden of proof, the student's appeal shall be granted, and the student shall be allowed to continue in and receive the earned credit for the course. If the student fails to meet the burden of proof, the appeal shall be denied. This decision shall be final. The Assistant Dean of Student Affairs shall notify the student of the Committee's decision.

### **1.13-02 Sufficient Justification**

Sufficient justification shall be defined as extraordinary circumstances, out of the student's control and arising through no fault on the part of the student, which prevent the student from attending class. Such extraordinary circumstances shall include: (1) serious illness; (2) admittance to a hospital; (3) a death in the student's close family; (4) jury duty or required court appearance; and (5) other compelling circumstances.

## **1.14 CURRENT ADDRESSES ON FILE**

Official notices from the Law School will be sent to the address on file with the University Registrar. Students are responsible for maintaining their current addresses and telephone numbers on file with the University Registrar.

## **1.15 LIMITATIONS ON STUDENT EMPLOYMENT**

### **1.15-01 Applicability to Full-Time Students**

A full-time student is expected to devote substantially all of his/her time to the study of law. A full-time student whose circumstances necessitate undertaking employment, whether outside or inside the Law School, must limit that employment to no more than twenty (20) hours per week.

### **1.15-02 Notice of Employment**

A full-time law student who is employed must promptly give notice of their employment to the Assistant Dean for Student Affairs and to their academic advisor.

## **1.16 CLASS RANKS**

Class ranks are computed at North Carolina Central University School of Law at the end of every academic year (not after every semester). After all grades have been submitted, the Law School Registrar will inform all students when class ranks are available and the procedure for finding out one's class rank. Students requesting an official letter stating their class rank must submit their request in writing by email or letter to the Director of Academic Affairs and Registration, stating their full name (first name, middle initial and last name), the name and address of the agency or institution to which the class rank is to be sent, and the name of the contact person. Please allow 3-5 business days for processing.

## **1.17 LETTERS OF GOOD STANDING**

Students requesting "Letters of Good Standing" must submit the request in writing by email or letter to the Law School Registrar, stating their full name (first name, middle initial and last name), the reason for the letter, the name and address of the agency or institution to which the letter is to be sent, and the name of the contact person. Please allow 3-5 business days for processing.

## **1.18 TRANSCRIPTS**

Students desiring official transcripts must request these with the University Registrar's Office. Procedures are found at the end of this Handbook in Appendix G.

## **1.19 "DEGREE VERIFICATION" LETTERS**

Students requesting "Degree Verification" letters must submit the request in writing by email or letter to the Director of Academic Affairs and Registration, stating their full name (first name,

middle initial and last name), the year of graduation, the name and address of the agency or institution to which the letter is to be sent, and the name of the contact person. Please allow 3-5 business days for processing.

## **2.00 CODE OF STUDENT CONDUCT**

### **2.01 PREAMBLE**

The mission of the North Carolina Central University School of Law is to provide a challenging and broad-based educational program designed to stimulate intellectual inquiry of the highest order, and to foster in each student a deep sense of professional responsibility and personal integrity so as to produce competent and socially responsible members of the legal profession.

The primary purpose for the Code of Student Conduct is to further this mission by ensuring the orderly functioning of the School, protecting the rights of its students, faculty, and staff, and furthering a community of respect and integrity. It specifies prohibited types of behavior, the sanctions that can be applied, and the jurisdiction, structure, and operation of the system for adjudicating student disciplinary cases. Disciplinary regulations are set forth in writing in order to give students general notice of prohibited conduct. This Code is not written with the specificity of a criminal statute and is not designed to define misconduct in exhaustive terms. It is the responsibility of all NCCU School of Law students to familiarize themselves with these regulations.

All members of the North Carolina Central University (NCCU) School of Law community are expected to behave in an ethical and moral fashion, respecting the human dignity of all members of the community and resisting behavior that may cause danger or harm to others through violence, theft, or bigotry. All members of the NCCU School of Law community are expected to adhere to the civil and criminal laws of the local community, state, and nation, and to regulations promulgated by the University. All members of the NCCU School of Law community are expected to observe established standards of scholarship and academic freedom by respecting the intellectual property of others and by honoring the right of all students to pursue their education in an environment free from harassment and intimidation.

### **2.02 AUTHORITY FOR STUDENT DISCIPLINE**

#### **2.02-01 Authority**

Ultimate authority for student discipline is vested in the Board of Governors of the University of North Carolina. As part of a constituent institution, The School of Law also is governed by the policies and procedures of North Carolina Central University. However, in our mission to foster in each student and future member of the legal professional a deep sense of professional responsibility and personal integrity, the School of Law has chosen to further define and expand upon its own standards as set forth in this Code of Conduct. The Disciplinary Committee of the School of Law implements the policy set forth in the Code of Student Conduct.

#### **2.02-02 Composition**

The Student Disciplinary Committee shall be a standing committee of the Law School consisting of eight faculty members and two student members. The Office of the Dean shall appoint a Chair, five members of the faculty as voting committee members, and two additional faculty members as alternates. The President of the Student Bar Association shall appoint two students to serve as

voting members of the committee. Prior to the commencement of the hearing on the merits, the accused may request that the student members not participate.

### **2.02-03 Substitution of Committee Members**

If any member of the Committee is the accuser, or was the instructor of the course in which the alleged violation of these regulations took place, such person shall not participate as a member of the Committee in the hearing or deliberation of the case. If any member of the committee is excused or is otherwise unable to serve, the Chair shall select an appropriate student or faculty alternate to serve. If all alternates are ineligible or unable to serve, the Chair shall select an appropriate student or faculty member to serve.

### **2.02-04 Quorum and Meetings**

A quorum exists when the Chair plus five voting members of the Committee are present. Committee action shall be by a majority vote of those present and voting.

## **2.03 JURISDICTION**

In general, this Code of Student Conduct refers to conduct on School premises or at School-sponsored activities. The School of Law reserves the right to take necessary and appropriate action to protect the safety, wellbeing and integrity of the campus community. Such action may include taking disciplinary action against students whose behavior off campus indicates that they pose a substantial danger to others in the University community, or violates professional obligations as set forth in the North Carolina State Bar Rules of Professional Conduct, the University Code or in the Code of Student Conduct herein.

## **2.04 DEFINITIONS**

When used in this Code:

- a. *Respondent* means any student who has been accused of an act prohibited under this Code.
- b. *Complainant* means any member of the University community who has elected to serve as the complaining party in a disciplinary proceeding under this Code.
- c. *Student* means any person for whom the School of Law maintains educational records, as defined by the Family Educational Rights and Privacy Act of 1974 and related regulations, and who has not yet been awarded his or her degree from the University.
- d. *Faculty* means any person who holds an academic appointment in the School of Law, including adjunct and visiting instructors.
- e. *Notice* means a notice delivered to the student or his/her residence by any reasonable means. Such means may include e-mail, hand delivery or first class mail to a student's most recent local address as it appears in the Registrar's records.
- f. *Working days* are defined as business days when classes are in session. Over holidays and breaks, there may be flexibility in deadlines, but no undue delays shall be tolerated and all timeframes should be expedited to the extent possible to avoid unfair prejudice to the student.

## **2.05 PROHIBITED CONDUCT**

1. As citizens and future lawyers, all students are expected to comply with federal and

state law, as well as the Rules of Professional Conduct set forth by the North Carolina State Bar. Any alleged violation of these expectations shall be within the purview of the School of Law to investigate and adjudicate.

Action within the Law School will normally proceed during the pendency of administrative, civil or criminal proceedings arising out of the same or other events, and shall not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced, or are pending.<sup>1</sup>

In addition, students who engage in the following prohibited conduct may be subject to disciplinary action:

### **2.05-01 Academic Dishonesty**

*Academic dishonesty* is defined as any conduct by which the student creates for him/herself or for others an unfair or false evaluation in connection with any examination or other work for academic credit. Cheating, fabrication and plagiarism are examples of conduct that is academically dishonest.

- i. Cheating* is the unauthorized use of materials in connection with an examination or other work for academic credit, including, but not limited to
  1. the use of books, notes, outlines, etc. during an examination where the instructor has not authorized use of such materials or information;
  2. seeking unauthorized materials or information from others in connection with an examination;
  3. giving or attempting to give unauthorized assistance to a person in connection with an examination;
  4. obtaining or attempting to obtain unauthorized copies of examinations;
  5. bringing to an examination, or attempting to use during an examination, unauthorized answers which have been prepared before the examination period;
  6. copying or attempting to copy from the work of another student during an examination; and
  7. submitting for evaluation in a course, part or the whole of a work for which credit has been given previously.
- ii. Fabrication* is the invention, counterfeiting and/or alteration of quotations, data, procedures, experiments, sources or other information for which the student claims authorship in an exercise which he or she submits with the expectation of receiving academic credit.
- iii. Plagiarism* is the use of the ideas, words, or work of another without attribution, when the information provided is not common knowledge, either in content or form, and includes, but is not limited to
  1. quoting from the published or unpublished work of another without appropriate attribution;

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<sup>1</sup> A member of the University community initiating a complaint under this Code is not precluded from filing civil or criminal charges outside the University.



2. paraphrasing or summarizing in one's own work any portion of the published or unpublished materials of another without attribution; and
3. borrowing from another's work information which is not in the domain of common knowledge.

#### **2.05-02 Forgery**

*Forgery, unauthorized alteration or unauthorized use* of any University document or record, or any instrument or form of identification.

#### **2.05-03 Furnishing false or misleading information**

*Furnishing false or misleading information*, including

- i. Making a materially false or misleading statement or a material omission to a university official regarding coursework, a school activity or program, or in the process of inquiry, investigation or resolution of a disciplinary matter.
- ii. Making a materially false or misleading statement or omitting required information on an application for admission to this Law School, or on any other written application or document connected with the Law School (i.e., work study hours, financial aid application, grade or GPA report, etc.). This also includes failing to update and amend one's admissions application in accordance with the amendment guidelines as set forth in the student handbook.<sup>2</sup>
- iii. Making a materially false or misleading statement or a material omission to any Judge or officer of the court, including, but not limited to, the student's presence as a plaintiff, defendant, representative, witness, employee, volunteer, intern or extern.

#### **2.05-04 Use of unlawful force**

*Use of unlawful force* against any person or property or the threat of such force.

#### **2.05-05 Sex offenses**

*Sex offenses*, forcible or non-forcible—defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent (e.g., intoxicated).

#### **2.05-06 Actual or threatened sexual assault**

*Actual or threatened sexual assault*—this includes, but is not limited, to non-consensual sexual touching, even between acquaintances.

#### **2.05-07 Harassment or intimidation**

*Harassment or intimidation*, including engaging in conduct that threatens to cause

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<sup>2</sup> Please refer to the Law School's policy on Amending Applications, Appendix D, and the time requirements set forth within. Failure to abide by this policy could result in a charge of "Furnishing false or misleading information" and disciplinary sanctions.

physical harm or emotional harm to persons or damage to their property. This includes making offensive or harassing comments to or about students due to race, gender, religion, national origin, disability or sexual orientation. Sexual harassment is defined as deliberate, unsolicited, and unwelcomed verbal and/or physical conduct of a sexual nature, or with sexual implications.

**2.05-08 Disorderly conduct**

*Disorderly conduct* including disruptive conduct, display of violent temper, refusal to leave an area when asked to do so by appropriate university officials, or conduct which infringes upon privacy, rights, privileges, health or safety of members of the University community.

**2.05-09 Endangerment**

Intentionally or recklessly endangering the welfare of any individual.

**2.05-10 False Reports**

Intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency.

**2.05-11 Unauthorized entry, use or misuse of property**

*Unauthorized entry* into, *unauthorized use* of, or *misuse* of University property, including computers, data and/or voice communication networks.

**2.05-12 Theft**

*Theft* of the property of another, or theft of University services. This includes the knowing possession of stolen property.

**2.05-13 Intentional or reckless damage**

*Intentional or reckless damage* to the property of another or of the University. Intentional or reckless misuse of fire safety equipment shall be regarded as damage under this section of the Code.

**2.05-14 Failure to comply**

*Failure to comply* with the directions of University officials, including campus police officers, acting lawfully in performance of their duties.

**2.05-15 Abuse of the University's disciplinary procedures**

Any abuse of the University's disciplinary procedures including, but not limited to, providing false testimony or evidence, disruption or interference with the orderly conduct of a Hearing, or violating the terms of a disciplinary sanction imposed in accordance with this Code.

**2.05-16 Use, possession or storage of any weapon, dangerous chemical, fireworks, or explosive**

*Use, possession or storage of any weapon, dangerous chemical, fireworks, or explosive* on University property, whether or not a federal or state license to possess

the same has been issued to the possessor. Weapons include any object or substance designed to inflict injury or used to cause reasonable apprehension of harm.

#### **2.05-17 Illegal manufacture, use, possession or distribution**

*Illegal manufacture, use, possession or distribution* of alcohol or any controlled substance or other illegal drug.

2. Attempting to commit acts prohibited by this Code or *assisting* others to commit acts prohibited by this Code shall be treated in the same manner as completed violations and subject to the same sanctions.

### **2.06 STANDARDS OF CLASSROOM BEHAVIOR**

The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any prohibited or unlawful behavior<sup>3</sup> that results in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period and subject to any penalties as indicated on the syllabus. Longer suspensions or dismissal from class, based on disciplinary grounds, must be preceded by a Hearing.

### **2.07 DISCIPLINARY COMPLAINTS**

All complaints shall be made in writing and submitted to the Assistant Dean of Student Affairs within five working days of discovery of the violation. In extraordinary cases or circumstances, the complainant may petition the Assistant Dean of Student Affairs to submit his/her case beyond this time frame. The final decision will be at the discretion of the Assistant Dean of Student Affairs.

- g. If the individual initiating the complaint is a member of the NCCU Law School community (student, staff or faculty), he or she will normally be expected to serve as the Complainant and to be available to offer testimony in a Disciplinary Committee Hearing.
- h. Individuals who are not members of the NCCU Law School community may report but shall not serve as the Complainant in any proceedings conducted under this Code. If the Dean believes there is good cause for charges to be brought against the accused student in the interest of the University community, the Dean, or designee, may serve as the Complainant.

### **2.08 INVESTIGATION**

#### **2.08-01 Procedure**

Upon acknowledged receipt of the written complaint and if it contains sufficient information, the Assistant Dean of Student Affairs, or designee, shall initiate an Investigation within five working days. The Investigation shall include:

- a. Notice to the Respondent of the initiation of the Investigation and possible charges, with a copy of, or access to, the written complaint and any

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<sup>3</sup> The term “prohibited or unlawful behavior” includes behavior prohibited by a faculty member. It must be emphasized that this provision shall not be used to punish classroom dissent. The expression of a disagreement with a faculty member is not in itself disruptive behavior.

- accompanying documentation;
- b. Notice to the Respondent that he/she has the right to remain silent throughout any proceedings under this Code and this silence will not be held against him/her;
  - c. Notice to the Respondent that all matters discussed during the Investigation may become part of the case record and may be presented during a Hearing;
  - d. A request from the Respondent for a written response to the allegations;
    - i. The response shall be submitted to the Assistant Dean of Student Affairs within five working days upon notice of the Investigation.
    - ii. The response shall include admission or denial of the alleged charges and a detailed explanation of the circumstances surrounding the complaint.
    - iii. If the student chooses to exercise the right to remain silent, he/she should indicate this in writing within the allotted time.

Notice may be given in person, by mail to the Respondent's last known address, by email to the Respondent's NCCU email on file or by any other official means of notification adopted by the Law School now or in the future.

#### **2.08-02 Communication**

The Assistant Dean of Student Affairs, or designee, may communicate with any parties he/she believes to have information relating to the complaint. Communication may be made in any sufficient form, including in person, virtual, mail, or email.

#### **2.08-03 Sufficiency of evidence**

Following an Investigation and within five working days upon receipt of the Respondent's written response, the Assistant Dean of Student Affairs, or designee, shall determine if there is sufficient evidence to bring a charge(s) against the student(s) and proceed with a Hearing.<sup>4</sup> If insufficient evidence exists, the case may be dismissed.

### **2.09 REFERRAL TO A HEARING BEFORE THE DISCIPLINARY COMMITTEE**

If the Investigation produces sufficient evidence to bring a formal charge and refer the case to a Hearing, the Assistant Dean of Student Affairs, or designee, shall notify the student of the specific charge(s) and refer the matter and all documentation to the Chair of the Disciplinary Committee for the Hearing. All notifications should be made within five working days upon the receipt of the student's written response to the allegations. There is nothing to prevent the Assistant Dean of Student Affairs from adding a supplementary statement of her findings, questions or concerns to the Chair.

#### **2.09-01 Notice**

Within five working days upon receipt of the referral, and at least five working days prior to the scheduled Hearing, the Chair of the Disciplinary Committee shall give notice to the Respondent of:

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<sup>4</sup> A hold may be put on the student's transcript, or the awarding of a degree delayed until the Hearing process is complete.

- a. The date, time and location of the Hearing;
- b. The names of the members of the Hearing Panel;
- c. A statement of the charge(s) to be presented at the Hearing;
- d. A list of the names of the witnesses who will testify at the Hearing.<sup>5</sup>
- e. A copy of, or access to, all written documentation that will be referred to the Hearing Panel.

Notice may be given in person, by mail to the Respondent's last known address, by email to the Respondent's NCCU email on file or by any other official means of notification adopted by the Law School now or in the future.

#### **2.09-02 Availability of File**

The Chair may, in his/her discretion, make the case file, in part or in its entirety, available to Complainant(s).

#### **2.09-03 Witnesses and Affidavits**

The Chair may summon any witnesses, including the Assistant Dean of Student Affairs, who he/she believes may provide pertinent information.

- a. Members of the School of Law community are expected to comply with a summons issued, unless compliance would result in significant and unavoidable hardship.<sup>6</sup>
- b. Affidavits are admissible if signed by the affiant and witnessed by the Assistant Dean of Student Affairs, or designee, the Chair of the Disciplinary Committee, or a notary. Unless the individual making the affidavit personally appears at the Hearing, it may be used for the purpose of supplementing or explaining other evidence only, but shall not be sufficient to support a finding by itself. A copy of any affidavits considered in a Hearing shall be given (or shown) to the Respondent prior to the Hearing.
- c. If either party believes that a fair Hearing cannot be held without the testimony of a particular witness and, after good faith attempts are made, the witness either fails or refuses to appear, the Chair may postpone the Hearing until the witness agrees to appear, dismiss the charges against the Respondent, or direct that the Hearing proceed without the witness.

#### **2.09-04 Multiple Parties Charged**

Where more than one student is charged with an offense arising from a single, or connected, occurrence(s), a single Hearing may be held for all students so charged. Within twenty-four hours of notification of the hearing from the Chair, any Respondent may make written application to the Chair for a separate Hearing setting forth the facts on which he or she relies to demonstrate that a consolidated Hearing would prejudice him or her. The decision of the Chair shall not be subject to appeal.

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<sup>5</sup> Every effort should be made to confirm the list of witnesses in advance, but the Chair shall not be prohibited from calling additional witnesses at any time if the Chair deems their testimony relevant.

<sup>6</sup> If the witness is unavailable to appear in person, other means such as telephone, Zoom, Skype or video-conferencing may be used.

## **2.10 REFERRAL TO MEDIATION BETWEEN THE PARTIES**

The Assistant Dean of Student Affairs may, in some cases, refer the matter to Mediation between the complainant and respondent. The Mediator shall be appointed by the Assistant Dean of Student Affairs and may not be a member of the Disciplinary Committee. Cases appropriate for Mediation would include peer disputes that resulted in damage to property, minor harassment cases, communicating threats, etc. Academic integrity cases, assault, harassment, or ethical violations are not appropriate for Mediation. Mediation is a voluntary process and both parties must be willing to attempt to resolve the matter in this way. The parties may reach a confidential and mutual agreement in Mediation, or may withdraw from the Mediation and request to proceed with a Hearing.

## **2.11 REFERRAL TO FACILITATION FOR DISCIPLINARY SANCTIONS ONLY**

Up until twenty-four hours prior to the Hearing, a Respondent may accept responsibility for the alleged charge(s) and request to meet with a Facilitator, appointed by the Dean and who is not a member of the Disciplinary Committee, for the sole purpose of discussing appropriate sanctions. The Facilitator and Respondent may agree upon a sanction, taking into account any aggravating or mitigating factors, precedent and the Respondent's past disciplinary history. Academic integrity cases, assault, harassment, or ethical violations are not appropriate for Facilitation.

- a. If such an agreement is made, the Facilitator shall prepare a brief written summary, including the specific charges to which the Respondent accepted responsibility and the sanctions agreed upon. Both the Facilitator and Respondent shall sign this agreement.
  - i. The Facilitator shall present the agreement as a recommendation to the Dean for approval. If approved, the Dean shall notify the student in writing, with a copy to the Assistant Dean of Student Affairs for the student's file and a copy to the Associate Dean for Academic Affairs for implementation.
  - ii. There shall be no opportunity to appeal this agreement.
- b. If no agreement is reached, the Facilitator shall notify the Assistant Dean of Student Affairs that a Hearing before the Disciplinary Committee shall proceed, for the sole purpose of determining the sanction. Any conduct, statements or relevant evidence presented during any aspect of the disciplinary process, including the discussion with the Facilitator, may become part of the case file and available to the Hearing Panel.

## **2.12 DISCIPLINARY HEARINGS GENERALLY**

- a. The focus of inquiry in disciplinary proceedings shall be to determine whether a student(s) has violated the Code of Student Conduct and, if so, to determine appropriate sanctions.
- b. The Chair and members of the Hearing Panel are expected to serve both investigatory and adjudicative roles. They shall be allowed to call witnesses and to question the Respondent, Complainant, Assistant Dean of Student Affairs or any other individual with information relating to the complaint.
- c. The Chair may exclude any party or witness at any time during the Hearing, other than the Respondent.

- d. The Chair shall make all necessary rulings on evidentiary matters with the following guidelines:
  - i. The Chair will respect the rules of confidentiality and privilege, but otherwise will admit all matters into evidence that reasonable persons would accept as having probative value in the conduct of their affairs.
  - ii. The Chair may exclude evidence if its probative value is substantially outweighed by its potential to cause unfair prejudice, confusion, or needless delay of the Hearing.
- e. Respondents who fail to appear after proper notice shall be deemed to have pled no contest to the charges pending against them.
- f. Disciplinary Hearings shall be closed to the public.
- g. An audio recording of the Hearing, but not the closed deliberations of the Hearing Panel, shall ordinarily be made by the Chair and maintained by the Assistant Dean of Student Affairs. If a recording is not made for any reason, the decision of the Hearing Panel must include a summary of the testimony and shall be sufficiently detailed to permit review in the event of an appeal.
- h. The Assistant Dean of Student Affairs shall maintain a complete case file, including the tape, all documentation and correspondence generated throughout the case.
- i. The Associate Dean for Academic Affairs shall be responsible for taking all necessary steps for implementation of a sanction and shall give official notice to the Respondent of his/her change in status.

### **2.13 RIGHTS OF THE RESPONDENT**

- a. Students subject to disciplinary action shall have the right to a Hearing before the Disciplinary Committee.
- b. Throughout the disciplinary process, the Respondent has the right to remain silent.
- c. The Respondent may present witnesses to the Hearing who will testify on his/her behalf. The Respondent shall notify the Chair at least twenty-four hours prior to the Hearing of these witnesses, and the Chair will exercise discretion over the order and time allowed for all witness testimony.
- d. The Respondent may bring an advisor or attorney to act as either support or a representative at the Hearing. Advisors and attorneys shall be aware that Disciplinary Hearing procedures are different from those employed in legal proceedings and may be asked to leave by the Chair if they interfere with the Hearing process.
- e. The Respondent may challenge a member of the Hearing Panel on the ground of personal bias by delivering a written statement to the Chair setting forth the facts on which he or she relies within twenty-four hours of notification of the Panel members' names. The Chair shall determine whether the facts presented are grounds for disqualification and his/her decision shall not be subject to appeal.
- f. At least twenty-four hours prior to the scheduled Hearing, the Respondent may request, in writing to the Chair, for postponement of the Hearing. The decision of the Chair shall not be subject to appeal.

- g. The Respondent may raise any issues of procedural unfairness prior to the Hearing in writing to the Chair who shall make the decision whether to proceed or dismiss the case.
- h. The Respondent has the right to be present throughout the Hearing.
- i. The Respondent may request of the Chair to speak to the Panel without the presence of the Complainant or witnesses.

## **2.14 DISCIPLINARY HEARING PROCEDURES**

- a. In advance of the Hearing, the Chair will make available to Respondent and the Hearing Panel all evidence gathered during the Investigation. Participants in the Hearing may present new evidence at the Hearing, but efforts should be made by all parties to submit any relevant evidence at least twenty-four hours prior to the Hearing so that the Chair can make it available in advance to the Panel and to the Respondent. The Chair may in his/her discretion determine whether to admit such new evidence.
- b. All participants offering testimony at the Hearing shall be asked to affirm that their testimony is truthful.
- c. The Chair may ask the Assistant Dean of Student Affairs to present the case to the Panel in the event that additions or clarifications to the written evidence would assist the Hearing Panel.
- d. The Respondent, or his/her representative, will be given an opportunity to make brief opening comments.
- e. Following all opening comments, the Respondent may question the Complainant or witnesses, or may raise issues of concern regarding their testimony with the Hearing Panel. The Chair and the Hearing Panel may ask questions of the Respondent or any witness. Neither the Complainant nor any witness may directly question the Respondent but may raise issues, make comments or present questions to the Hearing Panel.
- f. At the completion of the questioning, the Hearing Panel shall retire to closed deliberations.
- g. Each Respondent shall be regarded as not in violation of the rules of this Code unless the Hearing Panel determines the contrary based on the facts adduced at the Hearing.
- h. The standard of clear and convincing evidence shall be employed in all Hearings conducted under this Code.
- i. All decisions shall be by majority vote. Each Panel member shall vote and may not abstain. The Chair shall not be considered a voting member of the Hearing Panel.
- j. Any determination that a student violated the rules of this Code will generally be immediately followed by a supplemental proceeding in which the Respondent, the Complainant (or victim if he or she is not the Complainant), and the Assistant Dean of Student Affairs, or designee, may submit evidence or make statements concerning the appropriate sanction to be imposed. These statements or evidence may include the student's prior disciplinary record and the penalties provided in previous cases involving similar offenses.



- i. A Respondent's past disciplinary record<sup>7</sup> shall only be made available to the Panel after a determination of violation has been reached.
  - ii. All rights and procedures applicable during the initial part of the Hearing shall apply as the Panel considers an appropriate sanction.
- k. The Chair shall notify the Respondent immediately following a decision.
- l. The Chair, or a designated member of the Hearing Panel, shall complete a brief written summary of the decision and submit it within three working days to the Assistant Dean of Student Affairs and the Associate Dean of Academic Affairs who will make it available to the Respondent and to the Law School Registrar who will maintain the record in the student's file

## **2.15 APPEAL PROCEDURES**

- a. An accused student who has been found in violation of this Code may appeal to the Faculty of the Law School within five working days upon receipt of the written summary of the Panel.
- b. The accused student shall submit a written notice of appeal to the Dean, indicating the specific grounds upon which s/he is appealing. The specific grounds are:
  - i. An appeal of the finding that the Respondent violated the Code of Conduct;
  - ii. An appeal of the sanction imposed;
  - iii. An appeal on the basis of new evidence not reasonably available prior to the Hearing; and/or
  - iv. An appeal on the basis of specified procedural errors in the disciplinary process.
- c. The Dean shall transmit the notice of appeal to the Faculty, and shall provide a record of the proceedings for faculty examination.
- d. Deference shall be given to the determinations of Hearing Panels and the scope of review by the Faculty shall be limited to determining:
- e. Whether there was evidence presented from which rational persons could have reached the same decision as that of the Panel;
- f. Whether the sanction is consistent with precedent and with the standards of the Law School;
- g. Whether new evidence is now available, that was not reasonably available at the time of the Hearing and that is material to the extent it could have either impacted the finding or the sanction; or
- h. Whether the Panel acted in accordance with these procedures for hearing accusations of violations of these regulations.
- i. A trial de novo is not permitted upon appeal. The Faculty, by majority vote (excluding any member from the original Hearing Panel or complainant), may:
  - i. Affirm the finding and the sanction as determined by the original Hearing Panel;
  - ii. Affirm the finding and remand the determination of sanction to the original Hearing Panel. On remand, the Panel may not increase

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<sup>7</sup> A student's "disciplinary record" includes only those incidents where the student either has admitted responsibility or has been determined to be responsible for a previous violation of the Code of Student Conduct, whether by agreement or through a Hearing before the Disciplinary Committee.

- the sanction originally imposed; or
- iii. Remand the case to the original Hearing Panel with a written summary of the reasoning and the specific issue to be deliberated.
  - j. If any aspect of the case is remanded, it shall be at the Chair's discretion whether to recommence a Hearing with the Respondent and witnesses present or simply reconvene the Hearing Panel for further deliberations.
  - k. In the preparation of an appeal, the Respondent may have access to the written summary of the hearing and the tape of the proceedings of the Hearing. The Respondent may not have custody of the original tape, but may obtain a copy from the Assistant Dean of Student Affairs.
  - l. The Dean will generally be expected to give written notice of the Faculty's decision to the Respondent within five working days of the filing of the appeal by the Respondent (this deadline may be extended in order to get a quorum of the Faculty together). A copy of the decision shall be sent to the Assistant Dean for Students Affairs to be added to the case file. In his/her discretion, the Associate Dean for Academic Affairs may also notify the Complainant.
  - m. As students of North Carolina Central University, there is a final level of appeal through the University disciplinary system. Please see "The Student Code of Conduct" for the University for further information.
  - n. At the discretion of the Associate Dean for Academic Affairs, the imposition of sanctions will normally be deferred during any appellate proceedings and the status of a student shall not change until the avenues of appeal described in this Code have been exhausted, except that a hold may be put on a student's transcript or a degree withheld pending completion of the appeals process. Once these avenues have been exhausted, or when a Respondent elects to forego further appeal, it shall be the responsibility of the Associate Dean for Academic Affairs to oversee the implementation of the imposed sanction.

## 2.16 DISCIPLINARY SANCTIONS

Sanctions for violations of disciplinary regulations consist of:<sup>8</sup>

- a. *Warning*: Notice, orally or in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
- b. *Disciplinary Probation*: A student who is placed on disciplinary probation may continue to participate in student activities but shall be ineligible to represent the university in any official function or leadership position, including but not limited to student leadership positions and competition teams. Violations of the terms of disciplinary probation, or any other violation of this Code during the period of probation, will normally result in suspension or expulsion.
- c. *Restitution*: Repayment to the School or to an affected party for damages resulting from a violation of this Code.
- d. *Suspension*: Exclusion from School of Law and University premises, and other privileges or activities, as set forth in the suspension notice. Suspension is of two types, term and/or conditional.

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<sup>8</sup> A student may receive more than one sanction for a single incident.

- i. A term suspension shall be for a stipulated period of time after which the student may return to the School of Law and University community.
  - ii. A conditional separation shall condition re-entry of the student upon fulfillment of specified requirements. The suspension shall continue until the Assistant Dean of Student Affairs determines that the conditions have been satisfied. While on term or conditional suspension, a student shall not be permitted to earn credits in any other department at the University. Additionally, a student shall not be permitted to earn credits at any other institution for the purpose of transferring those credits and making progress towards a degree from the School of Law or any other University department.
- e. *Expulsion*: Permanent termination of student status, and exclusion from School of Law premises, privileges and activities.
- f. *Other Sanctions*: Other sanctions, including community service, may be imposed instead of, or in addition to, those specified herein. Other sanctions are in the discretion of the Hearing Panel.
- g. The presumptive sanction for a case of academic dishonesty is separation, temporary or permanent, from the school and University. The grade in the course will remain in the discretion of the faculty member. Any deviation from the presumptive sanction depends upon the nature and importance of the assignment, the degree of premeditation or planning, the extent of dishonest or malicious intent, the academic experience of the student, and a student's prior disciplinary record.
- h. Repeated convictions for violations of established rules and regulations, regardless of the seriousness of the individual offense involved or any aggravated violation, may result in either expulsion or suspension.

## **2.17 DISCIPLINARY FILES AND RECORDS**

- a. Case referrals will result in the development of a disciplinary file in the name of the Respondent.
- b. Disciplinary files will be kept, and released, in accordance with the Family Educational Rights and Privacy Act.<sup>9</sup>
- c. Students shall be aware that all disciplinary complaints and actions are generally required to be reported to the Board of Law Examiners as a part of the bar examination investigation. A notation will be made and placed in the file regarding the outcome of the investigation or hearing.
- d. A hold may be placed on a student's University records while disciplinary proceedings are pending.
- e. Permanent notation of disciplinary action shall be made on the transcript whenever a student is expelled or suspended.

## **2.18 INTERIM SUSPENSION**

- a. The Dean, or designee, may suspend a student from the School of Law for an interim period pending disciplinary or criminal proceedings. The interim suspension shall become immediately effective without prior notice whenever the

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<sup>9</sup> The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99.

- Dean, or designee, determines the continued presence of the student poses a substantial and immediate threat to himself/herself, to others, or to property.
- b. Any student placed on interim suspension will be given an opportunity to appear at a formal Hearing within ten working days of being placed on suspension or as soon as practical after the Respondent is prepared to participate in a Hearing.
  - c. Any student placed on interim suspension may continue to receive and submit assignments, take exams, and review records of class if available (student may request that class be taped although it is at the discretion of the faculty member).

### **3.00 THIS SECTION LEFT BLANK INTENTIONALLY**

## **4.00 POLICY FOR STUDENT WORKERS**

### **4.01 Student Employment**

A student may not be employed more than 20 hours per week in any week in which the student is enrolled in more than twelve class hours. The 20 hour limit applies to the total number of hours a student works for the school and anywhere else. This also includes time spent attending meetings. A student may not work on the day the student has an exam and should have limited hours during the exam period. Supervisors must request a copy of the student's exam schedule when assigning hours during the exam period.

### **4.02 Student Access to Confidential Information**

A student must not have access to confidential student or personnel records or information; accordingly, students cannot answer the phone at the front desk, work with student/alumni files that include academic records, have access to the master key or be in an office without the faculty or staff person with the student. Students working in the Admissions Office may not have access to any information that appears in the LSDAS forms. Even the appearance of breach of confidentiality could raise FERPA claims.

### **4.03 Student Worker Safety**

For safety and liability reasons, a student is not allowed to move furniture, move heavy boxes or hang pictures.

### **4.04 Work Assignments**

A student must not have a work assignment that interferes with his or her studies.

### **4.05 Definition of Student**

“Student”, except as otherwise specifically provided in this part, means any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records (Authority:20 U.S.C. 1232g(a)(6)). Please note that it is

important to make a distinction between students who are assigned as research assistants and those assigned as work aid students. A research assistant is a student who is working for a faculty member or administrator involved in a scholarly project, while a work aid student is able to work on a variety of assignments.

## **5.00 COMPLAINTS**

### **5.01 Complaints Involving Allegations of Sexual Harassment or Other Illegal Discrimination**

All forms of discrimination based on sex, including sexual misconduct, sexual assault, dating violence, domestic violence, and stalking offenses, are prohibited under NCCU's Sexual Misconduct Policy (POL 01.04.4). NCCU faculty and instructors are considered to be responsible employees and are required to report information regarding sexual misconduct to the University's Title IX Coordinator. The Sexual Misconduct Policy can be accessed through NCCU's Policies, Rules and Regulations website at [www.nccu.edu/policies/retrieve.cfm?id=450](http://www.nccu.edu/policies/retrieve.cfm?id=450). Any individual may report a violation of the Sexual Misconduct Policy (including a third-party or anonymous report) by contacting the Title IX Coordinator at (919) 530-7944 or [TitleIX@nccu.edu](mailto:TitleIX@nccu.edu), or submitting the online form through [https://cm.maxient.com/reportingform.php?NCCentralUniv&layout\\_id=15](https://cm.maxient.com/reportingform.php?NCCentralUniv&layout_id=15).

Students should file any complaints involving harassment due to race, national origin, religion, disability, gender or sexual orientation with the University EEO department.

### **5.02 Complaints Implicating Compliance with ABA Standards**

As an ABA-accredited law school, North Carolina Central University School of Law is subject to the ABA Standards for Approval of Law Schools. Those standards may be found at [www.americanbar.org/groups/legal\\_education/resources/standards.html](http://www.americanbar.org/groups/legal_education/resources/standards.html).

Any student of the Law School who wishes to bring a formal complaint to the administration of the Law School of a significant problem that directly implicates the school's program of legal education and its compliance with the ABA Standards should follow the process below:

- (1) Submit the complaint in writing either directly to the Assistant Dean for Student Affairs or through the law school's website at <http://law.nccu.edu/students/affairs/student-concerns/>.
- (2) The complaint must detail the behavior, program, process, or other matter and explain how it implicates the law school's program of legal education and its compliance with a specific, identified ABA Standard(s).
- (3) The complaint must include the name, official law school e-mail address, telephone number and mailing address of the complaining student, for communication regarding the complaint.
- (4) The Assistant Dean for Student Affairs will acknowledge the complaint within five business days of receipt of the written complaint. Acknowledgement will be made in writing to the law school email address furnished by the student.

(5) Within 30 business days, the Associate Dean for Academic Affairs or the Associate Dean for Student Services shall either meet with the complaining student or respond to the substance of the complaint in writing. The student shall either receive a substantive response to the complaint or receive information about what steps are being taken by the Law School to address the complaint or further investigate the complaint.

(6) Appeals: A student may appeal a decision on a complaint to the Dean of the Law School. The student must hand deliver the appeal to the Office of the Dean in writing within seven business days of receipt of the resolution. The appeal must describe the grounds for the appeal. The appeal may not include complaints not covered in the original complaint. The Dean shall respond to the appeal within 30 business days from the date the appeal was submitted. The Dean's decision is final.

(7) Maintenance of Records of Student Complaints: The Law School shall maintain a written record of all student complaints, resolutions and appeals for a period of eight years from the final resolution of the complaint.

### **5.03 Complaints Involving All Other Law School Matters**

In order to file a complaint based on any matters outside of sexual harassment/other illegal discrimination or complaints implicating compliance with the ABA standards, the student should follow the same process as outlined above in 5.01 by submitting the complaint in writing either directly to the Assistant Dean for Student Affairs or through the law school's website at <http://law.nccu.edu/students/affairs/student-concerns/>. The complaint must detail the behavior, program, process, or other matter but need not explain how it implicates the law school's program of legal education since the complaint will not be one that implicates compliance with the standards. The remainder of the process as outlined in 5.01 should be followed.

## **6.01 GENERAL POLICIES**

**6.01-01 Professionalism in the Law Library** – Making the most effective use of the library's space requires respect for your fellow students, the library, and its materials.

1. **Face Coverings**-Students must wear face coverings while in any common area of the library. This includes the library's open reading areas and stairwells.
2. **Cell Phones** – Cell phones should be set to a non-audible signal. Please limit phone conversations to the Phone Zone next to the library entrance or outside the library.
3. **Food and Drink** – Due to the mask requirements in common areas of the Law School, and in order to ensure the safety of all NCCU Law School members, food and drink are not allowed in the Law Library, with the exception of water bottles. Please respect library spaces and law school students, faculty, and staff by consuming food and drink outside of the library in designated areas. Repeat offenders will be reported for disciplinary action.

4. **Study Space** – Collaborative study is not allowed. Individual study is allowed in designated areas of the library. Students must utilize the seat reservation system to reserve a seat prior to entering the library. Students are not permitted to “reserve” library spaces with their belongings. Please remove books and other property when you are not actively using a study space (carrel, seat, table, etc.).
5. **Children and Minors** – Children are not allowed in the library.
6. **Entering and Exiting** – Students are to only enter and exit the Law Library via the sliding glass doors at the main entrance.
7. **Assistance** – Students who require assistance retrieving or photocopying materials, accessing materials on the second floor of the library, or with any other services are encouraged to contact a staff member at the Service Desk or use the Chat feature from the library’s website.

## 6.02 BORROWING AND CIRCULATION

**6.02-01 Borrowing Materials** – A valid student ID is required to check out library materials.

1. **Reserves Collection** – The Law Library’s Reserves Collection is located behind the Service Desk and houses study aids, flash cards, DVDs and course reserves.
  - a. **Reserve materials may not be checked out for the Fall 2020 semester.** The library’s print books, CDs, DVDs, microfilm/microfiche, and other physical resources cannot be reserved by instructors or students; additionally, personal copies of items will not be accepted for physical course reserves.
2. **Library First Floor and Second Floor General Stacks Collection**
  - a. Most materials located in the General Stacks Collection on the second floor can be checked out for a period of 30 days.
  - b. Most materials located on the first floor cannot be checked out; however, all materials may be used in the library.
3. **Removal of Books** – Any student intentionally removing library materials that they have not checked-out faces automatic suspension of their library privileges, as well as additional disciplinary action from the Law School.
4. **Tech Lending** – Chargers, adapters, and other technology items are available for checkout from the Service Desk for 3-hour intervals.

### 6.02-02 Loan Periods

Materials	Loan Period
Law Stacks: General Collection Books and CDs	30 Days
Tech Lending: Power cables, adapters, etc.	3 Hours

**6.02-03 Fines and Fees**

1. Patrons are responsible for the books they borrow, including books borrowed from other libraries via our Interlibrary Loan service. Students will be charged for the replacement of lost or damaged books. Books are automatically declared lost and the patron is billed for replacement when the item is 42 days overdue.
2. All lost items will be subject to a processing fee of \$25 and a replacement cost of \$100, totaling \$125 per lost item.
3. Late fines of 25 cents per day will be charged for overdue items from the Law Stacks: General Collection, up to a maximum of \$20.
4. Late fines for Tech Lending materials are charged at \$1 per hour, up to a maximum of \$20.
5. Patrons are responsible for any and all bills for late and/or non-returned items borrowed via the Law Library's Interlibrary Loan service, including replacement fines and fees charged by the lending library. Additional fees may be applied by NCCU Law Library for processing these charges.

**6.02-04 Notices** – Members of the Law School community will receive overdue, recall, fine, and lost item notices via their NCCU email accounts.

**6.02-05 Collection of Fines** – All fines and fees will be charged to the student's NCCU Banner account.

**6.03 ADDITIONAL LAW LIBRARY RULES & POLICIES** – For a complete list of up-to-date Law Library rules and policies, please see <https://ncculaw.libguides.nccu.edu/about/policies>

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**7.00 TECHNOLOGY AND FACILITY RESOURCES****7.01 GENERAL POLICIES**

Technology resources are available for student use throughout the academic school year. Technology resources include but are not limited to the following: classrooms, computers, Examsoft, MyLaw, Panopto, printers/copiers/scanners, study rooms, and wireless network access.

**7.02 PROHIBITED USE OF TECHNOLOGY RESOURCES**

Examples of prohibited use of the technology resources include but are **not** limited to:

1. Intentionally providing unauthorized access or usage of technology resources by sharing passwords, making reservations under false pretenses, or disclosing someone else's password and/or username.
2. Intentionally engaging in unauthorized usage of technology resources by utilizing another student's identity.
3. Accessing or changing others' files without permission.
4. Disrupting access to equipment and/or resources, the network or files by releasing viruses, altering or attempting to learn someone else's password and/or username, tying up terminals, printers and study rooms, attempting to repair computers, equipment or



monitors, loading unauthorized software or deleting software, and visiting and/or bookmarking obscene or pornographic sites.

5. Sending harassing messages or repeatedly sending unwanted messages to another.
6. Wasting paper.

Students engaging in prohibited uses will be reported to the Dean of the Law School, who will, in her/his discretion, refer the matter for appropriate disciplinary action.

### **7.03 FACILITY**

The School of Law facility is open Monday – Thursday, 7:30 a.m. – 9:30 p.m. and Friday – Sunday, 7:00 a.m. – 7:00 p.m. Entry into the building after 7:00 p.m. is by access card only and students are only permitted to enter the building using the main entrance. Misplaced or lost ID cards must be reported to Campus Police. As a safety precaution, students should not prop open any external door. Students should make sure facility entry doors close after their entry. Students should not open entry doors for any non -NCCU School of Law student or grant access to the building to anyone without an access card. Students engaging in any prohibited activity will be reported to the Dean of the Law School, who will in her/his discretion, refer the matter for appropriate disciplinary action.

In the case of an emergency, please call the front desk at (919) 530-6333 or Campus Police at (919) 530-6106.

### **8.00 STUDENT PARKING**

#### **8.01 GENERAL RULES**

Student parking spaces are limited and are assigned on a first come, first served basis. All students who wish to park on campus must register their vehicles with University Police and purchase a parking permit. Students may park in their designated lots only. Students with parking permits may park in the following lots:

- Ruffin Residence Hall
- Criminal Justice
- Latham (deck and surrounding spaces)
- Lincoln Street
- Martha Street Apartments
- Mary Townes Science Building (Lower)
- O’Kelly-Riddick
- School of Education (Front)
- St. Titus Episcopal Church

Parking rules and regulations are enforced all year and at all hours. You must have a valid NCCU Parking Decal to park on campus. Reserved spaces are restricted until 6:00 p.m. If you are parked in a reserved or handicapped space without the proper decal before 6:00 p.m., you may be ticketed and/or towed.

### **8.02 ILLEGAL PARKING**

All cars parked illegally will be ticketed. Vehicles accumulating three or more parking tickets will be immobilized (booted) or towed at the owner's expense. The fee for removal of the boot is \$25, in addition to the cost of all outstanding tickets. All payments must be paid at the Cashier's Office, Room 012 in the basement of the Shepard Administration Building. Hours of operation are Monday - Friday 8:30 a.m. to 4 p.m. Cash, check and credit cards are accepted.

### **8.03 EVENT PARKING**

During O'Kelly-Riddick Stadium events, parking may be restricted. During football games, Nelson and Lincoln Streets, Campus Drive and George Street will be closed to through traffic starting at 7 p.m. on Fridays. When football game restrictions are in effect, commuters, even those with valid permits, may not park in any of these lots, reserved spaces, or in public lots without paying the event fee. Certain lots are reserved for Eagle Club parking. Students are required to move their vehicles from the Walker Complex, O'Kelly- Riddick, Criminal Justice, Law School, Campus Drive, Latham and Communication lots by 7 p.m. on the Fridays before home game Saturdays.

## **9.00 COMMUNICATIONS**

Students must read e-mails from Law School administrators to stay informed of applicable policies and important information. Your NCCU generated email address will be the official email address used for all correspondence. You will be considered to have received notice of all information sent to your NCCU generated email address.

## **10.00 IMPORTANT UNIVERSITY POLICIES**

Students should be aware of the University Policies in the Student Code of Conduct. The policies and procedures, therein described, govern the conduct of students of North Carolina Central University (NCCU). Students are responsible for complying with the rules and regulations of the University, as well as with all federal, state, and local laws.

## **11.00 PUBLICATION AND EFFECTIVE DATE**

The provisions of this Handbook are effective August 9, 2020. Informational provisions may be added after this date. The most current version of the Handbook is posted on the Law School's web site.

## APPENDIX A

### **Joint Degree Program Law and Master of Business Administration (JD/MBA)**

The JD/MBA Program allows interested students to obtain a dual degree by simultaneously pursuing a law degree and a Master of Business Administration degree. It is a four-year program, upon completion of which students will receive a JD/MBA from North Carolina Central University. To obtain the law degree, students need to complete 88 credits. To attain the MBA, students who have taken business foundation courses must complete 24 business school credits. For students who have not taken business foundation courses prior to enrolling in the MBA program, they must complete 54 business credits. Joint degree students may use nine (9) credits of business courses toward the total of 88 needed to earn their law degree.

Students without prior academic backgrounds in business administration must complete a number of foundation courses to be eligible for MBA consideration. The foundation courses required include BUSG 5100 Essentials of Marketing & Management, ECON 5015 Survey of Economics, FIN 5050 Foundation of Finance & Accounting and STQM 5050 Foundations of Quantitative Methods.

The MBA's core courses include Managerial Accounting (ACCT 5510); Management Information Systems (CIS 5520); Managerial Statistics (DSC 5200); Production and Systems Management (DSC 5530); Economic Analysis (ECON 5540); Financial Policies (FIN 5550); Behavioral and Management Theory and Analysis (MGT 5560); Management Strategy and Policy Analysis (MGT 5565); and Marketing Strategy (MKT 5570).

For more information about the JD/MBA Joint Degree Program, please contact either the Office of Academic Affairs at the School of Law or the School of Business (919-530-7390). Please visit <http://www.nccu.edu/academics/sc/business/mba/index.cfm> for a description of the MBA program.

## **APPENDIX B**

### **Joint Degree Program Law and Master of Library Sciences (JD/MLS)**

The JD/MLS Program allows law students who are interested in a career in law librarianship to attain a joint degree in the areas of law and library science. It is a four-year program, upon completion of which students will receive a JD/MLS degree from North Carolina Central University. Students who seek this dual degree must complete 88 credits from the School of Law and 24 credits from the School of Library Science. A total of nine (9) credits from MLS studies can be used toward a dual-degree student's law degree.

Students who seek the MLS degree must complete the following courses: Foundations of Librarianship and Information Services (LSIS 5000); Selection and Use of Information Sources (LSIS 5225); Management and Systems Analysis (LSIS 5120); Organization of Information (LSIS 5425).

Interested students must apply to the School of Law and School of Library Science separately. Students already enrolled in the Law School should apply for admission to the program no later than the end of their first year of law study (30 credit hours). Law students who wish to pursue this dual degree typically complete their first year of law school and then apply to the MLS Program. Upon admission, most students opt to begin taking MLS courses during the ensuing fall semester.

For more information about the JD/MLS joint degree, please contact the Office of Academic Affairs at the School of Law or the School of Library Science (919-530-6485). A description of the MLS Program can be found at <http://nccuslis.org/programs-2/general-overview-of-the-mls-program/>.

## APPENDIX C

### **Joint Degree Program Law and Master of Information Sciences (JD/MIS)**

The JD/MIS Program is designed to allow students to develop a deep technological understanding of the legal issues in the Information and Computer Technology industry and to learn about technology requirements in a law practice.

According to US Department of Labor Statistics, positions in professional, scientific, and technical services have an above average growth rate projection in software development compared to average growth for lawyers. The potential is in combining skills and knowledge about the law with systems management and information technology. Graduates also can be consultants on technical issues, legal technology, and subject proficiency.

Admission to both the School of Law and the School of Library and Information Science are required. Students must apply to both schools separately and meet the standards and requirements set by each program. (LSAT score may be used in lieu of GRE for admittance to School of Library and Information Science) Students already enrolled in the Law School may apply for admission to the program no later than the end of their first year of law study (30 credit hours), and students already enrolled in the School of Library and Information Science may apply to the Law School no later than the end of their first year of MLS study (18 credit hours).

The JD/MIS joint degree requires 103 combined credit hours. Twenty-four, required and elective credit hours, from the MIS program and 88, required and elective credit hours, in the JD program. Nine (9) credit hours of library science courses will meet the elective requirement for the law degree. (79 law, 24 library science) While enrolled in the program, students must satisfy the academic requirements of each.

For more information about the JD/MLS joint degree, please contact the Office of Academic Affairs at the School of Law or the School of Library Science (919-530-6485). A description of the North Carolina Central University School of Library and Information Sciences can be found at <http://nccuslis.org/>.

## APPENDIX D

### Joint Degree Program Law and Master of Public Administration (JD/MPA)

Students who attend the School of Law are eligible to seek a joint degree in the areas of law and public administration. It is a four-year program, upon completion of which students will receive a JD/MPA degree from North Carolina Central University. Students who seek the JD/MPA must complete 88 credits from the School of Law and 47 credits from the School of Public Administration. A total of nine (9) credits from MPA studies can be used toward a dual-degree student's law degree. Prior to the end of their first year of law school, law students may apply to the MPA Program. Upon admission, most students opt to begin taking courses during the ensuing fall semester.

The MPA Program has two tracks. The Executive MPA Program is limited to applicants with four (4) years of full-time professional, executive, or supervisory experience in the public, private, or non-profit sector. Most students on the executive track continue their employment while completing their course of study. The General MPA Program is open to students who either currently work in the public sector or qualify as pre-service students. Each of the classes that comprise the General MPA track are at night, with classes beginning at 6 PM and ending at approximately 9 PM on Monday through Thursday evenings. Regardless of which track students seek, the course requirements for completion are the same:

<u>Course Categories</u>	<u>Credits</u>
Core Courses (Required)	28
Professional Skills Development Courses	4
Elective Courses and Cognate Courses	9
<u>Capstone Courses</u>	<u>6</u>
Total	47

The MPA's core courses include: Administrative Leadership and Ethics (PADG 5670); Administrative Organization Theory & Behavior (PADG 5500); Economic Consequences of Policy Analysis (PADG 5360); Principles of Public Management (PADG 5130); Public Finance and Budgeting (PADG 5140); Personnel Administration and Management (PADG 5300); Public Policy Formation (PADG 5400); Quantitative Analysis (PADG 5600); and Research Method in Public Administration (PADG 5610).

Interested students can access the MPA Student Handbook at the following link: [http://www.nccu.edu/formsdocs/proxy.cfm?file\\_id=1161](http://www.nccu.edu/formsdocs/proxy.cfm?file_id=1161). For more information, please contact either the Office of Academic Affairs at the School of Law or the School of Public Administration (919-530-5301).

## **APPENDIX E**

### **Joint Degree Program Law and Master of Arts in History (JD/MA)**

Students who attend the School of Law are eligible to seek a joint degree in the areas of law and history. It is a four-year program, upon completion of which students will receive a JD/MA in History degree from North Carolina Central University. Students who seek the JD/MA must complete 88 credits from the School of Law and core courses from the Department of History. A total of nine (9) credits from the MA program can be used toward a dual-degree student's law degree. Prior to the end of their first year of law school, law students may apply to the MA Program. Upon admission, most students opt to begin taking courses during the ensuing fall semester.

The core courses from the Department of History include Historical Method and Bibliography (HISG 5000); U.S. History: Colonial Period to Age of Jackson (HISG 5210); US. History: Age of Jackson to 1900 (HISG 5220); United States Since 1900 (HISG 5230); Constitutional History (HISG 5270); Southern Legal History (To Be Developed) (HISG 5240); Independent Readings in American History (HIST 5200); Independent Readings in African American History (HISG 5500); American Labor History (HISG 5260); and Seminar in United States History (HISG 5020). In addition, students who seek this degree must also complete a thesis (HISG 5900).

Interested students must apply to the School of Law and Department of History separately. Law students who wish to pursue this dual degree typically complete their first year of law school and then apply to the MA Program. Upon admission, most students opt to begin taking MA courses during the ensuing fall semester.

For more information, please contact either the Office of Academic Affairs at the School of Law or the Department of History (919-530-6321). A description of the History Department can be found at <http://www.nccu.edu/academics/sc/artsandsciences/HISTory/index.cfm>.



## APPENDIX F

### **Joint Degree Program Law and Master of Public Policy (Duke University) (JD/MPP)**

Interested students may obtain a joint degree in law and public policy, which is offered in conjunction with the Sanford School of Public Policy at Duke University. It is a four-year program. Students will need to complete 88 credits to receive their law degree, and will also need an additional 39 credits from Duke in order to obtain his/her MPP. Law students may use 12 public policy credits from Duke toward the completion of credits for their law degree.

Separate applications are required to the School of Law and Duke in order to obtain the degree. Typically, the first year of the four-year program is completed in the MPP Program at Duke. The remaining time in the program is allocated between law courses and public policy courses. The final year in the MPP Program at Duke requires nine (9) credits of public policy coursework at completed at Duke.

The MPP Program requires completion of a number of core courses for the degree, including: Microeconomic Analysis, Political Analysis, Data Analysis and Evaluation, Ethical Analysis, Policy Analysis, and Management and Leadership. With the lone exception of Ethical Analysis, each of the other core courses is two semesters in length. Students are also expected to complete a summer internship after their first year in the program. Students who enter the program with strong backgrounds in Microeconomics or Statistics may also have options for advanced coursework in their first year of study.

Interested students can access the MPP Brochure by observing the following link:  
<http://graduate.sanford.duke.edu/sites/graduate.sanford.duke.edu/files/documents/mpp/MPPBook.pdf>. For more information, please contact either the School of Law's Office of Academic Affairs or the Sanford School of Public Policy at Duke (919-613-9205).

## APPENDIX G

### Requesting Transcripts

#### Important Information:

- Students desiring official transcripts must request these with the University Registrar's Office.
- Please allow 2-3 business days for the processing of transcripts.
- Transcripts requested for pickup in the University Registrar's Office must be claimed within two weeks of processing. Transcripts not picked up within the two weeks will be mailed to the student.
- Please note that Prior Mail Express is a 1 to 2 day delivery by the US Postal Service.
- If ordering transcripts to be sent Priority Mail Express, your request must be received in the University Registrar's Office no later than 11:00am to be sent on the same day. Any transcripts that need to be sent Priority Mail Express and the request is received after 11:00am will be sent on the next business day.

#### Option 1 (Online Method):

NORTH CAROLINA CENTRAL UNIVERSITY has retained Credentials Inc. to accept transcript orders over the internet. Please go to <https://www.credentials-inc.com/tplus/?ALUMTRO002950> to enter your order. If you experience issues placing an order over the internet, you can call Credentials Inc. at (847) 716-3005 to assist with placing your transcript request.

1. The cost of an official transcript ordered online is \$12.90. Transcripts may be sent electronically or through U.S. mail. Please go to <https://www.credentials-inc.com/tplus/?ALUMTRO002950> to access the Transcript Ordering Service.
2. To check the status of transcript order, please go to:  
<https://www.credentials-inc.com/cgi-bin/rechkcgi.pgm?TPORDER002950>

Please Note: When ordering transcripts to be sent Priority Mail Express, your request must be received in the University Registrar's Office no later than 11:00am to be sent on the same day. Any transcripts that need to be sent Priority Mail Express and the request is received after 11:00am will be sent on the next business day.

#### Option 2 (Fax Method):

1. The cost of an official transcripts is \$10.00. Payments may be telephonically to the Bursar's Office at (919) 530-6209. Office hours are 8:30am-4:00pm. Once payment is made, a confirmation number will be given to the student.
2. Download the Request for Official Transcript form at:  
[http://www.nccu.edu/formsdocs/proxy.cfm?file\\_id=383](http://www.nccu.edu/formsdocs/proxy.cfm?file_id=383)

3. Fill out the request form completely, to include the payment confirmation number from the Bursar's Office. Fax the completed, signed form to the University Office of the Registrar at (919) 530-7974.

Please Note: When ordering transcripts to be sent Priority Mail Express, your request must be received in the University Registrar's Office no later than 11:00am to be sent on the same day. Any transcripts that need to be sent Priority Mail Express and the request is received after 11:00am will be sent on the next business day.

#### Option 3 (U.S. Mail):

1. The cost of an official transcript is \$10.00. You may use the Request for Official Transcript form ([http://www.nccu.edu/formsdocs/proxy.cfm?file\\_id=383](http://www.nccu.edu/formsdocs/proxy.cfm?file_id=383)) and mail in a cashier's check (no personal checks please) or money order made payable to North Carolina Central University, to the following address:

North Carolina Central University  
Office of the Registrar  
1801 Fayetteville Street  
Room 102, Hoey Administration Building  
Durham, NC 27707

Please Note: When ordering transcripts to be sent Priority Mail Express, your request must be received in the University Registrar's Office no later than 11:00am to be sent on the same day. Any transcripts that need to be sent Priority Mail Express and the request is received after 11:00am will be sent on the next business day.

2. Please be sure to include your signature.

#### Option 4 (Walk-In):

1. Student may complete a Transcript Request Form ([http://www.nccu.edu/formsdocs/proxy.cfm?file\\_id=383](http://www.nccu.edu/formsdocs/proxy.cfm?file_id=383)) and pay for the transcript in the Bursar's office, Room 12, in the basement of the Hoey Administration Building during normal duty hours 8:30am-4:00pm.

Please allow 2-3 business days for the processing of your transcript.

Please Note: When ordering transcripts to be sent Priority Mail Express, your request must be received in the University Registrar's Office no later than 11:00am to be sent on the same day. Any transcripts that need to be sent Priority Mail Express and the request is received after 11:00am will be sent on the next business day.

## APPENDIX H

### Application Amendment Policy

It shall be a violation of the Student Code for any student to fail to disclose or to make a false statement of a material fact on his/her law school application. A statement is material if the omitted or falsely stated fact would have been a factor in the decision to admit the student. 1Ls must submit any additions or corrections to the Assistant Dean for Admissions *no later than the Sunday prior to* the student's first day of class of the first semester at the law school. Failure to comply before this date will result in an automatic referral to the Academic Disciplinary Committee, with a minimum presumptive disciplinary action of a written reprimand.

Students also have an obligation to update their law school application even after the date of matriculation. Failure to update their application immediately and no later than October 1<sup>st</sup> of each year will result in the initiation of a disciplinary investigation.

Amendments to applications shall be sent in a formal letter addressed to the Assistant Dean for Admissions. Upon review of the information submitted, the Assistant Dean will have five (5) days to determine whether to forward this information to the Chair of the Disciplinary Committee, the Chair of the Admissions Committee for review or that no action is required. Once the Assistant Dean has made a decision as to what action to take, she/he will then notify the student of said action directly.

Once the appropriate Committee meets and renders a decision or it is determined that no action is required, the Assistant Dean will then be responsible for notifying the student of the Committee's decision within five (5) days from the date the decision is rendered.

The Assistant Dean for Admissions shall consider the following factors upon review of an amendment to an application in determining whether a disciplinary action should be filed:

1. Was there intent to deceive on the part of the student?
2. Was the disclosure voluntary or involuntary?
3. Was the conduct of such to affect moral fitness?
4. At what point in time did the material fact occur?

Also, it is important to note that the obligation to disclose any material facts and update the application continues throughout a student's law school career, even if such material facts occur while in law school. The student has an obligation to update their application as soon as possible after such material facts occur.

## **APPENDIX I**

### **NORTH CAROLINA CENTRAL UNIVERSITY SCHOOL OF LAW DISTANCE EDUCATION POLICY**

All program standards, policies, and processes of the Distance Education Program (DEP) at the North Carolina Central University School of Law (NCCU) described herein are designed in accordance with Standard 306 of the American Bar Association (ABA). Standard 306 states, “[a] distance education course is one in which students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously.”

#### **SECTION 1: KEY TERMINOLOGY**

1.1 Distance Education (DE) – an educational process characterized by the separation, in time or place, between instructor and student.

1.2 Asynchronous – Courses designated as “asynchronous” are those where delivery of course material and completion of course material do not occur simultaneously. Asynchronous course delivery is achieved using NCCU’s technological capabilities, including but not limited to: discussion boards, Panopto, electronic mail, and video and/or audio posts.

1.3 Synchronous – Courses designated as “synchronous” are those where instruction of course material is delivered to students in different physical locations, but with no delay in time due to the presence of two-way communication, permitting students to participate in real time.

1.4 Hybrid – Courses designated as “hybrid” are those that include both in-person sessions delivered in real time, and supplemental or additional course material presented in either an asynchronous and/or synchronous DE session.

#### **SECTION 2: PROGRAM AND COURSE GUIDELINES**

2.1 No courses designated by the NCCU faculty and administration as core courses will be offered as DE courses. Only electives will be offered as DE courses. An exception is when a core course has to be taught by DE in the event of an emergency, such as during the COVID-19 pandemic. If a face-to-face course has to shift to DE, this policy will apply for the remainder of the course.

2.2 All courses designated in the future as DE courses will need approval from NCCU’s Curriculum Committee, and then subsequently, the full faculty. This includes any existing course in the NCCU inventory that has not previously been taught as a DE course.

2.3 All DE courses offered by NCCU will comply with ABA Standard 310. All instructors for DE courses will construct their syllabi in such a manner as to ensure that any DE course, be it synchronous, asynchronous, or hybrid, will comply with ABA Standard 310 and the NCCU

ABA Standard 310 Compliance Policy. To help ensure such compliance, all professors teaching a DE course that has been approved pursuant to Section 2.2 shall specify how this will be met on the course syllabus prior to the delivery of the class.

2.4 Every course delivered through the NCCU DEP shall be designed to adhere to ABA Standard 302 pertaining to learning outcomes. Each course syllabus must set forth clearly defined standards and goals for successful completion of the course, thereby achieving credible student learning outcomes.

2.5 NCCU will train faculty, staff, and students in the use of information technology such that the student services and instructional materials essential to a successful DE experience will be available to all students.

2.6 Technical support and advice shall be available to assist students in resolving hardware and software problems.

2.7 Access to all DE courses shall be consistent with the mission of the University and the School of Law.

2.8 Students participating in DE courses shall have adequate access to the range of student services necessary to support the program, including admissions, financial aid, academic advising, delivery of course materials, career services, counseling, and access to library services.

2.9 Students shall be provided advertising, recruiting, and admissions information that adequately and accurately represents the program's requirements and services.

### SECTION 3: FACULTY GUIDELINES

3.1 All faculty members who teach DE courses at NCCU should take advantage of training provided by IT and other trainings to acquire the requisite technical skills necessary to effectively present the course material.

3.2 Faculty members may utilize any of the following delivery options in order to conduct their DE courses:

- (a) asynchronous, web-based delivery
- (b) synchronous, web-based delivery
- (c) face-to-face interaction at NCCU or another location
- (d) office hours using virtual meeting software (e.g., Zoom, WebEx, etc.)

3.3 In order to promote consistency from course to course, all faculty members who teach DE courses will include on their course syllabi information for enrolled students, including but not limited to:

- (a) the mode of program delivery, which students should know before course enrollment;
- (b) the technological requirements needed for course enrollment; and
- (c) attendance policies.

3.4 Consistent with NCCU's mission, all faculty members who teach DE courses shall be available for office hours for the duration of the course. The office hours shall be proportionate to the number of credit hours students will receive for course completion. For example, faculty members typically must perform ten office hours per week, frequently while carrying six credits of instruction. Under a similar ratio, a professor teaching an online course for three credits would be expected to have five online office hours per week. The hours may be conducted via virtual videoconferencing or other virtual meeting tools. Faculty shall also be available to interact with students either in person, via e-mail, or by telephone.

3.5 All faculty members teaching in the DEP shall conduct an evaluation at the conclusion of each course in order to track student satisfaction with both the pedagogical and technological aspects of the course.

3.6 Faculty members shall dress in a manner consistent with normal classroom attire (business or business casual) when teaching DE courses.

#### SECTION 4: STUDENT GUIDELINES

4.1 In order to participate in any course within the DEP, students must possess the following equipment:

- (a) a desktop or laptop computer with webcam;
- (b) a webcam in the case of synchronous DE courses; and
- (c) a broadband connection (e.g., cable or DSL).

4.2 All students participating in the DEP shall be required to test their connection before the start of course instruction and are responsible for obtaining their log-in credentials from the NCCU Information Technology Department, if necessary. If needed and available, air cards or others means of connectivity will be made available to students. Students who cannot establish satisfactory connectivity for the course will not be allowed to participate in the program.

4.3 Students are responsible for logging on to a secure Internet connection in order to participate in DE courses. Students from locations outside of the presence of the instructor must log in for DE classes at least ten minutes prior to the beginning of class.

4.4 NCCU has a mandatory attendance policy for its students, which will apply to all DE courses. Consistent with that goal, all students who participate in DE courses will be expected to attend class regularly and consistently. In the case of synchronous courses, repeated, unresolved connectivity issues impacting class participation may result in the student being dropped from the course.

4.5 Students participating in DE courses shall dress in an appropriate manner, as they would if they were attending class face-to-face, and shall conduct themselves in a manner consistent with normal classroom behavior. The environment from where students log on for class shall be free from distractions that would not be permitted in a regular classroom environment. No music, television, eating, or any other inappropriate behavior is permitted while class is in session. Travel during class is strictly prohibited. Lengthy, excessive absence from class that is not attributable to technological problems may result in a deduction in the student's course grade.

## SECTION 5: OVERSIGHT AND ADMINISTRATION

5.1 The DEP falls under the purview of the School of Law's Academic Affairs Unit. The Office of the Registrar at the School of Law, in conjunction with the Dean of Academic Affairs, will schedule all DE courses and track them to ensure that participating students comply with the mandates of ABA Standard 306.



## APPENDIX J

### North Carolina Central University School of Law ABA Standard 310 Policy

#### **PART I: INTRODUCTION AND OVERVIEW**

Standard 310 of the ABA Standards for Approval of Law Schools requires law schools to “adopt, publish, and adhere to written policies and procedures for determining the credit hours that it awards for coursework.” Additionally, Standard 310 sets forth the amount of in-class and out-of-class work that is required for students to earn a credit hour. According to Standard 310,

a “credit hour” is an amount of work that reasonably approximates:

(1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time; or

(2) at least an equivalent amount of work as required in subparagraph (1) of this definition for other academic activities as established by the institution, including simulation, field placement, clinical, co-curricular, and other academic work leading to the award of credit hours.

For purposes of Standard 310, 50 minutes suffices for one hour of classroom or direct faculty instruction. An “hour” for out-of-class student work is 60 minutes. Out-of-class work may include such activities as reading, case briefing, completing assignments or assessments other than a final exam, solving problem sets, research assignments, posting to an online discussion board, practice questions and examinations, CALI exercises, participation in study groups, reviewing, outlining, studying, or otherwise working on materials and assignments for the course that assists in comprehension of course content. Out-of-class student work may also include participating in out-of-class simulations and role-playing exercises that help students develop lawyering competencies, court or other observations, and attendance at review sessions. Conferences with the instructor, research, and completion of drafts of writing projects, and preparation for an oral argument or presentation also constitute out-of-class student work.

In compliance with ABA Standard 310, NCCU School of Law has adopted this Credit Hour Policy. The policy strives to provide clear guidance while also allowing flexibility to faculty to determine the most effective out-of-class work for their students.

#### **PART II: DETERMINATION OF CREDIT HOURS**

As allowed by Standard 310, NCCU School of Law traditionally maintains a 14-week semester followed by an exam period of at least one week. Summer sessions traditionally consist of five-week terms followed by an exam period. Intersession courses and specialty courses may be scheduled for shorter periods of time.

1. Exam Courses: Courses that require a written final exam are scheduled for 50 minutes per credit hour multiplied by 14, regardless of the length of term. Professors must assign at least 120 minutes per credit hour, multiplied by 15, of out-of-class work for students to complete over the course of the term. The minimum time to complete the out-of-class exams (including the final exam) for the course must be 60 minutes per credit hour.
2. Non-Exam Courses: Doctrinal courses that do not have a final exam are scheduled for 50 minutes per credit hour multiplied by 14, regardless of the length of term. Professors must assign at least 120 minutes per credit hour, multiplied by 15, of out-of-class work for students to complete over the course of the term. The minimum time to complete the out-of-class assessment(s) for the course must be 60 minutes per credit hour.
3. Writing Courses: Most writing courses, including Legal Writing Courses, Practice Oriented Writing Courses, and Writing Seminars are scheduled for 50 minutes per credit hour multiplied by 14, regardless of the length of term. Professors must assign at least 120 minutes per credit hour, multiplied by 15, of out-of-class work for students to complete over the course of the term. Class meeting times and the amount of out-of-class work may vary from week to week. However, the combined time must equal at least 42.5 hours of instructional time and out-of-class work per credit hour over the course of the term.
4. Appellate Advocacy and Senior Writing: Appellate Advocacy and Senior Writing are scheduled for 100 minutes per course multiplied by 14, regardless of the length of term. Professors must assign at least 140 minutes per credit hour, multiplied by 15, of out-of-class work for students to complete over the course of the term. Class meeting times and the amount of out-of-classroom work may vary from week to week. However, the combined time must equal at least 42.5 hours of instructional time and student work per credit hour over the course of the term.
5. Clinical Courses: Credit for clinical courses, including externships, may be awarded for 50 minutes of classroom or direct faculty instructional time or for 60 minutes of out-of-class work. Out-of-class work may include “law office” meetings, research, in-court or appropriate forum representation, discussion board participation, journaling, performing clinic work, community engagement, preparing for class, completing class assignments, and other academic work related to the course assigned by the supervising faculty member. Clinical professors may determine the overall number of hours of each type of work required for each unit of credit for their clinical courses but they must include a classroom component per ABA Standard 304. At a minimum, students must complete a total of 42.5 hours of clinic-related work for each unit of credit. Students enrolled in clinical courses must complete required hours and submit time keeping records in accordance with clinic practices.
6. Distance Learning Courses: Students may receive credit to the extent allowed by ABA Standards for distance learning courses that are in compliance with ABA Standards. Distance learning courses, whether offered in synchronous or asynchronous format, or a combination, shall require at least 42.5 hours of instructional time and out-of-class work per credit. When a course changes from a face-to-face course to a distance learning course during the course of a semester as a result of external or unforeseen circumstances (such as the COVID-19 pandemic), these

courses must remain in compliance with ABA Standard 310 and shall be conducted in conformity with the NCCU School of Law Distance Education Policy.

7. Independent Study: Students must complete a minimum of 45 hours of research and writing work for one unit of credit, 90 hours of research and writing work for two units of credit, and 135 hours of research and writing for three units of credit. Students shall submit detailed timesheets to their supervising professor, including time spent researching a topic, creating an outline, drafting the paper, re-writing the paper, and meeting with the professor or a research librarian. The professor is responsible for reviewing the student's timesheet before assigning a grade and certifying that the student completed the requisite amount of time.

8. Student Research Experience: Students must complete a minimum of 60 hours of research and writing work to earn one credit for Student Research Experience. Students shall submit detailed timesheets to their supervising professor. The professor is responsible for reviewing the student's timesheet before assigning a grade and certifying that the student completed the requisite amount of time.

9. Moot Court, Trial, Client Counseling, Negotiations and Other Approved Competitions: Students may receive credit for participating in approved competitions. At a minimum, students must complete 45 hours for one unit of credit, 90 hours for two units of credit, or 135 hours for three units of credit. Credit is granted for time spent receiving direct faculty instruction, completing assignments or other work assigned by the coach or supervising professor, preparing briefs and other materials for the competition, mooted arguments, and participating in actual competition(s). Students shall submit detailed timesheets to the designated supervising faculty member. The faculty advisor is responsible for reviewing the student's timesheets before certifying that the student completed the requisite amount of time. This function may not be delegated to a student leader of the co-curricular activity.

10. Law Review and Law Journal: Students may receive credit for serving on the editorial boards of approved law reviews and law journals. At a minimum, students must complete 45 hours of journal-related work for each unit of credit. Students shall submit detailed timesheets to the journal's faculty advisor. The faculty advisor is responsible for reviewing the student's timesheets before certifying that the student completed the requisite amount of time. This function may not be delegated to a student leader of the law review or journal.

### **PART III. COMPLIANCE**

To ensure compliance with this policy, ABA Standard 310, and applicable federal regulations:

1. The Associate Dean for Academic Affairs shall, prior to each academic semester, remind the faculty of this policy.

2. The Associate Dean for Academic Affairs shall schedule courses to ensure that they meet for the requisite minutes of instructional time. In general, classes will be scheduled in the following block configurations during the fall and spring semesters:

Credits	Configuration Option	Schedule (Unless otherwise specified, does not include time for a break during the class meeting.)
1	A	Once per week for 50 minutes.
2	A	Once per week for 100 minutes.
	B	Twice per week for 50 minutes.
3	A	Once per week for 160 minutes, which includes the option for up to a 10-minute break.
	B	Twice per week for 75 minutes.
	C	Three times per week for 50 minutes.
4	A	Twice per week for 100 minutes.
	B	Three times per week for 67 minutes.
	C	Three times per week with two 75 minute classes and one 50 minute class.
	D	Four times per week for 50 minutes.

Summer courses are scheduled in various configurations (e.g., summer session courses and inter-session courses). The Associate Dean for Academic Affairs shall schedule summer courses to ensure that they meet for the requisite minutes of instructional time.

3. The syllabus for each course shall include a statement summarizing the law school's credit hour policy and specifying the number of hours of classroom or direct faculty instruction and the number of hours of out-of-class student work required in that course to comply with the policy. Course syllabi shall state—through specified assignments, readings, projects, simulations, and other work—that students' out-of-class time will meet the requirements of this policy. Readings—on average—of at least 15 pages per credit hour multiplied by 14 (if there is a final exam) or 15 (if a final exam will not be administered) regardless of the length of the course<sup>10</sup> shall be presumed to meet this rule. While the stated average minimum page numbers assigned is presumed to meet the rule, faculty may assign less than the minimum stated when, in their professional judgment, the problem, statute, or other material assigned is complex in nature and it is expected that the amount of time it will take students to complete the out-of-class assignment will meet the rule. This will be so indicated on the syllabus itself.

4. All professors shall submit a completed Standard 310 Compliance Report to the Associate Dean for Academic Affairs at the beginning of every semester for each course taught during the

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<sup>10</sup> Based on the credit hour calculator from Rice University (<http://cte.rice.edu/blogarchive/2016/07/11/workload>) NCCU School of Law has determined that 15 pages of reading per credit per week presumptively satisfies the out-of-class aspect of the policy. The calculator is based on empirical research into reading speeds and absorption rates based on expected mastery of the material. This reading time estimate does not include additional work expected of the student. The School of Law will monitor this policy through, among other things, student evaluations, which will ask about the perceived workload for particular courses.

[Academic literature indicates that a skilled adult reads an average of 5-40 casebook pages per hour, depending on the density of the text, the difficulty of the material (number of new concepts), and the competency expected (to skim, understand or engage). See Rice Center for Teaching Excellence, *How Much Should We Assign? Estimating Out of Class Workload*, available at <http://cte.rice.edu/blogarchive/2016/07/11/workload>; see also the Course Load Estimator tool, available at <http://cte.rice.edu/workload>.]

semester. In so doing, a professor certifies that outside work for the course meets the requirements of ABA Standard 310 and the Standard 310 Compliance Policy.

**PART IV. DETERMINATION OF HOURS OF CREDIT FOR COURSES TAKEN AT ANOTHER LAW SCHOOL**

1. As a condition of approval of a student’s application to visit another ABA-approved law school, an official from the school offering the course must certify in writing to the Associate Dean for Academic Affairs that the units of credit awarded for successful completion of the course(s) to be taken comply with Standard 310.

2. As a condition of approval of transfer credits by the law school, an official from the school from which an applicant is seeking to transfer must certify in writing to the Associate Dean for Academic Affairs that the units of credit for the courses taken comply with Standard 310.

**PART V. IMPLEMENTATION**

The policy will be implemented by publication in student handbooks, on the web, and in other appropriate places to provide notice. The Associate Dean for Academic Affairs will have primary responsibility for monitoring implementation.

**PART VI. SUMMARY**

Number of Credits	Minimum Number of Hours of Classroom Time or Direct Faculty Instruction	Aggregate Number of Hours of Out-of-Class Student Academic Engagement (over the course of the semester)	Minimum Time for Assessments (length of exam or amount of time spent completing assessment) or Additional Instruction
1	14 hours	30 hours	1 hour
2	28 hours	60 hours	2 hours
3*	42 hours	90 hours	3 hours
4	56 hours	120 hours	4 hours

\* Appellate Advocacy and Senior Writing, 3-credit hour courses, are scheduled for 100 minutes per course multiplied by 14, regardless of the length of term. The aggregate number of hours of out-of-class student academic engagement (over the course of the semester) is 104 hours and the minimum time for completing the final assessment is three hours. The out-of-class work may consist of individual conferences with the instructor, research, completion of drafts of writing projects, attending an appellate argument, or spending a day with an appellate attorney. The last two activities will require students to submit a reflective writing piece as a part of the course grade.

