

North Carolina Central University

School of Law



**2012-2013
Student Handbook**

TABLE OF CONTENTS

1.00	General Rules	7
1.01	Registration	7
1.02	Faculty Advisor	7
1.03	Required Courses	7
1.04	Credit for Required Courses	8
1.05	Course Load	8
1.05-01	Registration Rules for Students Repeating a Course	8
1.05-02	Day Program	9
1.05-03	Evening Program	9
1.05-04	Overload Requests	10
1.05-05	Transfer Between Programs	10
1.06	Graduation Requirements	10
1.06-01	Credit Hours	10
1.06-02	Residency	10
1.06-03	Completion of Degree	10
1.06-04	Joint JD/MBA and JD/MLS Degrees	10
1.06-05	Honors	10
1.07	Dropping Courses	11
1.07-01	Dropping Required First Year Courses	11
1.08	Switching Sections	11
1.09	Courses at Other Schools	11
1.09-01	Completing Courses at a Visiting Law School	11
1.09-02	Limitations on Credits Toward Degree	11
1.09-03	Transfer of Credit Hours	12
1.10	Examinations and Grading	12
1.10-01	Anonymous Grading	13
1108-02	Items During Examinations	13
1.10-03	Absences from Examinations	13
1.10-04	Late Arrival For Examinations	13

1.10-05	Accommodations for Examinations	14
1.10-06	Exam Conflicts	14
1.10-07	Grade Changes	14
1.10-08	Extensions - Papers, etc.	14
1.10-09	Grading Scale - Quality Points	15
1.10-10	Grade Appeals	16
1.10-11	Academic Eligibility - Continuation	17
1.11	Readmission	17
1.11-01	Eligibility to Petition for Readmission Following Academic Dismissal	17
1.11-02	Readmission Procedure	18
1.11-03	Admission as a New Student Following Academic Dismissal	18
1.11-04	Withdrawal from Law School	19
1.12	Student Record Keeping	20
1.13	Class Attendance Rules	20
1.13-01	Appeals Procedure for Violations of Attendance Policy	21
1.13-02	Sufficient Justification	23
1.14	Current Addresses on File	23
1.15	Limitations on Student Employment	23
1.15-01	Applicability to Full-Time Students	23
1.15-02	Notice of Employment	23
1.16	Class Ranks	23
1.17	Letters of Good Standing	23
1.18	Transcripts	24
1.19	“Degree Verification” Letters	24
2.00	Code of Student Conduct	24
2.01	Preamble	24
2.02	Authority for Student Discipline	24
2.02-01	Authority	24
2.02-02	Composition	25
2.02-03	Substitution of Committee Members	25
2.02-04	Quorum and Meetings	

2.03	Jurisdiction	25
2.04	Definitions	25
2.05	Prohibited Conduct	26
2.05-01	Academic Dishonesty	26
2.05-02	Forgery	27
2.05-03	Furnishing False or Misleading Information	27
2.05-04	Use of Unlawful Force	28
2.05-05	Sex Offenses	28
2.05-06	Actual or threatened sexual assault	28
2.05-07	Harassment or Intimidation	28
2.05-08	Disorderly Conduct	28
2.05-09	Endangerment	28
2.05-10	False Reports	28
2.05-11	Unauthorized Entry, use or misuse of property	28
2.05-12	Theft	28
2.05-13	Intentional or reckless damage	28
2.05-14	Failure to Comply	29
2.05-15	Abuse of the University's disciplinary procedures	29
2.05-16	Use, possession or storage of any weapon, dangerous chemical...	29
2.05-17	Illegal manufacture, use, possession or distribution	29
2.06	Standards of Classroom Behavior	29
2.07	Disciplinary Complaints	29
2.08	Investigation	30
2.08-01	Procedure	30
2.08-02	Communication	30
2.08-03	Sufficiency of Evidence	30
2.09	Referral to a Hearing before the Disciplinary Committee	30
2.09-01	Notice	31
2.09-02	Availability of File	31
2.09-03	Witnesses and Affidavits	31
2.09-04	Multiple Parties Charged	32

2.10	Referral to Mediation Between the Parties	32
2.11	Referral to Facilitation for Disciplinary Sanctions Only	32
2.12	Disciplinary Hearings Generally	32
2.13	Rights of the Respondent	33
2.14	Disciplinary Hearing Procedures	34
2.15	Appeal Procedures	35
2.16	Disciplinary Sanctions	36
2.17	Disciplinary Files and Records	37
2.18	Interim Suspension	37
4.00	Policy for Student Workers	38
4.01	Student Employment	38
4.02	Student Access to Confidential Information	38
4.03	Student Worker Safety	38
4.04	Work Assignments	38
4.05	Definition of Student	38
5.00	Complaints	38
5.01	Allegations of Sexual harassment or Other Illegal Discrimination	38
5.02	Complaints Involving All Other Law School Matters	39
6.00	Library Rules	39
6.01	General Policies	39
6.01-01	Library Courtesy	39
6.01-02	Food and Drink	39
6.01-03	Cell Phones	39
6.01-04	Children and Minors	40
6.02	Circulation Rules	40
6.02-01	Reserve Materials	40
6.02-02	Circulating Materials	40
6.02-03	Non-Circulating Materials	40
6.02-04	Replacement Fine	40
6.03	Library Entry and Exit Rules	40
6.03-01	Public Access Hours Entry	40

6.03-02	Use of Unauthorized Exits	40
6.03-03	Services for Those With Disabilities	40
6.03-04	Illegal Removal of Books	41
7.00	Technology and Facility Resources	41
7.01	General Policies	41
7.02	Prohibited Uses of Technology	41
7.03	Facility	41
7.04	Return Policies	42
8.00	Parking Rules	42
8.01	General Rules	42
8.03	Event Parking	43
9.00	Communications	43
10.00	Important University Policies	43
11.00	Publication and Effective Date	43

APPENDIX A: Requirements for Joint JD/MBA Program

APPENDIX B: Requirements for Joint JD/MLS Program

APPENDIX C: Procedure for requesting official transcripts

APPENDIX D: Application Amendment Policy

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 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 the Dean. In addition, students must meet with their faculty advisor regularly, especially during the pre-registration period of each semester.

1.03 REQUIRED COURSES

Day first-year students are required to take the following courses:

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

Evening first-year students are required to take the two of the substantive courses listed above in their rotation along with Professional Responsibility, Legal Reasoning and Analysis I and Legal Research and Persuasion.

Upper-level required courses for all students are:

- Constitutional Law
- Decedents' Estates I
- Evidence
- Fundamental Taxation
- Professional Responsibility (Day, first-year Evening)
- Sales and Secured Transactions
- North Carolina Distinctions.

In addition, Day students are required to take Legal Letters, Business Associations, and a writing seminar, as well as meet the oral requirement and the professional skills requirement. Evening students are required to take Senior Writing and Corporations, as well as meet the oral requirement and the professional skills requirement.

The Faculty strongly recommends that students take Advanced Torts, Criminal Procedure,

Family Relations, Decedents' Estates II, Real Estate Finance, Remedies, Constitutional Law II, Appellate Advocacy and Trial Practice to enhance bar preparation. In addition, the faculty encourages students to take an Alternative Dispute Resolution course. Clinics are also an important component of legal education that furthers preparation for the practice of law.

Students may “opt out” of North Carolina Distinctions if they take **all** of the following highly recommended bar preparation courses:

- Criminal Procedure
- Decedents’ Estates II
- Family Relations
- Real Estate Finance

These courses may be taken both prior to and in the same semester that Distinctions is offered.

“Day classes” are Monday through Friday from 8:00am to 5:00pm (Day students only, Evening must get permission to take); “Swing Classes” are Monday through Friday from 5:00-6:30pm (available for both Day and Evening students); “Evening Classes” are Monday, Tuesday and Thursdays from 6:30 – 9:20pm (Evening students only, Day must get permission to take) and “Wednesday classes” are from 5:00 – 9:20pm (available for both day and evening students).

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.

1.05 COURSE LOAD

1.05-01 Registration Rules for Students Repeating a Course

1. Timing

A day student who receives an F in a first-year course is required to repeat that course during the next semester in which that course is offered at this law school. Evening students repeating courses are required to consult the Assistant Dean for the Evening Program to determine when the course is next offered in the Evening rotation and should plan to take the course when it is next offered.

2. Maximum Number of Credit Hours

It is recommended that a Day student who receives below a “C” in one or more first-year courses not register for more than fourteen (14) credit hours. It is recommended that a Day student who receives below a “C” in one or more first-year courses during the spring semester of his/her second year not register for more than fifteen (15) credit hours.

3. Signature of the Associate Dean of Academic Affairs Required

Prior to the beginning of each fall semester, the Law School Registrar will

provide the Associate Dean for Academic Affairs with a list of the names of all those students who, during the previous academic year, received an F and the course(s) in which such grade was received. After obtaining the signature of his/her advisor, any student who is required to repeat a course must then obtain the signature of the Associate Dean for Academic Affairs before being allowed to register. The Law School Registrar will register students required to repeat a course.

1.05-02 Day Program

The maximum course load permitted without special permission from the Office of the Dean is 16 credit hours. A student who wishes to take less than 10 credit hours during a semester must secure prior permission from the Office of the Dean, including instances in which the student initially wishes to register for less than 10 credit hours, as well as those instances in which the student wishes to drop courses and fall below the ten-hour level. A Day student must have at least six semesters in residence (at least 10 credit hours) in order to graduate. *See* 1.06-02. A Day student who wishes to enroll in evening or summer classes must receive the prior written permission from the Office of the Dean.

Day students who are working no more than 20 hours per week can take 6 credits per summer session (for a total of 12 credits for both sessions). Day students who are working more than 20 hours per week, can take 4 credits per summer session (for a total of 8 credits for both session) and they must receive permission from the Associate Dean for Academic Affairs to exceed 4 credits.

Students should consult their financial aid advisor to determine the number of credit hours needed to maintain their financial aid eligibility.

1.05-03 Evening Program

The maximum course load permitted without special permission from the Office of the Dean is 10 credit hours. Students wishing to take an additional course or a course meeting at a time other than during the regular Evening rotation must obtain written permission from the Office of the Dean. Generally, Evening students who have not completed their third full semester (27 hours) will not be granted permission to enroll in an extra class. A student admitted to the Evening Program who wishes to enroll in Day classes must receive permission from the Office of the Dean. A student who wishes to take less than 8 hours during a semester must secure prior permission from the Office of the Dean.

Evening students can take 4 credits per summer session (for a total of 8 credits for both sessions) and they must receive permission from the Assistant Dean for the Evening Program to exceed 4 credits. Evening students must receive permission from the Associate Dean for Academic Affairs to exceed 6 credits.

Evening students wishing to earn their degrees in less than eight semesters and three summers must seek written permission to transfer to the full-time Day Program. (*See* section 1.05-05).

1.05-04 Overload Requests

A Day or Evening student seeking permission to take an overload (even if in a dual degree program) should submit a written request to the Office of the Dean and to his/her faculty advisor stating the name and number of credit hours of the extra class, the reason for requesting the overload, a plan for balancing outside demands with additional course work, his/her overall grade point average, and his/her performance during any previous semesters while taking an overload. Absent extraordinary circumstances, the Dean or Associate Dean for Academic Affairs will only grant an overload if the student has at least a 3.0 grade point average and can demonstrate that the additional credits would not affect the student's ability to maintain at least a 3.0 grade point average.

1.05-05 Transfer Between Programs

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

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 88 credit hours, and successfully completed all required courses. A student may take a maximum of 12 pass/fail hours of the 88 credit hours. There is no pass/fail limit on hours that exceed 88.

1.06-02 Residency

Pursuant to American Bar Association standards, the Law School requires as a condition for graduation, the successful completion of a course of study in residence at NCCU Law School of not fewer than 58,000 minutes of instruction time extending over not fewer than three (3) academic years for full-time students or four (4) academic years for part-time students. (For example, a full time student must complete at least 5 semesters in residence and a part-time student at least 7 semesters in residence as a condition of graduation.)

1.06-03 Completion of Degree

The course of study for the J.D. degree shall not be longer than 84 months after a student has commenced law study at a law school or a law school from which the school has accepted transfer credit.

1.06-04 Joint JD/MBA and JD/MLS Degrees

The requirements for a joint JD/MBA degree are found at the end of this Handbook in Appendix A and for a joint JD/MLS degree are found at the end of this Handbook in Appendix B.

1.06-05 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 1.05-02, 1.05-03, and 1.06-02). (First-year students see 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 might be permitted to withdraw from a course with the prior written permission of the Office of the Dean, which may impose special requirements.

1.08 SWITCHING SECTIONS

A first-year student may not switch from one section of an assigned course to another without permission from the Office of the Dean. Any student repeating a required first-year course may request a section of that course at the next offering, subject to space availability.

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 his or her advisor to determine the courses required to complete his or her degree. The student must submit to his or her advisor the course description provided by the Visiting Law School for the advisor to give his or her opinion as to whether the course is substantially similar to the course offered at North Carolina Central University School of Law. The student must then submit his or her request in writing to the Associate Dean for Academic Affairs. In those circumstances where the Visiting Law School does not have a required course that is substantially similar to the course offered at North Carolina Central University School of Law, 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 degree that the student will receive from North Carolina Central University School of Law. The Curriculum Committee shall consult with those faculty members responsible for teaching the required course at issue.

1.09-02 Limitations on Credits Toward Degree

Students may earn a limited number of elective credit hours toward their NCCU law degree by

taking approved classes at other institutions. (*See* Sections 1.03 and 1.04).

Permission from the Office of the Dean must be obtained before taking:

1. summer school courses at other accredited law schools;
2. up to 6 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 the Dean 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 the Dean. 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 would be grounds for an honor code violation. The purpose of this rule is to emulate bar examination conditions.

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 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 he/she is 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 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:

Accommodations are made through the University ADA office through a centralized process. Students should see the University Coordinator (currently Kesha T. Lee at 919-530-6325) and provide any documentation from the University Coordinator to the Associate Dean for Academic Affairs. Course instructors do not grant accommodations.

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 9:00am exam on one day and a 2:00pm exam on the same day is a conflict.

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

Students must notify their professor 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 he/she has 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 the Dean. 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

If a student receives an "F" in a course and then repeats that course, the two grades are averaged to determine the grade in the course. 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 the Dean. 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 (10) 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 the Dean must be made within ten (10) school days after the conference with the professor if the complaint has not been resolved.

1.10-11 Academic Eligibility - Continuation

To remain in school, a student must meet certain minimum grade point average requirements.

1. A first-year student enrolled in the Day Program must earn a cumulative grade point average of at least 2.0 by the end of the academic year (May) to be eligible to return. A first-year Day student who does not earn a grade point average of at least 2.0 by the end of the academic year will be dismissed.
2. A student enrolled in the Day or Evening Program who does not earn a cumulative grade point average of at least 2.0 by the end of the second year (four semesters) will be dismissed.
3. A student enrolled in the Day or Evening Program whose cumulative grade point average drops below a 2.0 at any point subsequent to his/her fourth semester will be dismissed.

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.
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.

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 the Dean 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 the Dean 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 the Dean. The petition should set forth specific reasons for the petitioner's substandard performance.
2. The Office of the Dean shall forward the petition to the Standards Committee for consideration, along with any documentation 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. 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.
6. 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.

Only in an extraordinary case (*see* Section 1.11-02) will an academically dismissed student be admitted as a new student. Such students 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 the Dean 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 the Dean. The petition for readmission must be received by the Office of the Dean 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. 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 the Dean 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. That student must demonstrate that extraordinary circumstances caused the substandard academic performance. *See generally*, 1.11-02. 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. Professors are required to make-up a cancelled class, but the student's inability to attend a 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. Each 50 minutes of meeting time is considered a class hour. Students enrolled in required first-year courses who violate the attendance rule will receive a grade of "F."

<u>Course credit hours</u>	<u>Maximum absences</u>
1 credit hour	Three 50-minute or two 75-minute classes
2 credit hours	Six 50-minute, four 75-minute or three 100-minute classes
3 credit hours	Nine 50-minute , six-75 minute classes, or three 150-minute classes
4 credit hours	Twelve 50-minute or eight 75-minute classes

Please note that missing a course that meets just once a week will cause students to meet the maximum number of absences faster. For example, the allowable absences for a two credit hour course that meets just once a week would be three 100-minute classes.

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 and by regular mail. 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 and has been administratively withdrawn from the course, shall have the right to appeal to the Faculty 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 Faculty 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 a committee consisting of the Associate Dean for Academic Affairs, the Associate Dean of Student Services, the Assistant Dean of Student Affairs, the Assistant Dean for the Evening Program, and the Law School Registrar. 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 can be no later than the last scheduled date of classes.* 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 (*See* ABA Standard 304(c)).

1.15-02 Notice of Employment

A full-time law student who is employed must promptly give notice of his/her employment to the Assistant Dean for Student Affairs and to his/her 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 Law School Registrar, 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 C.

1.19 "DEGREE VERIFICATION" LETTERS

Students requesting "Degree Verification" letters must submit the request in writing by email or letter to the School of Law Registrar, 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 Academic Disciplinary Committee shall be a standing committee of the Law School consisting of eight 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 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.

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.¹

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

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

- 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;
 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.²
- 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 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.

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 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 behavior³ 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 complaint 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

³ 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.

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 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.

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.

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.⁴ 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

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

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:

- 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.⁵
- e. A copy of, or access to, all written documentation that will be referred to the Hearing Panel.

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 Complainants.

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.⁶
- 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.

⁵ 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.

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

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.

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. Generally, 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.

- 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.
- e. 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.
- f. 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.
- g. Respondents who fail to appear after proper notice shall be deemed to have pled no contest to the charges pending against them.
- h. Disciplinary Hearings shall be closed to the public.
- i. An audio recording of the Hearing, but not the closed deliberations of the Hearing Panel, shall ordinarily be made 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.
- j. The Assistant Dean of Student Affairs shall maintain a complete case file, including the tape, all documentation and correspondence generated throughout the case.
- k. 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 to 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 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 record⁷ 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 two working days to the Assistant Dean of Student Affairs who will make it available to the Respondent.

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:
- c. An appeal of the finding that the Respondent violated the Code of Conduct;
- d. An appeal of the sanction imposed;
- e. An appeal on the basis of new evidence not reasonably available prior to the Hearing; and/or
- f. An appeal on the basis of specified procedural errors in the disciplinary process.
- g. The Dean shall transmit the notice of appeal to the Faculty, and shall provide a record of the proceedings for faculty examination.
- h. Deference shall be given to the determinations of Hearing Panels and the scope of review by the Faculty shall be limited to determining:
- i. Whether there was evidence presented from which rational persons could have reached the same decision as that of the Panel;
- j. Whether the sanction is consistent with precedent and with the standards of the Law School;
- k. 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
- l. Whether the Panel acted in accordance with these procedures for hearing accusations of violations of these regulations.
- m. 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:
- n. Affirm the finding and the sanction as determined by the original Hearing Panel;
- o. Affirm the finding and remand the determination of sanction to the original Hearing Panel. On remand, the Panel may not increase the sanction originally imposed; or

⁷ 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.

- p. Remand the case to the original Hearing Panel with a written summary of the reasoning and the specific issue to be deliberated.
- q. 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.
- r. 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.
- s. 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 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.
- t. 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.
- u. 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:⁸

- 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 premises, and other privileges or activities, as set forth in the suspension notice. Suspension is of two types, term and/or conditional.
 - i. A term suspension shall be for a stipulated period of time after which the

⁸ A student may receive more than one sanction for a single incident.

- student may return to the School of Law 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 at any other institution for the purpose of transferring those credits and making progress towards a degree from the School of Law.
 - 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.
 - g. The presumptive sanction for a case of academic dishonesty is separation, temporary or permanent, from school. 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.⁹
- c. Students should 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 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

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

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).

4.00 POLICY FOR STUDENT WORKERS

4.01 Student Employment

Per the ABA Standard 304, “[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

In order to file a complaint based on an allegation of sexual harassment, the student should contact the University EEO department. The student should also file any complaints involving harassment due to race, national origin, religion, disability, gender or sexual orientation with the University EEO department.

5.02 Complaints Involving All other Law School Matters

In order to file a complaint based on any matters outside of sexual harassment or other illegal discrimination, the student should follow the Law School chain of command when filing a complaint. With respect to academic related matters, the student should file a written complaint with the Associate Dean of Academic Affairs. If the matter is not resolved to the student's satisfaction, the student can file a written complaint with the Dean of the Law School, and continue to the Provost and Vice Chancellor for Academic Affairs, and finally, the Chancellor of the University. An academic matter is a matter involving the student's classes or course work. With respect to non-academic related matters, the student should file a written complaint within the chain of command with the relevant department that handles the matter. The student may consult the Law School webpage to ascertain the chain of command within the relevant department, or may ask the Assistant Dean for Student Affairs for this information. If the matter is not resolved to the student's satisfaction, the student can go forward with the written complaint to the appropriate Associate Dean of the Law School, then the Dean of the Law School, then the Provost and finally the Chancellor of the University. The student should receive a written response to his/her complaint at each level within seven (7) business days.

6.00 LIBRARY RULES

6.01 GENERAL POLICIES

6.01-01 Library Courtesy

- (a) Books are to be shelved in their proper places or placed on book trucks after use.
- (b) Loud, boisterous conversation is prohibited.
- (c) Personal items are not to be left in the library to reserve study space. Students must remove all personal items and properly dispose of trash and recycling before leaving the library.

6.01-02 Food and Drink

The Law Library's Food and Drink Policy is intended to preserve library materials, computer equipment and furnishings, and to maintain a pleasant and comfortable atmosphere for our patrons and staff.

- (a) Food is prohibited in all areas of the library.
- (b) Non-alcoholic beverages can be consumed in the library, provided they are in spill-proof containers. Aluminum cans, open cups or mugs, and glass bottles without lids are prohibited.

6.01-03 Cell Phones

Library users are to set mobile phones to non-audible signals and restrict phone conversations to areas outside of the library.

6.01-04 Children and Minors

An emergency situation may make it necessary for parents or guardians to bring children/minors to the library. Children and minors will only be admitted to the Law Library if accompanied by a member of the NCCU Law School community. It is that community member's responsibility to monitor the children/minors and regulate their behavior.

6.02 CIRCULATION RULES

A valid driver's license or valid student identification card must be presented at the Circulation Desk to check out any material from the library.

6.02-01 Reserve Materials

Patrons can retrieve items that have been placed on reserve from the Circulation Desk.

- (a) The loan period for reserve books and materials is **three hours**.
- (b) Some reserve materials may be checked out overnight. For overnight checkout, reserve materials must be checked out within one hour of closing and returned within one hour of the library's opening the next day. (Exceptions: NC Bar materials and last copies from permanent reserves *cannot* be checked out overnight).

6.02-02 Circulating Materials

The loan period for non-reserve circulating materials is four weeks.

6.02-03 Non-Circulating Materials

The following materials **do not** circulate and must remain inside the library: Materials on the first floor of the library (state materials and reporters), loose-leaf titles, and serials. If you're not sure whether an item circulates, please ask at the Circulation Desk.

6.02-04 Replacement Fine

In addition to the cost of replacing the lost material, a \$25.00 administrative processing fee will be charged. The replacement value of any material is deemed to be at least \$100.00.

6.03 LIBRARY ENTRY AND EXIT RULES

6.03-01 Public Access Hours Entry

Only law school students with encoded student identification cards are permitted to enter the library after public use hours.

6.03-02 Use of Unauthorized Exits

Students are to exit the School of Law Library through authorized exits only.

6.03-03 Services for Those with Disabilities

Patrons who require assistance retrieving or photocopying materials, accessing the second floor of the library or with any other services are encouraged to seek help at the Circulation Desk.

6.03-04 Illegal Removal of Books

Any student intentionally removing library materials that they have not checked out or otherwise retrieved through authorized channels shall automatically lose their library privileges for the remainder of the semester in which the offense occurred and may face additional disciplinary action from the Law School.

7.00 TECHNOLOGY and FACILITY RESOURCES

7.01 GENERAL POLICIES

Technology resources are provided for student use for all law students. Students may access these resources throughout the academic school year. Technology resources include but are not limited to the following: classrooms, clickers, computers, exam soft, study rooms, printers/copiers/scanners, and wireless network.

7.02 PROHIBITED USES OF TECHNOLOGY RESOURCES

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

1. Intentionally providing unauthorized access or usage of technology resources by loaning your password, making reservations under false pretences, or disclosing someone else's password and/or user name to another person.
2. Intentionally engaging in unauthorized usage of technology resources by utilizing another student's identity.
3. Accessing or changing other's 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 user name, tying up terminals, printers and study rooms, saving work or installing programs to the hard disk, 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 seven days a week from 7am – midnight. Four weeks before final exams, the facility is open 24 hours a day. Entry into the building after 7pm is by access card only and students are only permitted to enter the building by using the main entrance. If you misplace or lose your access card, contact the security officer at the front desk immediately. As a safety precaution, no one is allowed to prop open any external door. Once you enter the building, please make sure the door closes behind you. Do not give access to the building to anyone without an access card or to someone you do not know; direct that person to the security officer at the front desk. 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 emergency, please call the front desk at (919) 530-6333 or Campus Police at (919) 530-6106.

7.04 RETURN POLICIES

Laptops: Students should return their laptops at the end of each school year. If you would like to continue using your laptop throughout the summer, you must visit the IT department to have the laptop checked in and then reissued to you; you may continue using your laptop throughout the following school year. If you are a graduating student, you must return your laptop on the day of your last final exam. If you would like to continue using your laptop for bar preparation, you must visit the IT department to have the laptop checked in and then reissued to you. You must return your laptop within one week after completion of the bar exam

Access Cards: Students should return their access cards before graduation. If you will be using the building for bar preparation throughout the summer, you must return your card to the IT department and then it will be reissued to you. There is a \$20 replacement fee for lost access cards.

Clickers: Students should return their clickers before the final exam period begins. There is a \$75 fee for loss clickers.

NOTE: If at any time you cease to be a student at the School of Law, your laptop, access card, and/or clicker should be returned to the IT department immediately.

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 (Gravel)
- George Street Apartments
- Latham (deck and surrounding spaces)
- Lincoln Street
- Martha Street Apartments
- Mary Townes Science Building (Lower)
- Nelson Street
- O’Kelly-Riddick
- School of Education (Front)
- St. Titus Episcopal Church

Parking rules and regulations are enforced all year and at all hours. Reserve spaces are restricted at all times. If you are parked in a reserved or handicap space without the proper decals, you will be ticketed and your vehicle will be towed. You are not allowed to park in other designated areas after 5 p.m.

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 Bursar's Office, Room 012 in the basement of the Hoey Administration Building. Hours of operation are Monday, Wednesday, Thursday, and Friday 8:30 a.m. to 4 p.m. and Tuesdays from 8:30 a.m. to 7 p.m. Cash, check and credit cards are accepted.

8.03 EVENT PARKING

During O'Kelly-Riddick Stadium events, traffic 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.

10.00 COMMUNICATIONS

Students must read *The Weekly* newsletter and 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.

11.00 IMPORTANT UNIVERSITY POLICIES

Students should be aware of the University Policies in the *Eagle-Eye Handbook* on Alcoholic Beverages (Appendix I), Illegal Drugs (Appendix II), and Sexual Harassment (Appendix III), on reserve in the Law Library.

12.00 PUBLICATION AND EFFECTIVE DATE

The provisions of this Handbook are effective July 1, 2012. Informational provisions may be added after this date. The most current version of the Handbook is posted on the Law School's web site.

**North Carolina Central University
School of Law
640 Nelson St.
Durham, North Carolina 27707**

APPENDIX A
Requirements for Joint JD/MBA Program
(Students with foundation courses or equivalent)

Year 1

	Credit Hours
<u>School of Law</u>	Law (Day)
Contracts I & II	5
Civil Procedure I & II	5
Property I & II	5
Torts I & II	5
Criminal Law	3
Legal Reasoning	3
Legal Reasoning and Persuasive Writing	3

Year 2

<u>School of Law</u>	
Constitutional Law I	4
Elective (Law)	2

School of Business

ACCT 5510 - Managerial Accounting	3
MGT 5560 - Behavioral Management Theory & Analysis	3
FIN 5550 - Financial Policies	3
ECON 5540 - Economic Analysis	3
MKT 5570 - Marketing Strategy	3
CIS 5520 - Management Information Systems	3

Year 3

School of Business

DSC 5530 - Production & Systems Management	3
--	---

School of Law

Elective (Law)	5
Business Associations	4
Decedent's Estates I	3
Evidence	3
Legal Letters	2
Taxation	3

Year 4

School of Business

MGT 5565 - Management Strategy & Policy Analysis	3
--	---

School of Law

Legal Writing Seminar	2 or 3
N.C. Distinctions	3
Electives (Law)	13 or 14
Professional Responsibility	2
Reciprocal Credits Law	9*
Reciprocal Credits Business	9

Joint JD/MBA Program

(Students without foundation courses or equivalent)

Year 1

<u>School of Law</u>	Credit Hours
	Law (Day)
Contracts I & II	5
Civil Procedure I & II	5
Property I & II	5
Torts I & II	5
Criminal Law	3
Legal Reasoning	3
Legal Reasoning and Persuasive Writing	3

Summer after Year 1

ACCT 2400-Accounting I	3
ACCT 2500-Accounting II	3
ECON 2200-Macroeconomics	3

Year 2**School of Business**

ECON 2300-Microeconomics	3
MATH 2000-Calculus	3
DSC 2010-Statistics	3
MGT 3000-Organization and Management	3
MKT 3210-Marketing	3
FIN 3200-Principles of Finance	3
ACCT 5510-Managerial Accounting	33
ECON 5540-Economic Analysis	3

Summer after Year 2 OR**Summer after Year 3**

School of Law	
Electives (Law)	6

Year 3

School of Business

MKT 5570-Marketing Theory	3
CIS 5520-Management Information Systems	3
FIN 5550-Financial Policies	3

School of Law

Constitutional Law	4
Legal Letters	2
Business Associations	4
Decedent's Estates I	3
Evidence	3
Taxation	3
Elective (Law)	3

Year 4

School of Business

DSC 5530-Production & System Management	3
MGT 5565-Management Strategy & Policy Analysis	3

School of Law

Sales and Secured Transactions	4
Professional Responsibility	2
Legal Writing Seminar	2 or 3
N.C. Distinctions	3
Electives (Law)	11 or 12
Reciprocal Credits Law	9*
Reciprocal Credits Business	9*

JD/MBA with Foundation Courses

Law	79	9*	88
Business	24	9*	33
Total	103	18	121

JD/MBA without Foundation Courses

Law	79	9*	88
Business	51	9*	60
Total	130	18	148

APPENDIX A

JD/MBA Program

The joint degree JD/MBA Program allows students who are interested in law and business to simultaneously pursue the Juris Doctor Degree and Master's Degree in Business Administration. Application to and acceptance by both the School of Law and the School of Business are required. The degree of Juris Doctor is granted upon the completion of a minimum of 88 semester hours of required and elective courses. Semester hours required for the MBA range from a total of 33 required and elective semester hours for the student with an undergraduate business degree meeting all foundation course requirements, to 60 hours for the student who needs credits in the foundation course areas.

Curriculum for students with an Undergraduate Degree in Business meeting all Foundation Course Requirements:

	<u>Year 1</u>	<u>Year 2</u>		<u>Year 3</u>	<u>Year 4**RC</u>	<u>Total</u>
Law	29	4	23	21	9	88
MBA	0	18	3	3	9	33

APPENDIX B
NCCU School of Library and Information Sciences
MLS Tracks -- Law Librarian

The J.D./M.L.S. Program allows students who are interested in a career in law librarianship to simultaneously pursue a Juris Doctor degree and a Master of Library Science degree. This joint degree option is available to both Day and Evening Program students. Joint-degree students are required to complete 103 semester hours, with a minimum of 79 credits drawn from law courses and a minimum of 24 credits from library and information science courses. The joint program is structured to allow the student to earn both degrees in less time than is required to earn each degree separately. This program should be completed in four calendar years.

Prior to the end of their first year of law school, law students may apply for admission to the School of Library and Information Sciences. Once admitted, students may begin taking the required library science courses during the following fall or spring semester. For more detailed information about the J.D./M.L.S. Program, please contact the Law Library reference desk at referencelaw@nccu.edu.

Students interested in this program must apply directly both to the School of Law and the School of Library and Information Sciences. Current Law Students wishing to pursue the joint degree may enroll in the Library Science Program through the completion of the credit requirements for their 1L year of Law School. For students currently enrolled in the Law School at the time of their application to the Library Sciences Program, the GRE will be waived for admission.

In addition to the normal J.D. requirements, joint degree students must complete at least one advanced level research course approved by the student's advisor.

Required Library Science Courses can be found on the School of Information and Library Science Website on the MLS information page.

APPENDIX C

Requesting Transcripts

Students desiring official transcripts must request these with the University Registrar's Office. Please allow five to seven business days for the processing of transcripts. Students who choose to pick up their transcripts in the Registrar's Office must do so within two weeks of processing. If they are not picked up within the two weeks, the transcripts will be mailed.

Option 1 (Fax Method):

1. The cost of an official transcript is \$5. Payments may be made telephonically to the Bursar's Office. Office hours are 8:30 a.m. to 4 p.m. The number is (919) 530-6209. Once payment is made, a confirmation number will be given to the student.
2. A written request with your signature may be faxed to the Office of the Registrar. The fax number is (919) 530-7974.
3. The following information is required for a written request:
 - a. Your complete name and any names you may have had while you attended NCCU;
 - b. Phone number to contact you if necessary;
 - c. Dates of attendance;
 - d. Birth date;
 - e. Banner ID or the last four digits of your social security number;
 - f. Name of the contact person and the complete mailing address to which the transcript will be sent;
 - g. Confirmation number given by the Bursar's Office to show proof of payment;
 - h. Your signature

Option 2 (Mail)

1. The address to mail your request for a transcript is as follows:

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

2. Please include in your request all the information listed above in item 3, option 1.

Option 3 (Walk-In)

1. Students may complete a Transcript Request Form in the Office of the Registrar, Room 102, Hoey Administration Building, during the normal workday hours of 8 a.m. to 5 p.m.

2. Payments will be made in the Bursar's Office. Two receipts will be given to the student. One is to be attached to the Registrar's Office copy and the second receipt is for the student's records. Once payment is completed, please turn in the request to the Registrar's Office.

Unofficial transcripts can be downloaded from the student's Banner account. Unofficial transcripts are not available to graduates.

APPENDIX D

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 Associate Dean for Student Services *no later than October 1st* of the student's 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 1st 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 Associate Dean for Student Services. Upon review of the information submitted, the Associate 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 Associate 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 Associate 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 Associate Dean for Student Services 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.