

University of Detroit Mercy School of Law

Student Handbook

Fall 2016

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Founded in 1912, University of Detroit Mercy School of Law is a well-established Catholic law school sponsored by the Society of Jesus (Jesuits) and the Sisters of Mercy of the Americas. The School is approved by the American Bar Association and is a member of the Association of American Law Schools.

University of Detroit Mercy Mission Statement

The University of Detroit Mercy, a Catholic university in the Jesuit and Mercy traditions, exists to provide excellent, student-centered, undergraduate and graduate education in an urban context. A UDM education seeks to integrate the intellectual, spiritual, ethical, and social development of our students.

University of Detroit Mercy School of Law Mission Statement

The University of Detroit Mercy School of Law is a Catholic, urban law school that seeks to provide an excellent and dynamic legal education through a curriculum that integrates theory, doctrine, and practice; requires experiential learning; and emphasizes ethics and service to others.

Academic Program

University of Detroit Mercy School of Law (Detroit Mercy Law) has changed the way lawyers are educated with an innovative curriculum. This curriculum complements traditional theory- and doctrine-based coursework with practical learning, providing a solid transition between law school and a legal career. The entire curriculum not only addresses the third and critical transition year in law school, but enhances the first and second years with more legal theory, intensive legal writing, required clinical experience, and an international perspective. Detroit Mercy Law has transformed its curriculum to address the challenges you will face in the profession.

Challenge – Creating a Foundation and Developing Skills

First-year students study fundamental required doctrinal courses that begin to instill critical thinking, analysis, and writing skills. Whether students are going on to practice law or pursue another career, strong communication skills are sought after for new hires in every arena. For that reason, there is an emphasis on writing in the Detroit Mercy Law curriculum that begins in the first year, and Detroit Mercy Law's legal writing program presents material in a meaningful way that will be relevant in the workplace. Detroit Mercy Law teaches research and writing in the context of solving legal problems. Students learn to research, analyze, write, and create documents necessary to the practice of law. As early as the first year, students have an impressive portfolio of documents to share with prospective employers.

Challenge – Building a Bridge to Practice

After the first year, Detroit Mercy Law helps students make the transition from school to practice, from a theoretical approach to a practical approach. Students continue to hone their legal research and writing skills with legal writing assignments in all required courses. Because these assignments are coordinated among the required courses, students undertake a wide range of writing projects about key issues in Evidence, Taxation, Professional Responsibility, and Constitutional Law. Students also participate in a required clinic, bringing them face-to-face with real clients with real problems, and select an international or comparative law course to become familiar with other legal systems.

Challenge – Learning to Practice

In the third or final year, students are required to work on complex transactions in the Law Firm Program. Law Firm Program courses introduce students to large firm issues and to smaller or boutique firm issues. Students draft documents, complete due diligence, receive instruction from "clients," and much more. While all students in their third or last year are required to take at least three credits of Law Firm Program coursework, students may spend much of their final year applying their knowledge to various Law Firm Program courses.

Detroit Mercy Law's innovative curriculum prepares graduates who:

- **understand** the theoretical and doctrinal foundations of the law and how to recognize and, where appropriate, resolve ethical and moral issues;
- **demonstrate** effective analysis of cases, statutes, and legal documents; effective oral and written communication skills; effective problem-solving skills; effective and efficient research skills; and advanced learning in one or more legal subjects;
- **possess** a global perspective, knowledge about techniques and systems for dispute resolution, the profession's fundamental values, and training in all the fundamental lawyering skills; and
- **commit** to life-long learning and to social justice and pro bono activities, including improving the administration of justice.

I. ACADEMIC ELIGIBILITY

A. Degree Requirements

A student who receives passing grades in courses totaling 90 credit hours, with a cumulative grade point average of not less than 2.0, and meets all other requirements, is eligible for the award of the degree of Juris Doctor. The School offers Day and Evening programs that lead to the award of the degree; the same standards of performance are required in each. In no case may a student graduate in more than 72 months from matriculation.

1. Day Division

Day division students take 12 to 16 credits per semester (Fall and Winter)

The Day Division requires six semesters for completion of the degree requirements. Classes in this division normally meet from 8:00 a.m. to 5:55 p.m. Monday through Friday.

Except for students originally admitted into a four-year day program (Part-time Day Division – 9 to 12 credit hours per semester) or five-year day program, (Extended Day Division – 7 to 10 credit hours per semester), students in the full-time Day division are expected to graduate at the end of three academic years.

Students enrolled in the Full-time Day Division are expected to devote substantially all of their time during the academic year to their law studies. It is not recommended that first-year students in this division have any outside employment.

After completion of the first year, a minimum load in the Day Division is 12 credit hours per semester and the maximum load is 16 credit hours.

2. Evening Division

Evening Division students take 9 to 12 credits per semester (Fall and Winter)

The Evening division requires eight semesters for completion of the degree requirements. Classes in this division meet from 6:00 p.m. to 10:00 p.m. on week days (Monday through Thursday).

Except for students originally admitted into a five-year evening program, (Extended Evening Division –7 to 10 credits per semester) students in the Evening division are expected to graduate within four years of matriculation.

An Evening Division student must, after completion of the first year, enroll in a minimum of seven credit hours and may not exceed a maximum of 12 credit hours.

To graduate within four or five years of matriculation, part-time students may need to register for summer session courses, Saturday courses, or both.

The School occasionally offers Saturday classes that may be selected by students in any division.

3. Transfers Between Divisions

No student may transfer from one division to the other without written permission of the Associate Dean of Student Affairs. Due to the necessity to limit class size, permission to transfer may have to be denied. Absent extenuating circumstances, students must complete all required courses in the student's original division. Classes in one division may be opened to students in the other division if there is space available.

4. Summer Session

The School offers a summer session that consists of two components: a two-week Intersession and a seven-and-one-half week Term III. No summer session work is required of students. A student may

take courses toward the Juris Doctor degree when summer courses are offered. Students may enroll in up to two credit hours in the Intersession. The maximum summer session load, including both the Intersession and Term III, is nine credit hours, regardless of the student's division.

5. Required Courses

Foundation Courses:

LAW 1060 Introduction to Legal Research & Communication	2 credits
LAW 1080 Applied Legal Theory & Analysis I	3 credits
LAW 1110 Contracts I*	3 credits
LAW 1111 Contracts II*	3 credits
LAW 1120 Property I*	3 credits
LAW 1121 Property II*	3 credits
LAW 1130 Torts*	4 credits
LAW 1140 Criminal Law*	3 credits
LAW 1150 Civil Procedure I*	3 credits
LAW 1151 Civil Procedure II*	3 credits

Core Courses:

LAW 2060 Constitutional Law*	4 credits
LAW 1081 Applied Legal Theory & Analysis II	2 credits
LAW 2220 Evidence*	4 credits
LAW 2470 Professional Responsibility	3 credits
Upper Level Writing Requirement^	2-3 credits
Clinic^	2-4 credits
Law Firm Program^ **	2-3 credits
Global Law^	1-3 credits

Electives*** Varies

- * A minimum grade of 2.0 is required for course to meet graduation requirements.
- ^ Attributes of Upper Level Writing Requirement, Clinic, Law Firm Program, or Global Law course requirements will be listed on applicable courses in the Class Schedule.
- ** You must take at least three credits in Law Firm Program courses for graduation requirements.
- *** You must take a minimum of 34 elective credit hours to satisfy the degree requirement of 90 credit hours.

Except as provided in section I.B below, any student receiving a grade below the minimum grade required for graduation in a required course must enroll in, repeat, and earn a passing grade in that course. Absent exceptional circumstances, an affected student must retake any such course when it is next offered (excluding the Summer term). Upon specific written request by an affected student made at least a week before a term begins, the Associate Dean for Academic Affairs shall determine whether exceptional circumstances are present and, if such circumstances are present, shall waive the requirement that the course be retaken at that time.

If the course is next offered during the Summer term, an affected student may retake the course during the Summer, but is not required to do so.

The original attempt, grade, and grade point average will remain on the student's record. The credit hours will be replaced at the time the repeated course has been completed. Neither the Petitions Committee nor the administration may waive this requirement.

6. Leave of Absence

A request for a leave of absence must be submitted in writing to the Associate Dean of Student Affairs. Grant of the request will not waive the 72-month period for completion of studies.

7. Employment

It is recommended that full-time law students should not be employed for more than 20 hours per week during the academic year. Full-time is defined as a course load of 12 credit hours or more per semester.

B. Standards for Continued Enrollment

1. General Standard

A cumulative grade point average of not less than 2.0 at the completion of the first year of legal studies and thereafter is a prerequisite for continued enrollment. The Petitions Committee may waive the above requirement only in exceptional circumstances, provided the student in question has a cumulative grade point average of not less than 1.8.

2. First-year Students

Students must earn a grade of at least 2.0 in each of the following required courses: Contracts I & II, Civil Procedure I & II, Criminal Law, Property I & II, and Torts. Students whose overall grade point average is 2.0 or higher, but who have received a grade of less than 2.0 in any of these courses, will be required to retake the course and earn a grade of at least 2.0 in order to graduate. Absent exceptional circumstances, an affected student must retake any such course when it is next offered (excluding the Summer term). Upon specific written request by an affected student made at least a week before a term begins, the Associate Dean for Academic Affairs shall determine whether exceptional circumstances are present and, if such circumstances are present, shall waive the requirement that the course be retaken at that time. If the course is next offered during the Summer term, an affected student may retake the course during the Summer, but is not required to do so.

Students will not be charged tuition for retaking these classes. Any student who fails to earn the required grade upon retaking the course is subject to dismissal from the School of Law.

Unsuccessful retakers are required to file a document with the Petitions Committee showing cause as to why their unsuccessful second attempt should not result in dismissal. Should a student fail to file such a document within three weeks from the date of the Required Course Repeat Letter and E-mail from the School of Law Registrar, the student will then be dismissed effective upon the expiration of the three week period. Unsuccessful retakers are also required to appear personally before the Petitions Committee to request permission to continue their studies and to explain the circumstances leading to the continued poor performance.

The Petitions Committee may dismiss affected students who have not shown good cause for being allowed to continue their studies.

For students ultimately permitted to remain in school, the Assistant Dean for Academic Success, the Associate Dean for Academic Affairs, and the Associate Dean for Student Affairs, working in consultation with the student, shall create a mandatory remediation plan for each student. The remediation plan shall be memorialized in writing, and a copy shall be provided to the School of Law Registrar. This plan may include academic requirements (retaking the course again, taking other courses, working one-on-one with the Academic Success Department) and other requirements (seeking available counseling, etc.).

Each student permitted to remain in school shall be placed on academic probation for at least one semester (excluding summer) and each such student is required to meet with the Associate Dean for Student Affairs at the end of the term to assess his or her progress in fulfilling the terms of the remediation plan. In assessing the student's progress in fulfilling the terms of the remediation plan, the Associate Dean for Student Affairs will consult with anyone involved in the implementation of the plan (Academic Success Department, professors, etc.). Absent exceptional circumstances, as determined by the Petitions Committee following the filing of a petition by the affected student, any student who fails to satisfy the remedial conditions imposed will then be dismissed from the School of Law.

Day students with 15 credit hours and evening students with 12 credit hours whose overall performance places them in the bottom quartile of the first-year class at the end of the first semester (the "1L Lower Quartile") will be strongly encouraged to reduce their course load by three credit hours in the second semester of their first year. 1L Lower Quartile students may also be strongly encouraged to take advantage of any pass/no pass courses provided by the Academic Success Department intended to enhance students' ability to engage in legal analysis, promote critical thinking, and foster competent independent learning.

Students with an overall grade point average of less than 2.6 at the end of the second semester of the first year ("at-risk upper-class students") will be required to take the following bar-tested courses in order to graduate: Sales, Criminal Procedure, Estates and Trusts, and Business Organizations. Students who successfully raise their overall grade point average to 3.0 will be able to opt out of this requirement.

3. Upper-class Students

Students must take the following required courses during their first 60 hours and earn a grade of at least 2.0 in each of these required courses: Constitutional Law and Evidence. Students whose overall grade point average is 2.0 or higher, but who have received a grade of less than 2.0 in any of these courses, will be required to retake the course and earn a grade of at least 2.0 in order to graduate. Absent exceptional circumstances, an affected student must retake any such course when it is next offered (excluding the Summer term). Upon specific written request by an affected student made at least a week before a term begins, the Associate Dean for Academic Affairs shall determine whether exceptional circumstances are present and, if such circumstances are present, shall waive the requirement that the course be retaken at that time. If the course is next offered during the Summer term, an affected student may retake the course during the Summer, but is not required to do so.

Students will not be charged tuition for retaking these classes. Any student who fails to earn the required grade upon retaking the course is subject to dismissal from the School of Law.

Unsuccessful retakers are required to file a document with the Petitions Committee showing cause as to why their unsuccessful second attempt should not result in dismissal. Should a student fail to file such a document within three weeks from the date of the Required Course Repeat Letter and E-mail from the School of Law Registrar, the student will then be dismissed effective upon the expiration of the three week period. Unsuccessful retakers are also required to appear personally before the Petitions Committee to request permission to continue their studies and to explain the circumstances leading to the continued poor performance.

The Petitions Committee may dismiss affected students who have not shown good cause for being allowed to continue their studies.

For students ultimately permitted to remain in school, the Assistant Dean for Academic Success, the Associate Dean for Academic Affairs, and the Associate Dean for Student Affairs, working in consultation with the student, shall create a mandatory remediation plan for each student. The remediation plan shall be memorialized in writing, and a copy shall be provided to the School of Law Registrar. This plan may include academic requirements (retaking the course again, taking other

courses, working one-on-one with the Academic Success Department) and other requirements (seeking available counseling, etc.).

Each student permitted to remain in school shall be placed on academic probation for at least one semester (excluding summer) and each such student is required to meet with the Associate Dean for Student Affairs at the end of the term to assess his or her progress in fulfilling the terms of the remediation plan. In assessing the student's progress in fulfilling the terms of the remediation plan, the Associate Dean for Student Affairs will consult with anyone involved in the implementation of the plan (Academic Success Department, professors, etc.). Absent exceptional circumstances, as determined by the Petitions Committee following the filing of a petition by the affected student, any student who fails to satisfy the remedial conditions imposed will then be dismissed from the School of Law.

Students with an overall grade point average of less than 2.6 at the end of the second semester of the first year ("at-risk upper-class students") will be required to take the following bar-tested courses in order to graduate: Sales, Criminal Procedure, Estates and Trusts, and Business Organizations. Students who successfully raise their overall grade point average to 3.0 will be able to opt out of this requirement.

At-risk upper-class students will be strongly encouraged to take advantage of any pass/no pass "lab" courses offered by the Academic Success Department, which will be associated with certain bar-tested courses and designed to enhance students' ability to engage in legal analysis by providing frequent feedback on numerous written and graded assignments, quizzes, and tests.

4. Academic Jeopardy

A student whose overall grade point average is above 2.0, but whose semester grade point average is below 2.0, is on probation. A student whose overall grade point average is above 2.0, but whose semester grade point average is below 2.0 for two consecutive semesters, shall be suspended from the School for one full calendar year. Summer sessions shall not be considered for purposes of this rule.

With the exception of courses covered by sections B.2 and B.3 above, the student who is suspended must retake all courses in which he or she received a grade of 1.9 or below during the two consecutive semesters and achieve a grade of 2.0 or higher as a condition of continued enrollment and lifting of the suspended status. Both the original grade and the repeated grade shall be included within the computation of the student's cumulative grade point average. The student shall receive academic credit toward the 90 credits required for graduation only one time.

5. Academic Support

The Dean will refer students whose grades suggest that they are at risk of falling below the School's proscribed grade point average requirements to the Academic Success Department. Failure to meet with the Assistant Dean of Academic Success to develop a strategy for improving academic performance or failure to then follow through with such a strategy may be taken into consideration by the Faculty and Administration when making decisions regarding the student.

C. Retake Policy

Any student who fails to earn the required grade upon retaking the course is subject to dismissal from the School of Law.

Unsuccessful retakers are required to file a document with the Petitions Committee showing cause as to why their unsuccessful second attempt should not result in dismissal. Should a student fail to file such a document within three weeks from the date of the Required Course Repeat Letter and E-mail from the School of Law Registrar, the student will then be dismissed effective upon the expiration of the three week period. Unsuccessful retakers are also required to appear personally before the

Petitions Committee to request permission to continue their studies and to explain the circumstances leading to the continued poor performance.

The Petitions Committee may dismiss affected students who have not shown good cause for being allowed to continue their studies.

For students ultimately permitted to remain in school, the Assistant Dean for Academic Success, the Associate Dean for Academic Affairs, and the Associate Dean for Student Affairs, working in consultation with the student, shall create a mandatory remediation plan for each student. The remediation plan shall be memorialized in writing, and a copy shall be provided to the School of Law Registrar. This plan may include academic requirements (retaking the course again, taking other courses, working one-on-one with the Academic Success Department) and other requirements (seeking available counseling, etc.).

Each student permitted to remain in school shall be placed on academic probation for at least one semester (excluding summer) and each such student is required to meet with the Associate Dean for Student Affairs at the end of the term to assess his or her progress in fulfilling the terms of the remediation plan. In assessing the student's progress in fulfilling the terms of the remediation plan, the Associate Dean for Student Affairs will consult with anyone involved in the implementation of the plan (Academic Success Department, professors, etc.). Absent exceptional circumstances, as determined by the Petitions Committee following the filing of a petition, any student who fails to satisfy the remedial conditions imposed will then be dismissed from the School of Law.

D. Readmission

Any student whose enrollment at any ABA-approved law school has been terminated for academic reasons may be readmitted after the lapse of one full academic year as an entering first-year student as if he or she were enrolling in the School of Law for the first time. Such applications for readmission shall be in the jurisdiction of the Admissions Committee. Neither the Admissions Committee, the Petitions Committee, nor the administration may waive the one-year interval requirement. The application for readmission must be submitted by April 15 during the year of academic absence.

E. Withdrawals

Any student who voluntarily withdraws from the School of Law must communicate that intention in writing to the School of Law Registrar. The communication must contain the student's name, student number, reason for the withdrawal, date of the withdrawal, and, if the student is transferring, the name of the institution to which the student has been accepted for transfer. This process should be completed once the student has made the determination that he or she is voluntarily withdrawing from the School of Law. Upon receipt of this communication, the School of Law Registrar will close the student's file.

F. Waiver of Rules

In exceptional cases such as reasons of health, unexpected employment obligations, or enrollment in approved courses in other schools, the Dean or other appropriate administrative official may approve a variance from the above requirements regarding Academic Eligibility except where waivers are expressly prohibited. Permission must be sought in writing.

II. COURSES

A. Required Courses

Foundation Courses:

LAW 1060 Introduction to Legal Research & Communication	2 credits
LAW 1080 Applied Legal Theory & Analysis I	3 credits
LAW 1110 Contracts I*	3 credits
LAW 1111 Contracts II*	3 credits
LAW 1120 Property I*	3 credits
LAW 1121 Property II*	3 credits
LAW 1130 Torts*	4 credits
LAW 1140 Criminal Law*	3 credits
LAW 1150 Civil Procedure I*	3 credits
LAW 1151 Civil Procedure II*	3 credits

Core Courses:

LAW 2060 Constitutional Law*	4 credits
LAW 1081 Applied Legal Theory & Analysis II	2 credits
LAW 2220 Evidence*	4 credits
LAW 2470 Professional Responsibility	3 credits
Upper Level Writing Requirement^	2-3 credits
Clinic^	2-4 credits
Law Firm Program^ **	2-3 credits
Global Law^	1-3 credits

Electives*** Varies

* A minimum grade of 2.0 is required for course to meet graduation requirements.

^ Attributes of Upper Level Writing Requirement, Clinic, Law Firm Program, or Global Law course requirements will be listed on applicable courses in the Class Schedule.

** You must take at least three credits in Law Firm Program courses for graduation requirements.

*** You must take a minimum of 34 elective credit hours to satisfy the degree requirement of 90 credit hours.

B. State of Michigan Bar Examination Subject Courses

The following courses are tested on the Michigan Bar Examination:

Business Organizations (corporations, partnerships and agency)
Conflicts of Laws
Constitutional Law
Contracts
Creditor's Rights (including mortgages, garnishments and attachments)
Criminal Law and Procedure
Domestic Relations
Equity
Evidence
Michigan Rules of Professional Conduct
Practice and Procedure (trial and appellate, state and federal)

Real and Personal Property
Sales, Negotiable Instruments and Secured Transactions articles of the Uniform Commercial Code
Torts (including no-fault)
Worker's Compensation
Wills and Trusts

C. Class Attendance

The American Bar Association accreditation standards mandate that a law school adopt and enforce a policy requiring regular and punctual class attendance. ABA Standards and Rules of Procedure for Approval of Law Schools, Standard 311(f) and (2014-2015). Thus, students are encouraged to attend every class for each course in which they are enrolled. Recognizing, however, that students may be unable to attend every class, the following attendance policy provides at what point there are consequences for missed classes.

1. Courses that meet once a week:

Unless a professor chooses to adopt a stricter policy as set forth in paragraph 6, a student is permitted two absences in a semester for a course that meets once a week.

The first absence beyond the allotted number for a course that meets once a week will reduce the student's final grade by .2. The second absence beyond the allotted number for a course that meets once a week will reduce the student's final grade by an additional .4. Thus, if the student is absent from the course for four class periods, the student's grade shall be reduced by .6. Any absence thereafter will result in the student being dropped from the course with an Administrative Withdraw (AW) appearing on the student's transcript for the course. An AW appearing on a student's transcript results in the student not receiving a grade or credit for the course.

2. Courses that meet twice a week:

Unless a professor chooses to adopt a stricter policy as set forth in paragraph 6, a student is permitted four absences in a semester for a course that meets twice a week.

The first absence beyond the allotted number for a course that meets twice a week will reduce the student's final grade by .1. The second absence beyond the allotted number for a course that meets twice a week will reduce the student's final grade by an additional .2. The third absence beyond the allotted number for a course that meets twice a week will reduce the student's final grade by an additional .3. The fourth absence beyond the allotted number for a course that meets twice a week will reduce the student's final grade by an additional .4. Any absence thereafter will result in the student being dropped from the course with an AW appearing on the student's transcript for the course.

3. Pass/No Pass courses:

The spirit and letter of the above policy should be adhered to in a course that a student takes pass/no pass. Thus, a student taking a course pass/no pass will be dropped from the course with an AW appearing on the student's transcript for the course in accordance with the policy set forth in numbers 1 and 2 above. Further, the professor should take into consideration the grade reduction that would have occurred based on the number of absences in determining whether the student's grade is above a 2.0 as to pass the course.

4. Summer courses:

Unless a professor chooses to adopt a stricter policy as set forth in paragraph 6, the following rule applies. In a two-credit course that meets once a week, a student is permitted one absence. The first absence beyond the allotted number will reduce the student's final grade by .4. Any absence

thereafter will result in the student being dropped from the course with an AW appearing on the student's transcript for the course.

Unless a professor chooses to adopt a stricter policy as set forth in paragraph 6, the following rule applies. In a three-credit or four-credit course that meets twice a week, a student is permitted two absences. The first absence beyond the allotted number will reduce the student's final grade by .2. The second absence beyond the allotted number for a course that meet twice a week will reduce the student's final grade by an additional .4. Any absence thereafter will result in the student being dropped from the course with an AW appearing on the student's transcript for the course.

5. Intersession or courses that do not fit in an above category:

A professor teaching in the Intersession or in a course that does not fall within one of the above categories shall at a minimum adhere to the policy that after a student misses approximately 14 percent of the classes in the course, the student's final grade shall be reduced. It shall be reduced consistent with the above policy.

6. Professor discretion:

A professor has discretion to determine what constitutes an absence as a general policy and in specific instances. For example, a professor may deem that failure to be prepared for class is an absence and/or that tardiness is an absence.

If a professor makes no changes to this attendance policy, then the professor may in the professor's syllabus refer students to the Student Handbook for the attendance policy that covers the course.

If a professor adopts changes to this attendance policy as allowed within the professor's discretion or chooses to adopt a stricter attendance policy as is also allowed, then the professor must set forth the professor's attendance policy in the professor's syllabus for the course.

7. Professor responsibility:

When a student exceeds the number of allotted absences such that the student must be withdrawn from the course, the professor will notify the Registrar's office.

All professors are required to maintain attendance records.

D. Adding or Withdrawing from Courses

A student may add a course, within the limitations of other provisions, at any time during the first two weeks of classes in Terms I and II and the first week of classes of Term III. A student who has completed 30 credit hours or more may withdraw from elective courses during the first six weeks of classes in Terms I and II and the first three weeks of Term III. If a student wishes to withdraw from a course after the first six weeks of Terms I or II, or after week three of Term III, he or she must seek permission from the Associate Dean of Student Affairs. The student must present evidence to the Associate Dean of the extenuating circumstances that prompt the request for withdrawal.

Adding or withdrawing from a clinic is always subject to the prior approval of the Associate Dean for Academic Affairs and the clinical professor and also is subject to the overall limitations in this section.

E. Seminars

A seminar consists of a group of upper-class students studying a subject with a professor. The students conduct original research and exchange results by informal lectures, reports, and class discussion, which are the essential characteristics of a seminar. The student's final work product in a seminar should be a carefully prepared 30-page paper, exclusive of footnotes or endnotes, which reflects the student's independent research as it has been enlightened and sharpened by class discussion. At least one substantial draft of the paper must be submitted to the professor and marked up. An outline does not meet this criterion. Each student in a seminar must meet at least

twice with the professor; once to discuss and approve the topic and once to discuss the draft and the professor's comments.

Seminars normally have a limited enrollment of 16 students. Any enrollment in excess of 16 requires the express written authorization of the professor. In no event shall any seminar enrollment exceed 20 students.

Seminars are not a proper pedagogical method of conducting basic or advanced courses in traditional legal disciplines. Rather, they are a student-oriented means of covering very limited intra-disciplinary areas by student presentation and discussion of independent and original student research. The role of the professor is, therefore, limited to:

Choice of the limited area and topics under that area;

Direction of the discussion with respect to both the fullest possible student participation and maintaining contact with the subject matter;

Maintenance of student discipline necessarily concomitant with an academic group undertaking; and

Evaluation of the individual student's performance for purposes of a grade and of the overall success of the seminar and areas for subsequent improvement.

F. Writing Across the Curriculum

Writing assignments other than examinations shall be a component of the following *required upper-level courses* offered at the School of Law, excluding clinical courses, according to the following schedule and including the types of assignments listed:

Fall and Winter semester Writing Across the Curriculum assignment time schedule:

Course	Assignment Distributed	Assignment Due	Types of Assignments*
Professional Responsibility	2 nd week of the semester	4 th -5 th week of the semester	Formal complaint; ethics opinion
Evidence	3 rd week of the semester	5 th -6 th week of the semester	Motion in limine with brief; appellate brief; proposed evidence rule analysis
Constitutional Law	5 th week of the semester	7 th -8 th week of the semester	Judicial opinion; petition for certiorari
Tax	6 th week of the semester	8 th -9 th week of the semester	Opinion letter; administrative regulations with analysis

*A professor could assign a different type of writing assignment, with the exception of a traditional memorandum, as long as the type of assignment was not otherwise included in this list.

Summer semester Writing Across the Curriculum assignment time schedule:

Course	Assignment Distributed	Assignment Due	Types of Assignments*
Professional Responsibility	1 st week of the semester	3 rd week of the semester	Formal complaint; ethics opinion
Evidence	1 st week of the semester	3 rd week of the semester	Motion in limine with brief; appellate brief; proposed evidence rule analysis
Constitutional Law	2 nd week of the semester	4 th week of the semester	Judicial opinion; petition for certiorari
Tax	2 nd week of the semester	4 th week of the semester	Opinion letter; administrative regulations with analysis

*A professor could assign a different type of writing assignment, with the exception of a traditional memorandum, as long as the type of assignment was not otherwise included in this list.

Such writing assignments shall consist of not less than 15 per cent of each student's grade in the course.

G. Ethics Across the Curriculum

At the beginning of the semester, all faculty members are required to include ethics in course syllabi as a topic that will be treated as it relates to the substantive area of the law covered in the course. This ethical component may be accomplished through discussion, in combination with the writing assignment, or by other means.

H. Directed Research

1. Limits

Directed Research may be supervised by resident faculty members. Faculty members shall not direct research for credit except in subjects in which they teach or have a particular expertise. A directed research project does not fulfill the upper-level writing requirement. A student must have a cumulative grade point average of 2.5 to enroll in a directed research.

2. Initiation

A directed research project may be initiated by either faculty or student. A student wishing to elect Directed Research for one or two credit hours must submit a short outline of the proposed project to the chosen faculty member as a sponsor. The outline shall include a statement of the purpose of objective of the research and the anticipated results. This process shall be completed on or before the deadline for adding a course in a given semester.

Students wishing to elect Directed Research for more than two hours must submit a detailed proposal to the Curriculum Committee for approval. If the Committee approves of the project and the credit hours, it may appoint a special committee to supervise the project. The special committee may consist of members of faculty, or of both faculty members and individuals chosen from the community.

3. Process

Students enrolling in Directed Research must set up a schedule of meetings with the faculty member (or Committee) and due dates for stages of the project. It is suggested that five meetings should take place during the course of the project. At a minimum, each student working on a directed research project must meet at least twice with the professor; once to discuss and approve the topic and once to discuss the draft and the professor's comments.

Every student shall submit a substantial draft of the paper. The professor shall review the rough draft and make necessary corrections and suggestions. These should include direction of research, organization, legal reasoning and writing style. Detailed comments should be provided.

The research paper should be in acceptable law review form, unless good reason dictates otherwise. Proper citations, correct use of signals, and law review caliber writing style should be required. A student receiving one (1) credit hour should submit a paper of approximately 20 pages, exclusive of footnotes or endnotes. A student receiving two (2) credit hours should submit a paper of approximately 40 pages, exclusive of footnotes or endnotes.

A student writing for one credit hour should expect to put in about 45-60 hours work; a student writing for two credit hours, about 90-120 hours of work. A student writing for more than two credit hours shall work out arrangements with the supervising committee as to length of the paper and hours to be devoted to it.

Each student enrolled in Directed Research shall receive a written evaluation of performance and a numerical grade. Every paper written for Directed Research shall be placed on reserve in the library. Appropriate papers shall be referred to the University of Detroit Mercy Law Review for consideration for publication. A student will normally be limited to two Directed Research projects during his or her law school career; petition shall be made to the Curriculum Committee for prior approval of a greater number.

I. Courses Taken At Other Institutions

A student may take courses at other ABA-accredited law schools. At least one-half of the course hours required for graduation must be taken at the University of Detroit Mercy. Credit hours earned at such other law school will not be accepted for transfer unless a grade of 2.0 or better is attained; only the course name(s) and credit hour(s) shall be recorded. The number of credit hours awarded for any particular course shall not exceed the number of credit hours for a similar course offered at the University of Detroit Mercy School of Law.

Approval shall not be given to a student to take required courses at another school or to take courses at another school that are offered at the University of Detroit Mercy in the same academic year. Credit hours taken at another institution are included in the calculation of maximum and minimum loads.

Students wishing to take courses elsewhere must submit a written request to the Associate Dean of Student Affairs requesting permission to take courses at another institution. The request should provide the name of the law school; and the name, credit hours, and course description for each course requested to be taken at that institution.

A student who takes courses at other institution pays tuition for 90 credits at the University of Detroit Mercy School of Law.

J. Auditing Courses

With the professor's permission, students may audit elective courses in which places are available without the payment of additional tuition. Permission to audit a course does not extend the time limit to decide to add the course for credit, nor permit a student to take the final examination.

III. EXAMINATIONS AND ASSESSMENTS

A. Course Examinations

In most courses, written examinations will be given upon completion of the semester. At their discretion, professors may administer other exams in addition to a final examination. Course grades will be based substantially upon the results of these written examinations. Additional factors may be taken into consideration at the professor's discretion. Any student who begins an examination receives a grade for that examination even if the student is unable to complete the examination.

All tuition and fee payments due must be paid in full or arrangements made for payment before a student will be permitted to take final examinations.

The Faculty has adopted an anonymous grading policy that applies to all courses in which the determination of the course grade is based primarily on the final examination. Students use three- and four-digit exam numbers unique to each semester. This number will be used to identify the student's examinations and other assignments graded anonymously.

Professors will specify what materials may be brought into the examination room. The examination begins when the examination questions are distributed. The student shall not be permitted to leave the room for any purpose without the express permission of the proctor. When the student leaves the room for any purpose, he or she shall place his or her answers and the examination on the proctor's desk. When the proctor announces that the examination is over, all writing must cease. If a student continues to write, the proctor is to note this irregularity on the examination.

The School provides approved software, Exam 4, for taking examinations on computers. Students taking courses for which the professors have approved the use of computer testing may take their final exams using a computer. Students who want to take examinations using a computer must elect to do so during the Exam 4 registration period.

It is the student's responsibility to see that the proctor receives his or her entire examination and that his or her blue books are numbered in sequence. It is the policy of this School to assure maximum anonymity in the determination of examination and course grades. This requires the cooperation of students as well as faculty. For this reason, students shall use only examination numbers and no other mark, name, or other device on their blue books and on examinations submitted through Exam 4.

The Assistant Dean for Student and Administrative Services coordinates the administration of semester final examinations.

B. Special Examinations

The School of Law expects students to take their final examinations on the scheduled dates. Students seeking to reschedule an examination must submit a written request to do so to the Associate Dean of Student Affairs, stating one of the following reasons:

1. Scheduling Problems

The student has two examinations scheduled at the same time or three examinations scheduled in two consecutive days. Students needing relief because of one of the above reasons make arrangements with the Associate Dean of Student Affairs prior to the beginning of the examination period.

2. Personal and Family Emergencies

The student experiences illness (a doctor's certificate is required), death in the immediate family, or similar exigency. Students needing relief for one of these reasons must contact the Associate Dean of Student Affairs as soon as possible (and before the beginning of the scheduled examination).

C. Papers, Projects, and Other Examinations

Professors may require papers, projects, or other examinations as components of the final grade. The professor may, at his or her discretion, arrange for anonymous grading of such projects. The School's anonymous grading policy also applies to such projects.

D. Required Completion Date for All Course Work

1. Take-Home Final Examination

Where a professor requires a take-home final examination, the professor shall set the due date. However, in no event shall that due date be later than the last day of scheduled final examinations for that semester.

2. Papers and Projects

Where the professor requires a paper or other project, the professor shall set the due date. However, in no event shall the due date be later than one week after the last day of scheduled final examinations for that semester.

E. Cheating and Plagiarism

1. Cheating

Cheating is an offense under the Honor Code.

2. Plagiarism

Plagiarism is defined as the presentation of ideas, arguments, and written material of another as one's own work. Written passages, arguments, and paraphrases from other sources must be clearly identified as such. Professors may impose appropriate penalties, such as the grade of 0.0, on plagiarized assignments. Plagiarism also is an offense under the Honor Code. In addition to academic sanctions, professors may file a disciplinary charge against a student for plagiarism as outlined in the Honor Code.

F. Double Submission

Work product submitted to satisfy the requirements of each course or seminar will be independent in substance from the work submitted in other courses. Students who wish to submit one paper for two or more courses must receive the prior approval of all professors involved. Grades may be reduced for double submissions without prior approval.

IV. GRADES

A. Grading System

A student's academic performance is indicated by numerical grades with approximate letter grade equivalents as shown below:

4.0 A	2.6	1.2
3.9 A-	2.5	1.1
3.8	2.4 C	1.0*
3.7	2.3	0.9 F
3.6	2.2	0.8 F
3.5	2.1	0.7 F
3.4 B	2.0	0.6 F
3.3	1.9 C-	0.5 F
3.2	1.8	0.4 F
3.1	1.7 D+	0.3 F
3.0	1.6	0.2 F
2.9 B-	1.5	0.1 F
2.8	1.4 D	0.0 F
2.7 C+	1.3	

*lowest passing unless 2.0 required

The range of failing grades is designated to differentiate between work whose quality is insufficient to merit passing but nonetheless reflects some accomplishment and work that reflects no accomplishment or that cannot be evaluated because of an unexcused failure to complete a course's requirements.

An *I* (incomplete) is assigned whenever a student has failed to satisfy the requirements, other than an examination, for a course. Students will be allowed a maximum of four weeks after the original due date of the work to complete it.

If the outstanding course work is not properly completed, the *I* will be changed to a grade of *0.0*.

Failure to take a scheduled examination without properly withdrawing from the course will result in either a grade of *0.0* or *X*. An *X* indicates that the student has applied promptly for and been granted permission by the professor and administration to postpone taking the examination. The student is then required to take the examination next regularly scheduled for that course. Failure to take the rescheduled examination shall result in the administrative removal of the *X* and the assignment of the grade of *0.0*. A grade of *0.0* will be assigned whenever a student fails to take an examination and is not granted a postponement.

B. Grade Point Averages

At the conclusion of each semester, a grade point average is computed for that semester and a cumulative grade point average is computed for all grades received during matriculation. Grade point averages are computed by multiplying the recorded grades by course credit and dividing the total of those values by the number of credit hours attempted. Grades received at other law schools or grades received at other schools in joint programs are disregarded in the computation of grade point averages.

C. Honors

At the end of the first year of study, students with a cumulative grade point average of 3.25 or above will be eligible for inclusion in the Dean's List. Thereafter, the top 20 percent of students in each class, based on their semester grade point averages, will be eligible for inclusion in the Dean's List for each subsequent required semester of study.

In computing the grade point average for the award of graduation honors, a candidate who has achieved a cumulative grade point average of 3.25 will graduate *cum laude*; one who has achieved a cumulative grade point average of 3.5, *magna cum laude*; one who has achieved a cumulative grade point average of 3.75, *summa cum laude*. Transfer students must complete one-half or more of their credits at Detroit Mercy Law to be eligible for honors.

D. Pass/No Pass Option

Any student who has successfully completed 30 credit hours may choose to take an elective course on a pass/no pass basis in his or her remaining terms. No more than six (6) credit hours for elective courses may be taken under the pass/no pass option and counted toward graduation requirements. Required courses may not be taken on a pass/no pass basis. A student's total number of pass/no pass credits may not exceed 11, including credits for optional and mandated pass/no pass credits such as Law Review, Moot Court, and Externships.

The decision to take an elective on a pass/no pass basis, or to revoke the decision, must be communicated to the Registrar, in writing, by the end of the second full week of classes of both fall and winter semesters. During the summer session, the intent to take an elective on a pass/no pass basis must be communicated to the Registrar, in writing, by the end of the first full week of classes. A professor may forbid the pass/no pass option by notifying the Registrar in writing before registration. Notice of a student's intent to take an elective on a pass/no pass basis shall not be communicated to the professor.

The Registrar shall administratively substitute a *P* (passing) for any grade reported by a professor of 2.0 or above. If the professor reports a grade of 1.9 or below, the Registrar shall administratively substitute a grade of *NP* (not passing). A grade of *NP* will not be included in the calculation of the student's semester or cumulative grade point average, and the student will receive no credit towards the satisfaction of graduation requirements.

E. Grade Changes

The professor shall not change a student's grade except for one of the following reasons:

- a) An error in the mathematical computation or transcription of the grade; or
- b) Substantially unequal treatment of the student in the grading of the examination on which the grade is based or in the calculation of the final grade as compared to the grading of other students in the same course.

To change a grade for one of the above reasons, a professor must supply the Administration with a written justification that includes the reasons for the change, a statement of the original grade, the amended grade, the number of points involved in the change, the distribution of grades, and the cut-off point for each grade. Grade changes will not be permitted more than 180 days after release by the School of Law Administration.

F. Appeals From Grades

Any student may appeal a final grade because the student believes an error has been committed in the mathematical computation or transcription of the grade. Any student who feels aggrieved shall first consult with the professor about the grievance. The professor shall explain to the student the standard of measurement by which the grade was determined. This consultation need not take the form of a face-to-face meeting if it is unreasonable to do so under the circumstances.

If, after consultation with the professor, the student still feels aggrieved, the student may petition the Committee specifically established by the faculty for the purpose of reviewing student grade appeals. The petition shall be submitted in writing to the Associate Dean of Student Affairs and must contain a clear, accurate, concise, full, and complete statement of the grounds for appeal and the facts relied on in support of the petition. The petition shall be filed within six weeks after the student's final grade

in the course is posted by the School of Law Administration. This requirement can be waived by the Committee for good cause.

A student may appeal a final grade because the student believes he/she suffered substantially unequal treatment in the grading of the examination on which the grade was based as compared to the grading of other students' examinations in the same course, or any other substantially unequal treatment in the assignment of the course grade. A student who receives a final grade of 2.0 or above will not have the right to appeal pursuant to this section. Any student who feels aggrieved shall first consult with the professor about the grievance. The professor shall explain to the student the standard of measurement by which the grade was determined. This consultation need not take the form of a face-to-face meeting if it is unreasonable to do so under the circumstances. If, after consultation with the professor, the student still feels aggrieved, the student may petition the Committee specifically established by the faculty for the purpose of reviewing student grade appeals. The petition shall be submitted in writing to the Associate Dean of Student Affairs and must contain a clear, accurate, concise, full, and complete statement of the grounds for appeal and the facts relied on in support of the petition. The petition shall be filed within six weeks after the student's final grade in the course is posted by the School of Law Administration. This requirement can be waived by the Committee for good cause. If the professor is not available for the consultation described in this paragraph during this six week time period, the presumption stated in paragraph F(6) *infra* shall apply, and the student must file his/her appeal within an additional four week period after expiration of the six week period.

The Committee, or a designated member, shall examine the petition after receiving it. If, upon review, the Committee or its designated member concludes that the allegations on the face of the petition are insufficient to state a grievance pursuant to paragraph F(1) or F(2) *supra*, the Committee shall dismiss the petition. The student may file an amended petition within ten days after the mailing or other delivery of the written notice of the petition's dismissal.

If, upon examination of the petition or amended petition, the Committee, or designated member, concludes that the allegations on the face of the document are sufficient to state a ground for appeal under paragraph F(1) or F(2) *supra*, the Committee shall forward the petition to the professor involved and request a reply to the petition, which must include a written explanation of the standard of measurement by which the student's grade was determined. The standard of measurement shall consist of one or more of the following:

- A. a sample or model answer for each of the questions being appealed on the examination;
- B. a key to correct answers on the examination;
- C. a written statement of the criteria used in assessing the quality of student answers;
- D. an outline statement of the points or issues to be discussed in answering the examination and the substance of such discussion;
- E. sample student answers which received high and low grades on this examination;
- F. answers of students receiving grades equivalent to the petitioner on this examination;
- G. any other documentation for grading which in the opinion of the professor will permit independent objective evaluation by a person familiar with the subject matter of the examination.

If the Committee concludes that the professor's response is adequate and that no reasonable question of fact exists, the matter shall be dismissed. The student shall receive notice of the dismissal. If the Committee concludes that a reasonable question of fact exists, the Committee shall set a time and place for hearing at which the student and professor involved shall have the right to be present and to present any relevant evidence. The student or professor may be represented by counsel of their own choosing at the hearing. At the hearing, the burden is on the student to establish by a preponderance of the evidence that he or she is aggrieved for one or more of the reasons stated in paragraph F(1) or F(2) *supra*, except as provided in paragraph F(6) *infra*.

Any of the following facts, if established by the student or Committee as indicated through a preponderance of the evidence, will give rise to a presumption that the professor did treat the student in a substantially unequal manner as stated in paragraph F(2) supra:

- A. If the student establishes that through no fault of the student's, the student was denied the consultation described in paragraph F(2) supra, within the time limitation stated in paragraph F(2) supra;
- B. If the Committee establishes that the professor has violated paragraph F(4) by failing to substantially comply with the required standards for measuring the student's grade described in that paragraph; or
- C. If the Committee establishes that the standard of measurement provided by the professor is incorrect or, as applied to the student's grade, clearly indicates that the student should have received more credit than was in fact received.

The effect of this presumption is that it will shift the entire burden of proof to the professor to prove by a preponderance of the evidence that the professor did not violate paragraph F(2).

After any hearing, the Committee shall deliberate in private, and if, after full consideration, the Committee finds that the student has received a grade that is not substantiated by the total record with respect to the particular ground or grounds alleged, the Committee may then direct the Administration to change the grade by lowering or raising it. The Administration shall notify the student and professor affected by the decision.

Any decision of the Committee shall be accompanied by written statement of reasons.

V. STUDENT RIGHTS AND RESPONSIBILITIES

Some of the content of this section of the *Student Handbook* was taken from the University of Detroit Mercy *Student Handbook*, and specifically the *Student Policies*, which may be found in their entirety at <http://www.udmercy.edu/slo/office/handbook/index.htm>. The Detroit Mercy Law *Student Handbook* is intended to be consistent with and to complement the University of Detroit Mercy's *Student Handbook* and *Student Policies*. To the extent that a matter involving student rights and responsibilities is not addressed by this *Student Handbook* but is addressed by a published University rule or policy, the University rule or policy will apply.

A. Student Rights

As a participant in the processes of Detroit Mercy Law, i.e. learning, teaching, research, administration, and other activities, each member of this academic community has the right to develop the capacity for critical judgment and to engage in a sustained and independent search for knowledge and truth. Students are entitled to appropriate due process protections as a part of the Student Code of Conduct.

Students have the right to be treated fairly and with dignity regardless of race, color, national origin, ancestry, age, sex, sexual orientation, height, weight, marital status, familial status, disability, religion, creed, military service or political belief.

B. Student Responsibilities

Detroit Mercy Law is committed to fostering ethical and moral values that are consistent with Jesuit and Mercy traditions. Among the core values of Detroit Mercy Law is the inherent dignity of every individual as well as the right of each person to hold and to express his or her viewpoint. When these views conflict, it is the obligation of members of the community to respect other perspectives. In keeping with these values, and the recognition of the cultural diversity of the Detroit Mercy Law community, the School will not tolerate discriminatory or hate-motivated conduct, behavior, or harassment based on race, color, national origin, ancestry, age, sex, sexual orientation, height, weight, marital status, familial status, disability, religion, creed, military service or political belief with the intention to intimidate or injure an individual physically, mentally, or emotionally.

C. Honor Code

1. Preamble

The University of Detroit Mercy School of Law Honor Code articulates the Law School's expectation that all students will meet the highest standards of personal and professional honor, integrity, and ethical conduct. The Honor Code reminds all members of the Law School of the necessity to act in a manner consistent with the standards of the legal profession to adhere to the highest degree of professional integrity. All members of the Law School community have a responsibility to read this Code and conform their conduct to it.

This Honor Code sets forth the Law School's standards of conduct with respect to student integrity and honesty. The Code also provides for the formation of an Honor Code Council to oversee the administration of matters pertaining to this Honor Code. Acts that violate the Honor Code or acts that are otherwise academic in nature will be subject to the reporting and complaint resolution procedures set forth in the Honor Code. The Honor Code is designed to address any alleged violations in a fair and expeditious manner.

2. Standards of Conduct

The Honor Code prohibits any conduct pertaining to academic or other University matters that demonstrates fraud, deceit, dishonesty, or the giving or taking of unfair advantage over other students or the attempt to give or take an unfair advantage over other students. Conduct that violates the Honor Code includes, but is not limited to the following:

- a. Using unauthorized assistance or material or the giving of unauthorized assistance or material in the carrying out of an academic assignment. This includes, but is not limited to, the use of papers produced by another individual or service in whole or in part;
- b. Engaging in misconduct related to examinations including:
 - i. Invading the security for preparation or storage of an examination;
 - ii. Consulting materials not authorized by the instructor during an examination;
 - iii. Giving, receiving, or attempting to give or receive any assistance on an examination;
 - iv. Discussing an examination with another student who is taking a deferred examination or with anyone else when that discussion is likely to endanger the security of examination questions;
 - v. Retaining examination materials after the collection of those materials by Law School personnel; and
 - vi. Failure to follow any examination instructions, including but not limited to, failure to stop writing an examination when the time allotted for writing the examination has elapsed.
- c. Submitting plagiarized work. Plagiarism is the "act of appropriating the literary composition of another, or parts, or passages of his [or her] writing of ideas, or the language of the same, and passing them off as a product of one's own mind." Black's Law Dictionary (5th ed.);
- d. Submitting work for academic credit, or in fulfillment of an academic requirement, when the work duplicates, in whole or in substantial part, work for which one has received or is currently receiving academic credit at this Law School or any other academic institution;
- e. Submitting work for academic work for academic credit, or in fulfillment of an academic requirement, when the work duplicates, in whole or in substantial part, when the work was previously completed or is currently being performed in a paid or unpaid employment setting;
- f. Unfairly restricting the access of other students to academic resources;
- g. Making a false statement or representation regarding any academic matter, including falsifying or altering materials related to course registration or grades and falsifying any official academic report form;
- h. Falsifying or attempting to falsify class attendance records for oneself or another student;
- i. Enrolling in classes that regularly meet at overlapping times;
- j. Interfering with the administration of any matters pertaining to a violation of this Code;
- k. Aiding, abetting, or attempting any violation of this Code; and
- l. Retaliating against any individual for participating in the honor code process.

3. Honor Council

a. Membership on the Honor Council

Because the integrity of the institution depends upon the honest and forthright behavior of its members, the Honor Council is comprised of both student and faculty members. The composition is as follows:

- 6 Full-Time Faculty Members, appointed for 3 year staggered terms
- 5 to 8 Student Members, to be elected from the following divisions:
- 2L Day
- 2L Evening
- 2L Dual

- 3L Day
- 3L Evening
- 3L Dual
- 4L Evening
- 5L Evening

Elections will be overseen by the Associate Dean for Student Affairs, in consultation with the Student Bar Association. Students will be elected in the Winter term, and their term shall run from May 15 to May 14.

In order to be eligible for membership on the Honor Council, students must be in good academic standing and may not have been found responsible for a prior honor code violation.

The Dean shall appoint one faculty member of the council to serve as the faculty chair.

b. Training for Honor Council Members

All members of the Honor Council will undergo training on an annual basis to ensure familiarity with the Honor Code and Honor Council Procedure.

4. Honor Council Procedure

a. Reporting

All members of the Detroit Mercy Law community have an affirmative duty to report known or suspected violations of the Honor Code. Reports should be made in person or in writing to the Associate Dean for Academic Affairs (ADAA). Upon receipt of a report of misconduct, the ADAA will first determine whether, if the allegations occurred as reported, they would constitute a violation of the Honor Code. If they would not constitute a violation, then the ADAA will inform the reporting party that no further action will be taken. If the allegations would constitute a violation, then the ADAA will submit the report to the faculty chair of the Honor Council.

b. Investigation

Upon receipt of a report from the ADAA alleging a violation of the Honor Code, the faculty chair of the Honor Council, or his or her designee, shall appoint a faculty member of the Honor Council to serve as an Investigator. He or she will conduct an investigation to determine whether credible evidence supports the charge of a violation of the Honor Code. At the conclusion of the investigation, the investigator will issue a report which will contain:

- 1) Statement of the allegations and the relevant portions of the Honor Code at issue
- 2) Review of the steps taken in the investigation
- 3) A determination of whether credible evidence supports the charge, and if so, a description of the evidence

Absent good cause, the investigator's report should be completed no more than 10 school days after the receipt of the report from the ADAA. The investigator will submit his or her report to the faculty chair of the Honor Council.

If the Investigator does not find credible evidence to support the charge, no further action will be taken, but a report with names redacted will be kept in the Honor Council file for the duration of the academic year.

Upon receipt of the investigator's report in which a finding of credible evidence is made, the faculty chair shall appoint three members of the Honor Council to serve on an Honor Council Hearing Panel, described below. The faculty chair shall also set a hearing date, which shall be within 10 to 15 school days after the student facing charges response is due, as described below.

The faculty chair will present the student facing charges with the Investigator's Report, as well as a Honor Council Hearing date. Within 5 school days, the student facing charges must either admit responsibility for the honor code violation, or contest the report. The student facing charges must submit his or her response in writing to the faculty chair of the Honor Council.

After the student facing charges submits his or her response to the faculty chair, the matter will move to the hearing phase. When a student facing charges accepts responsibility for the honor code violation, the matter will be heard by an Honor Council Hearing Panel for sanctioning purposes only, as described below.

If the student facing charges contests the report, then the matter will move to the Honor Council Hearing Panel, which will both hear the case and impose sanctions, as appropriate.

c. Honor Council Hearing

The Honor Council Hearing will take place 10 - 15 school days after the student facing charges response to the investigator's report is due.

The Honor Council Hearing Panel (HCHP) will be composed of three members selected from the Honor Council: one faculty member and two student members. The faculty chair of the Honor Council, or his or her designee, is responsible for appointing members to the HCHP. The faculty member serving on the HCHP will be responsible for chairing the panel.

The HCHP may take one of two forms: either a conduct and sanctioning hearing or only a sanctioning hearing. A full hearing will be held when the student facing charges contests the Investigator's Report, while a sanctioning hearing will be held when the student facing charges accepts responsibility for the Honor Code violation found in the Investigator's Report. For either type of hearing, the student facing charges will have the opportunity to submit a written statement to the HCHP at least two school days in advance of the hearing.

In advance of a hearing, the HCHP will review the Investigator's report and the student facing charges response. The HCHP may request documents, require witnesses to testify at the hearing, and otherwise prepare for the hearing.

A hearing will be divided into two portions: a conduct hearing and a sanction hearing.

i. Conduct Hearing

The Conduct Hearing is a non-adversarial proceeding in which formal rules of evidence are inapplicable. The HCHP decides what documentary evidence to request, what witnesses to call, and what questions to present in order to conduct a thorough examination of the facts of the charged violation. The Chair of the HCHP has final authority to ensure an orderly and complete hearing.

The student facing charges shall have the right to have one personal representative, including a family member, student, friend, or retained counsel, attend the hearing with them. The student has the right to reasonably consult with that person during the hearing, but the person shall not participate as an advocate or speak on the student facing charges behalf.

The student facing charges also has the right:

- a. To request the HCHP to ask further questions of a witness;
- b. To request the HCHP call additional witnesses in the matter;
- c. To testify and submit relevant materials;
- d. To refuse to answer any incriminating question; and
- e. To make an opening and closing statement.

At the conclusion of the conduct hearing, the HCHP will adjourn to deliberate on a finding of responsibility. This adjournment will typically be no longer than one hour. The panel will decide, applying a preponderance of the evidence standard of proof, whether the student is responsible or not responsible for the alleged Honor Code violation.

Once the HCHP has reached its decision, the student facing charges will be called back to the hearing room. The HCHP will inform the student of its finding. If the HCHP finds the student not responsible, the hearing will conclude. If the HCHP finds the student responsible, the hearing will transition into a Sanction Hearing.

ii. Sanction Hearing

When a student is found responsible for the alleged honor code violation, either by accepting responsibility following the investigation report or as a result of a hearing panel, an HCHP shall determine the appropriate sanctions for the violation.

At the Sanction Hearing, the student facing charges will have the opportunity to present any mitigating evidence or testimony relevant to the HCHP's decision. The Sanction Hearing shall not be a venue for the student facing charges to appeal the findings of the Investigation Report or the Conduct Hearing.

The HCHP may impose any sanctions that they deem appropriate to the Honor Code Violation. The following is a non-exhaustive list of potential sanctions which may be imposed:

- Written Reprimand
- Honor Probation, which includes a loss of any scholarship award, loss of present leadership positions, and a bar from seeking future leadership positions for the duration of the probation
- Ethical Counseling / Reflective exercise
- Academic Sanctions, including losing credit for an assignment or losing credit for a course
- Suspension for a defined period of time
- Suspension for an indeterminate period of time, with reinstatement contingent on the completion of specific requirements
- Expulsion with the opportunity to withdraw
- Expulsion

The minimum sanction that will be imposed for any Honor Code violation is a written reprimand, which will be placed in the student's educational file.

d. Decision

The HCHP shall issue its decision in writing to the student facing charges within 10 school days of the hearing. The decision shall contain findings of fact, findings of responsibility, and sanctions. The Honor Council Process concludes with the delivery of the HCHP decision.

e. Appeal

A student facing charges is able to appeal a decision by the HCHP only after the conclusion of the Honor Council Process (that is, after a the HCHP has determined responsibility and sanction(s)).

The HCHP's decision may be appealed on the following bases:

- i. The finding of responsibility is based on finding of fact that are clearly erroneous;
- ii. The finding of responsibility is based on an erroneous interpretation of this Honor Code that resulted in prejudicial error;
- iii. The recommended sanction is disproportionate in light of the violation of this Honor Code;
- iv. Departures from procedures detailed in this Honor Code caused a prejudicial error.

A student may submit a written appeal to the Dean of the School of Law within 10 school days of the receipt of the HCHP decision.

Upon a review of the full written record, the Dean will issue his/her decision to uphold the HCHP in full, uphold in part, or reverse. The Dean's decision will be issued within 10 school days of receipt of the student's appeal. The Dean's decision is final.

f. Record Keeping

When a student is found responsible for an Honor Code Violation, a copy of the Investigation Report and the HCHP decision will be forwarded to the Dean of the School of Law and included in the student's educational file. When a student is found not responsible, a copy of the Investigation Report and Hearing Panel Decision with names redacted will be kept in the Honor Council's files for the duration of the academic year.

g. Reporting

On an annual basis, the Honor Council will report to the student body and faculty statistics of its proceedings as follows:

- Number of reports received by the ADAA of alleged Honor Code Violations
- Number of completed Investigations
- Number of findings of Responsible / Not Responsible
- Description of the types of violations heard through the Honor Council process and the types of sanctions imposed
- Recommendations for strategies to improve the culture of integrity at the School of Law

D. Community Standards Code

1. Preamble

The University of Detroit Mercy School of Law Community Standards Code articulates the Law School's expectation that all students will respect the rights of all members of the Detroit Mercy Law community to enhance the educational environment. The Community Standards Code establishes a commitment to fostering an environment that recognizes the personal, ethical, psychological, social, and spiritual potential of all students. All members of the Detroit Mercy Law community are expected to read this Code and adhere their conduct to it.

This Community Standards Code sets forth the Law School's standards of conduct with respect to student conduct that falls outside the purview of the Law School's Honor Code. This Code also sets forth the procedures to be followed when there is an allegation that the Community Standards Code has been violated. This Code is designed to address any alleged violation in a fair and expeditious manner.

2. Community Standards

The Community Standards Code is based on the expectation that all students, and other members of the Law School Community, treat all members of the Community with dignity, respect, fairness, and civility and to behave in a responsible manner at all times both in and outside of the classroom. Conduct that violates this expectation includes:

- a) Disorderly conduct including:
 - i. Obstruction or interfering with the reprimand, discipline, or apprehension of another person involved in the commission of an offense under the conduct code or any other School policy or regulation.

- ii. Intentional disruption or obstruction of teaching, research, administration, student conduct procedure, public service functions, or other law school functions by any means.
- b) Behavior, language, physical abuse, or threat of physical abuse to any member of the Detroit Mercy Law Community on law school premises or at law school-sponsored or -supervised functions that endangers the health, safety, or well-being of any person or group.
- c) Refusal to comply with reasonable directions of law school officers (instructional and administrative) acting in performance of their duties.
- d) Theft of or intentional damage to property of the law school, of a member of the law school community, or to the campus.
- e) Actions constituting violations of law on the law school premises or at a law school function.
- f) A criminal conviction.
- g) Knowingly making false accusations against a member of the Detroit Mercy Law community.
- h) Unsanctioned possession or use of School equipment, materials, or keys or the unauthorized entry, exit, occupancy of, or use of any School room, building, or facility.
- i) Illegal possession, consumption, distribution, or furnishing of alcohol or other drugs on School property, of the holding of an event in which any of these occur.
- j) Harassment, lewd or offensive behavior toward any member of the Detroit Mercy Law community.
- k) Possessing, using, or storing firearms, explosive, or weapons on School-controlled property or at School events or programs.
- l) Violations of published administrative policies.
- m) Sexual misconduct as defined by the University's Sexual Misconduct Policy and/or the Sex- and Gender-Based Discrimination Policy.
- n) Sexually harassing another person in violation of the University's Sexual Harassment Policy and/or the Sex- and Gender-Based Discrimination Policy.
- o) Acts of retaliation – words, actions, or written communication that imply or state another individual of the Detroit Mercy Law community will be harmed or harassed for participating in the Community Standards or Honor Code procedure.

3. Procedure

a. Reporting

All members of the Detroit Mercy Law community have an affirmative duty to report known or suspected violations of the Detroit Mercy Law's Community Standards. Other than reports of sexual harassment or misconduct, reports must be made in person or in writing to the Assistant Dean for Student and Administrative Services (ADSAS). The ADSAS will determine whether, if the allegations occurred as reported, they would constitute a violation of the Detroit Mercy Law's Community Standards. If the allegations would not constitute a violation, then the ADSAS will inform the reporting party that no further action will be taken. If the allegations would constitute a violation, then the ADSAS will determine whether the alleged misconduct would constitute a minor violation,

which could be resolved through an education conference with an administrator, or if it would constitute a major violation that would require a more formal review process.

Reports of sexual harassment or misconduct need not be received by the ADSAS in order to trigger further process; rather, a report to a responsible employee will suffice to trigger further process for sexual harassment or misconduct complaints.

i. Minor Violations

Minor violations are those that can typically be resolved through an educational conference with an administrator. When the ADSAS determines that alleged misconduct would constitute a minor violation, he will notify the Associate Dean for Student Affairs (ADSA) of the allegation. The ADSA may affirm the violation as a minor violation or may determine that it is a major violation. If the ADSA affirms the violation as minor, the ADSAS and the ADSA will determine whether an informal investigation is required, will conduct such investigation, and will meet with the student to address the allegation. Typically, when a student commits a minor violation of Detroit Mercy Law's Community Standards, no formal charges will be filed, nor will a record of a violation be placed into a student's file. Following the meeting with the ADSA or ADSAS, a student is expected to modify his or her behavior so that it upholds Detroit Mercy Law's Community Standards. Repeated minor violations could be the basis for the adjudication process, described below. The ADSAS will keep an internal record of minor violations and their resolutions.

ii. Major Violations

When the ADSA determines that the alleged conduct would constitute a major violation of Detroit Mercy Law's Community Standards, he will notify the ADSA of his determination. The investigation and adjudication process outlined below will follow.

b. Investigation

Upon notification from the ADSAS alleging a violation of the Community Standards Code, the ADSA, or his or her designee, shall appoint an administrator or faculty member to serve as an Investigator. The Investigator will conduct an investigation to determine whether credible evidence supports the charge of a violation of Detroit Mercy Law's Community Standards. At the conclusion of the investigation, the investigator will issue a report which will contain:

- Statement of the allegations and the relevant Community Standards at issue;
- Review of the steps taken in the investigation; and
- A determination of whether credible evidence supports the charge, and if so, a description of the evidence.

Absent good cause, the investigator's report should be completed no more than 10 school days after the ADSA receives notification of an alleged violation. The investigator will submit his or her report to the ADSA.

If the investigator does not find credible evidence to support the charge, no further action will be taken, but the ADSA will keep the report with names redacted for the duration of the academic year.

c. Community Standards Resolution Hearing Process

Upon receipt of the investigator's report in which a finding of credible evidence is made, the ADSA shall set a hearing date, which shall be within 10 to 15 school days after the student facing charges response is due, as described below.

The ADSA will present the student facing charges with a description of the charge(s), a copy of the Investigator's Report, as well as a Community Standards Resolution Hearing date. Within 5 school days, the student facing charges must either admit responsibility for the Community Standards violation, or contest the report. The student facing charges must submit his or her response in writing to the ADSA. Failure to submit a written response will be deemed an admission of responsibility.

In cases of alleged sexual harassment and/or sexual misconduct, the ADSA will also present the Complainant with a copy of the Investigator's Report, and when applicable, a copy of the description of the charges and the Community Standards Resolution Hearing Date. The Complainant may make a written response to the documents, which should be submitted within 5 school days of receipt.

If the matter moves to the Community Standards Resolution Hearing, the ADSA, or his or her designee, shall hold a Community Standards Resolution Hearing within the time frame prescribed above. The ADSA, or his or her designee, shall serve as the Hearing Officer. The Resolution Hearing is a non-adversarial proceeding in which formal rules of evidence are inapplicable. The Hearing Officer decides what documentary evidence to request, what witnesses to call, and what questions to present in order to conduct a thorough examination of the facts of the charged violation. The Hearing Officer has final authority to ensure an orderly and complete hearing. The Hearing Officer shall consider the Investigation Report, the student's written response, and the oral testimony of the student facing charges, should he or she choose to testify. The Hearing Officer may call additional witnesses, review documentary evidence, and ask relevant questions in order to conduct a complete hearing.

A student facing charges may request witnesses to testify on his or her behalf. Victims and complainants may also request witnesses to attend and testify. The Hearing Officer must be notified of a request for witness(es) not less than two school days in advance of the Resolution Hearing. The Hearing Officer may impose reasonable limits on the number of witnesses called, as well as the scope and duration of the witness statements. Witnesses are typically asked to comment only on the event(s) pertinent to the charges, not the character of the charged student.

A student facing charges may have one advisor present for the Resolution Hearing. A complainant in a sexual harassment or misconduct case may also have one advisor present for the Resolution Hearing. Finally, any other student who is required to attend a Resolution Hearing may request to have an advisor present. The Hearing Officer shall consider these requests on a case-by case basis. The Hearing Officer must be notified in writing at least two school days in advance of the Resolution Hearing if a student intends to bring an advisor to a Resolution Hearing. The advisor serves as a support person and is intended to be of direct assistance to the student before and during the Resolution Hearing. The student has the right to reasonably consult with the advisor during the Resolution Hearing, but the advisor shall not participate as an advocate or speak on behalf of the student.

The student facing charges also has the right:

- i. To request the Hearing Officer ask further questions of a witness;
- ii. To request the Hearing Officer call additional witnesses in the matter;
- iii. To testify and submit relevant materials;
- iv. To refuse to answer any incriminating question;
- v. To make an opening and closing statement; and
- vi. To present mitigating testimony and/or evidence that would affect the sanctions imposed, should the student be found responsible for a violation.

d. Sanctions

When a student is found responsible for the alleged Community Standards Violation, either by accepting responsibility following the investigation report or as a Resolution Hearing, the Hearing Officer shall determine the appropriate sanctions for the violation.

The Hearing Officer may impose any sanctions that they deem appropriate to the Honor Code Violation. The following is a non-exhaustive list of potential sanctions which may be imposed:

- Written reprimand
- Probation, which includes a loss of any scholarship award, loss of present leadership positions, and a bar from seeking future leadership positions for the duration of the probation
- Ethical counseling / reflective exercise
- Loss of privileges
- Restitution
- No contact order
- Required leave of absence, with or without specific conditions that must be met in order for the student to return to the program
- Suspension for a defined period of time
- Suspension for an indeterminate period of time, with reinstatement contingent on the completion of specific requirements
- Expulsion with the opportunity to withdraw
- Expulsion

The minimum sanction that will be imposed for any major violation of Community Standards is a written reprimand, which will be placed in the student's educational file.

e. Decision

The Hearing Officer shall issue his or her decision in writing to the student facing charges within 10 school days of the Resolution Hearing. The decision shall contain findings of fact, findings of responsibility, and sanctions. The Resolution Hearing Process concludes with the delivery of the decision.

f. Appeal

A student found responsible for a violation of the Detroit Mercy Law Community Standards is able to appeal a decision only after the conclusion of the Resolution Hearing Process. In addition, the Complainant in a case involving a violation of the sexual harassment and/or sexual misconduct policy may appeal a decision at the conclusion of the Resolution Hearing Process.

The decision may be appealed on the following bases:

- i. The finding of responsibility is based on finding of fact that are clearly erroneous;
- ii. The finding of responsibility is based on an erroneous interpretation of the Detroit Mercy Law Community Standard(s), which resulted in prejudicial error;
- iii. The recommended sanction is disproportionate in light of the violation of Detroit Mercy Law Community Standard(s);
- iv. Departures from procedure in this process, which caused a prejudicial error.

A student may submit a written appeal to the Dean of the School of Law within 10 school days of the receipt of the Resolution Hearing Decision. In no appeal is submitted, the matter is closed.

Upon a review of the full written record, the Dean will issue his/her decision to uphold the Resolution Hearing Decision in full, uphold in part, or reverse. The Dean's decision will be issued within 10 school days of receipt of the student's appeal. The Dean's decision is final.

E. Waiver of Rules

1. Request

Every student has the right to request a waiver of the rules which pertain to scholarship and withdrawal from courses. The request must be addressed to the Petitions Committee and submitted to the Associate Dean of Student Affairs. The request should be made in a formal, typed letter and include: the nature of the complaint, a concise statement of the rule at issue, the way in which it was applied, the reasons why the result should be different in this situation, and the relief requested. A student's signature on a request is certification that all information submitted is correct.

2. Deadlines

Requests for waivers should be presented as soon as the student knows of the application of the rule, e.g. posting of a grade, a decision by an administrator or faculty member. Special meetings will be held in the sole discretion of the faculty. A student should submit five (5) copies of the request.

3. Finality

The decision of the committee is final and binding and precludes appeal.

F. Student Civil Rights Grievance Procedure

It is the duty of every member of an academic community not to discriminate because of race, color, national origin, ancestry, age, sex, sexual orientation, height, weight, marital status, familial status, disability, religion, creed, military service, or political belief, or other bases irrelevant to academic merit. The following paragraphs constitute the University of Detroit Mercy School of Law Student Discrimination Grievance Procedures and are to provide a means for a student to obtain relief from allegedly discriminatory acts by members of the faculty or staff of UDM Law which do not result in a concrete detriment to the student for which redress through the appeals committee already exists. Illustrative examples might include a failure to provide wheelchair access to a classroom or classroom harassment. Even if discriminatory animus is alleged, the grievance procedure does not include appeals from academic determinations such as grades, probation, admission, dismissal, or readmission, that are within the jurisdiction of the appeals committee, which has its own procedures.

Student means anyone enrolled for the purpose of taking courses at Detroit Mercy Law. *Grievance* means an allegation of improper discrimination. A law school grievance officer shall be appointed by the Dean but shall not consult with the Dean on any particular grievance. *Respondent* means the person or person alleged to have discriminated.

A grievance shall be initiated with the filing of signed, written charges with the Associate Dean of Student Affairs. If the law school grievance officer finds an allegation of discrimination to be supported by probable cause, s/he shall furnish the respondent and the Dean with a copy of the written charges and the Dean shall convene a three-member *ad hoc* Student Civil Rights Grievance Committee (SGC). The SGC shall consist of two faculty members and one student.

In not less than seven nor more than 21 days after the charges have been served upon the respondent, the SGC shall hold a hearing to consider oral and written evidence in support of and in opposition to the charges. The hearing shall be held with the necessary decorum of a quasi-legal proceeding, an oath or affirmation shall be administered, and the parties shall have the rights to be represented, present witnesses, confront and cross examine witnesses. The respondent may testify or refuse to testify. The law school shall tape record the hearing. Either party shall have the right to

copy and transcribe the tape at personal expense. The burden of proof by clear and convincing evidence shall be upon the student bringing the grievance.

The SGC shall render a written determination within seven calendar days of the close of the hearing. The determination shall contain findings, conclusions, and recommendations. Copies of the determination shall be promptly served upon the student, the respondent, and the Dean. The Dean shall then take whatever action already within his authority as in his discretion he deems appropriate. Appeals from the Dean's action may be taken to the Vice President for Academic Affairs by either party upon a claim either that the Dean's action was not supported by substantial evidence in the record considered as a whole or that a specific procedure was not followed or by the respondent upon a claim that the Dean's action was excessive.

If no violation is found, all records and documentation shall be destroyed and information regarding the matter may be entered or placed in neither the student's nor the respondent's file. If a violation is found, all records and documentation shall be placed in the respective files.

VI. SCHOOL AND UNIVERSITY POLICIES

A. Fire Safety Rules

The following is a list of unacceptable behaviors with regard to fire safety:

1. Setting fire to or creating a fire on School-owned or -operated property.
2. Lighting candles or incense in a School facility without express written permission from the Associate Dean of Student Affairs.
3. Falsely reporting a fire, activating emergency warning equipment, failing to report the activation of a smoke detector, or intentionally communicating false information regarding the existence of explosives on School property.
4. Tampering with safety devices, such as alarm systems, fire extinguishers, exit signs, smoke/heat detectors, fire hoses, etc.
5. Failure to evacuate facilities in a timely manner in emergency situations or in response to fire alarms.
6. Blocking doorways, propping fire doors, and hanging objects from any type of fire equipment or device.
7. Use or possession of fireworks and/or other incendiary materials on School premises or at School-sponsored activities.
8. Making or issuing any type of bomb threat on School premises or at School-sponsored activities.

B. Non-compliance

The following shall be regarded as acts of non-compliance:

1. Failure to comply with the direction of an individual identified as an authorized School official or other official acting in the performance of his/her duties.
2. Presence during any violation of School policies in such a way as to condone, support, or encourage that violation. Student who anticipate or observe a violation of School policy are expected to remove themselves from participation and are encouraged to report the violation.

C. Off-campus Student Conduct

The School reserves the right to review student conduct that occurs off campus, including on-line behavior, when such behavior reflects upon the School's integrity. Students are reminded that they serve as ambassadors and representatives of Detroit Mercy Law.

In cases of inappropriate off-campus behavior, the Associate Dean of Student Affairs investigates these charges and may refer students to the Student Conduct process.

The School reserves the right to sanction its students for criminal or civil violations, or for a violation of School policy independent of or in addition to any actions taken by a criminal or civil court of law. Where Detroit Mercy Law's interests as a community are clearly involved, however, the Dean or his designee may assert special authority in determining the student's future status.

D. Visitors and Guests

Detroit Mercy Law community members are responsible for their guests' behavior should the guests violate any School policies.

E. Disability Support Services

Disability support services are available to all currently enrolled students. Students with a documented disability requiring accommodations under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act should contact the Office of Disability Support Services at 313-578-0310. (<http://www.udmercy.edu/uas/disability-support/>) Students must complete the intake and disability verification process to receive accommodations. The Assistant Dean for Student Affairs is the law school coordinator for accommodations.

F. Hate-Free Policy

Members of the Detroit Mercy Law community affected by hate-motivated offenses are strongly encouraged to report these incidents. Such incidents can be reported to the Associate Dean of Student Affairs. Reporting discriminatory or hate-motivated incidents does not in itself constitute a formal complaint or compel one to file a formal complaint of misconduct. However, it does allow those affected by such violations to have a support system and an avenue for recourse.

Students proven responsible for hate-motivated violations are subject to a range of disciplinary sanctions up to and including disciplinary expulsion from Detroit Mercy Law. The Associate Dean of Student Affairs may impose harsher sanctions when behavior is proven to be motivated by hate. As in all cases of misconduct, including hate-motivated offenses, both the accused student and the complainant have rights that are granted through the School's conduct process. These rights are contained in their entirety in the *Student Handbook*.

G. Medical and Psychiatric Separation

To help students perform their best, the University of Detroit Mercy provides the service of a personal counselor and health center. On occasion, however, some students' medical and psychiatric needs are beyond that which the University can be reasonably expected to provide. When a student's medical or psychiatric behavior threatens his or her welfare, disrupts or threatens the campus community, or makes excessive demands on the staff, the Associate Dean of Student Affairs, possibly in consultation with the personal counselor and/or the health center director, may request the student to undergo an examination by a medical doctor and/or a psychiatrist at his/her own expense. The Associate Dean of Student Affairs will, if necessary, call for the separation of the student on medical or psychiatric grounds.

H. Alcohol and Other Drugs Policy

As an academic community, the School calls on its members to seek knowledge, build healthy relationships, and take responsibility for their individual well-being. Alcohol and other drugs can endanger this lifestyle. Abuse of alcohol and the use of illicit drugs causes damage to health, threatens safety of self and others, interferes with academic and societal performance, and often leads to legal and financial problems. Even in a situation of legal and normal use, alcohol can increase the likelihood of injury, property damage, and deterioration of a healthy lifestyle.

To protect the privileges of all members of the Detroit Mercy Law community, the School prohibits the unlawful possession, use, manufacture, or distribution of alcohol on the School's premises or as

part of any School-related activities. The school wants each student to be aware of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of alcohol. Students may find copies of these laws in the library. Here is a summary of Detroit Mercy Law policy:

1. The legal drinking age for all alcoholic beverages in Michigan is 21. Proof of age by valid driver's license or other identification is required. Purchase, possession, and consumption of alcoholic beverages by those without proof of legal drinking age is a violation of state law and School policy.
2. Providing alcoholic beverages is regulated by state law whether or not a sale is involved. Giving, selling, furnishing, or otherwise providing alcoholic beverages to an underage person or to a person already visibly intoxicated is illegal and contrary to School of Law policy.
3. A Michigan Liquor Control Commission (MLCC) license is required for any non-free event where alcohol is served or at any event at which alcoholic beverages are sold.
4. An MLCC temporary license requires approximately four weeks of advance planning. Such a license requires the approval of the police and the University. A group requesting such a license must present a written plan for control of distribution that will assure that only legal consumption occurs. Liability bonding is required.
5. It is a violation of Detroit City Ordinance 38-5-1 to consume alcohol or liquor on the street or sidewalk.
6. Individuals and groups should be aware that serving alcohol to a minor or an intoxicated person can lead to civil and/or criminal liability for injury or damages caused by that individual. Those serving alcohol should use great caution.
7. Alcohol served at a licensed event may only be consumed in the area designated for the event. Alcohol may not be taken from or brought into the area by individuals.
8. Violators of state law concerning illicit drugs or regulations regarding alcohol at School events or on campus are subject to discipline through campus judicial or Human Resources processes and/or through criminal or civil court procedures. Possession, use, manufacture, or distribution of illicit drugs on campus may lead to immediate termination of an employee or student relationship with the School, on a temporary or permanent basis, as well as criminal prosecution.

I. Drug Policy

Possession, use, distribution and/or sale of narcotics and marijuana is illegal, and student involvement in such illicit use, possession, distribution, manufacture, or sale of narcotics, amphetamines, barbiturates, LSD, ecstasy, marijuana, or any other harmful or hallucinogenic drug is prohibited. This also includes the possession, use, distribution, and/or sale of drug paraphernalia. Students engaged in any type of this prohibited activity are of concern for the School whether on or off campus and regardless of any action taken by civil authorities. Students found in violation of the School drug policy are subject to suspension or expulsion. This may also apply to students found abusing, distributing, and/or selling legal prescription drugs.

J. Business and Solicitation Policy

Solicitation for business, i.e., appealing for donations, selling goods or services, or soliciting donations to members of the School community on School property, is prohibited except when specifically authorized by the School's designate or the Dean's office in connection with an approved activity. Solicitation of Detroit Mercy Law students and employees for activities unrelated to School-approved or -sponsored curricular and co-curricular programs is prohibited. In connection with School-approved programs and with the specific permission of Student Affairs officials, individuals, groups, or associations may sell items in specific areas of the School as designated.

K. Children in the Classroom Policy

Detroit Mercy Law students have the right to attend class free from the distraction of non-students. Therefore, the general policy of the School is that non-registrants are not allowed in the classroom. This pertains to children of students as well as other non-registrants because classrooms and instructional facilities are not intended for children. A faculty member may, at his/her discretion, allow a student to bring a child or other non-registrant to class in an emergency situation provided that:

1. The behavior of the child or other non-registrant is appropriate to the classroom.
2. The rights of all other enrolled students to an effective learning environment are assured.
3. The presence of the child or other non-registrant is not habitual.
4. The child or other non-registrant does not compromise the academic use or alter any computers or other equipment used in the learning facility.
5. Under no circumstances should a student bring a child or other non-registrant to a clinical facility.

L. Smoke-free Campus Policy

Effective February 15, 2012:

1. Smoking is prohibited in any Detroit Mercy Law building, space within a building, or structure owned, leased, rented, or operated by the School.
2. Smoking is prohibited in any vehicle owned, leased, or rented by Detroit Mercy Law.
3. Smoking is prohibited at the Larned entrance and on the Larned ramp at all times and in all weather conditions.
4. Smoking is prohibited within 25 feet of all other Detroit Mercy Law entrances, including the loading dock, fire exits, etc., at all times and in all weather conditions.
5. Smoking is permitted in the courtyard. Smokers are responsible for properly disposing of cigarette butts and other smoking-related trash.
6. For safety reasons, this policy recommends that faculty, staff, and students refrain from smoking in parking lots.

The success of this policy depends on the consideration and respect all Detroit Mercy Law faculty, staff, and students have for one another. Therefore, it assumes that all will adhere to this policy voluntarily and that enforcement will not be needed. If a Detroit Mercy Law Smoke-Free Campus Policy violation is observed, the appropriate actions to take are as follows:

1. Respectfully request that the person who is smoking in a prohibited area stop smoking.
2. If a student or guest continues to smoke in a no-smoking area, please report the incident to the Associate Dean of Student Affairs.
3. If a faculty or staff member continues to smoke, please report the incident to the Dean.

M. Student Email Policy

All undergraduate and graduate students (including employees who are taking classes) will be assigned a University student email address with the expectation that they will read their email regularly. This will help ensure that they are kept informed of current Detroit Mercy Law updates, deadlines, emergency notification, etc. It is the student's responsibility to read all Detroit Mercy Law correspondence sent to the student's University email address by UDM faculty and administration.

Rationale: Detroit Mercy Law is committed to increasing its interactions with students and improving ways of conveying important information. This policy will enhance the ability of faculty and administrative offices to send official and course-related information to students via email with minimal barriers.

Guidelines: In general, redirecting Detroit Mercy Law email to another non-University email address is not encouraged. Detroit Mercy Law will not be responsible for the handling of email by outside service providers or servers. Having Detroit Mercy Law email redirected to another account does not absolve a student from the responsibilities associated with timely reading of communications sent to an official email address.

For those students who may not own a personal computer, computer resources are provided in the Detroit Mercy Law Library. Public libraries are also places where students can go to access email.

N. Student Identification Through University ID Card

ID cards are necessary to 1) preserve the security of the Detroit Mercy Law community and its property, and 2) to assure availability of facilities and functions to students. Therefore, Detroit Mercy Law ID cards must be carried and utilized or produced upon request as follows:

1. A person responsible for admission to a facility or event may require that ID is shown as a condition of admission.
2. School employees responsible for the security of buildings, facilities, grounds, or property may require ID to be shown.
3. ID cards must be used to enter areas of the School with doors protected by card readers, including the atrium and main doors leading to the classroom wing.
4. Falsified ID is subject to confiscation. Valid ID may be confiscated by those mentioned above for infractions of Detroit Mercy Law policy. ID will be turned over to Student Affairs officials by the next business day for appropriate disciplinary action.
5. Student identification cards are valid only for those terms in which a student is enrolled and registered. Students who are dismissed or transfer must return their cards to Student Affairs.

O. Demonstrations

Students who wish to engage in demonstrations as a means of intellectual, spiritual, ethical, or social development may do so. However, their ability to demonstrate does not supersede the right to safety, protection of property, or the educational process of the larger Detroit Mercy Law community. Therefore, demonstrations may not interfere with the educational mission of Detroit Mercy Law, nor may they impede the free passage in rooms, corridors, walks, street entranceways, or areas where members of the Detroit Mercy Law community or its guests have the right to be. The ability to demonstrate is protected only so long as it does not interfere with the rights and freedoms of others. Detroit Mercy Law reserves the right to dictate time, place, and manner of demonstrations or any similar gathering.

If the Associate Dean of Student Affairs or the Director of Public Safety (or their designees) judge that the demonstration is not respecting the rights and freedoms of others, the demonstrators will be informed that they need to modify their behavior to be respectful of those rights and freedoms listed above. Demonstrators are expected to comply immediately. Failure to comply may result in a notification of local law enforcement authorities with appropriate legal and Detroit Mercy Law charges filed against the demonstrators. Demonstrators that fail to respect the rights and freedoms listed above may incur both civil penalties and Detroit Mercy Law disciplinary action.

P. Policy on Student Complaints Implicating Compliance with ABA Standards

Detroit Mercy Law has a specific policy by which students may address complaints that bring to the School's attention a significant problem that directly implicates the School's program of legal education and its compliance with the ABA Standards as required by Standard 512.

1. Submitting a Complaint:

A student complaint about Detroit Mercy Law's program of legal education and compliance with the Standards must be submitted in writing to the Associate Dean for Academic Affairs or the Assistant Dean for Student Affairs. The complaint should state the facts that form the basis for the complaint and how the matter implicates the School's program of legal education and its compliance with one or more specific, identified ABA Standards. The person to whom the complaint is submitted shall acknowledge receipt of the complaint within seven business days to the student or students who submitted the complaint.

2. Resolving a Complaint

The Associate or Assistant Dean who received the complaint or his or her designee shall investigate the matter as soon as possible, but in no event later than 20 business days after receiving the written complaint. The same Associate or Assistant Dean shall attempt to resolve the complaint within this 20 business day period. Any resolution of a complaint under this policy should include a meeting between the Associate or Assistant Dean and the student complainant and a written response to the complainant. This written response shall include information about the steps to be taken to further investigate or address the complaint. The person investigating and resolving the complaint shall prepare this written response to the student complainant within 10 business days after completing his/her investigation.

3. Appeal Process

A student complainant may appeal the resolution of a complaint under this policy to the Dean. The student must submit an appeal in writing within 10 business days of receiving the School's written response. The Dean's decision is final. The Dean or his/her designee shall inform the student complainant and the Associate Dean who investigated the complaint of his/her decision within ten business days of receiving the appeal.

4. Maintaining the Record of a Complaint

The School shall maintain a complete written record of each complaint and its resolution for seven years in a confidential file in the Office of the Associate Dean for Academic Affairs.

Q. Social Media Policy*

This policy provides guidelines for student use of social media sites. Social media sites include, but are not limited to, Facebook, Twitter, and LinkedIn.

1. General Guide to Social Media Posting

The keys to success in social media are to be honest about who you are, to be thoughtful before you post, and to respect the purpose of the community where you are posting.

2. Specific Guidelines

- a. Think before you post. All content can be viewed by the public and can be copied and forwarded. Only post information you would like everyone to be able to view. You can presume that anything posted online will last forever, so plan accordingly.
- b. Protect your identity. Do not post sensitive information, such as phone numbers, social security numbers, credit card numbers, screen names, or addresses. Follow all applicable guidelines in the *Student Handbook*.
- c. Be mindful of copyrights. When posting content such as images or video, make sure you have the copyright permission to do so.

- d. Be accurate. Make sure you have all of the facts before you post. It's better to verify information with a source first than to have to post a correction or retraction later. Cite and link to your sources whenever possible; after all, that's how you build community. If you make an error, correct it quickly and visibly. This will earn you respect in the online community.
- e. Remember your audience and post information in which they would be interested.
- f. Be timely. Monitor your posts for questions and comments and respond in a timely manner. Regularly update the information you post.
- g. No student may, without the Dean's consent, post Detroit Mercy Law's logo or any other trademark belonging to Detroit Mercy Law in any online venue.
- h. No student may, without the Dean's consent, make an express or implied representation that Detroit Mercy Law endorses a particular site or online content. Be sure that the Detroit Mercy Law name is not used in a manner that implies the School's endorsement of or responsibility for a viewpoint, activity, product, or publication.
- i. In personal posts, you may identify yourself as a Detroit Mercy Law student. However, please be clear that you are sharing your opinions as an individual and not as a formal representative of Detroit Mercy Law.

3. Student Organizations and Social Media

A student organization that uses social media must include a Note in its account with the subject line "Disclaimer" and the following text:

This page is maintained by a student organization at the University of Detroit Mercy School of Law. The comments and opinions found here do not necessarily represent the views of the University of Detroit Mercy School of Law.

4. Reporting a Problem

Social media sites have codes of conduct that govern appropriate content and online conduct. Alleged violations may be reported directly to the social media site.

Online content or behavior that may constitute a violation of Detroit Mercy Law policies or rules should be reported to the Associate Dean for Student Affairs.

*Portions of this policy were drawn from the Texas Wesleyan School of Law Social Media Policy and DePaul School of Law Social Media Guidelines.

THIS STUDENT HANDBOOK IS PUBLISHED FOR INFORMATIONAL PURPOSES ONLY. IT CREATES NO CONTRACT RIGHTS FOR EITHER STUDENTS OR STAFF. ALL QUESTIONS CONCERNING THE APPLICATION OF ANY STATED POLICY TO AN INDIVIDUAL MUST BE REFERRED TO THE APPROPRIATE UNIVERSITY OFFICIALS FOR FINAL DETERMINATION.

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