

Texas Tech University School of Law

Student Handbook



2017-2018

MESSAGE FROM SBA PRESIDENT JOHN D. GARCIA

"Let us think of education as the means of developing our greatest abilities, because in each of us there is a private hope and dream, which fulfilled, can be translated into benefit for everyone and greater strength of the nation."

—John F. Kennedy

Class of 2020,

Welcome to Texas Tech School of Law. Today, each of you is taking the first step towards achieving your goal of becoming a lawyer. As you know, Tech Law is a unique law school community that is different from all others. You will meet amazing people who have done—and will do—amazing things. Over the next three years, you will be surrounded by brilliant professors, helpful and considerate staff, and you will develop deep relationships and comradery with competitive, goal-oriented law students. I encourage you to visit each one of your professors as often as possible, reach out to the supportive staff members, and join student organizations and build relationships with your classmates. We are all in this together!

Studying law is an intense journey. One of the most important things you will discover is your newfound ability to think like a lawyer. As you learn each day, you will begin to analyze and more deeply understand how the American system of jurisprudence works. Make no mistake: It will change you. The profound value of this new way of thinking is immeasurable, and I hope you will challenge yourself to learn as much as you can about the law and learn to think like a lawyer as often as possible.

Success in law school will require you to engage vast amounts of new information. You will read thousands of pages, thousands of cases, and be exposed to thousands of legal rules. Always remember that you can only read one page at a time, understand one case at a time, and learn one rule at a time. There will be times that you feel like you are moving a mountain and that success is impossible. During these times, remind yourself to move one stone at a time and you will soon look up to see that you have moved the entire mountain. We are confident you will succeed.

Each of you come to Tech Law for different reasons. You may be here because you want to help the people of your childhood community. You might be driven by dreams of financial success. Some of you are here to help positively shape the world. Whatever your goal is, remember it, focus on it, and never let it go. Use that goal to push yourself beyond what you previously thought yourself capable of. Never forget: Every page you read, every early morning and late night in the library, and every bit of work you do is driving you one step closer towards achieving your dreams.

I encourage all of you to work together, grow together, and inspire one another to achieve greatness. Throughout your time at Tech Law, I challenge each one of you to learn to think like a lawyer, move your mountain one stone at a time, and achieve every one of your goals.

John D. Garcia
President, Student Bar Association
Class of 2018

MISSION STATEMENT

The mission of the Texas Tech University School of Law is to prepare individuals for the effective and ethical practice of law in a rapidly changing, diverse, and interconnected world; to engage in a meaningful scholarship; and to foster a culture of public service.

ABOUT THE LAW SCHOOL

Founded in 1967, Texas Tech University School of Law boasts a rich history. In the 1930s, Alvin R. Allison, a self-described “country lawyer from Levelland,” could not afford to attend one of the three American Bar Association-accredited law schools in Texas. Instead of attending law school, he earned his law license by apprenticing under a local attorney for two years and passing the Texas Bar Examination in 1934.

His struggle to become a lawyer inspired his quest to establish a law school in West Texas at his alma mater, Texas Technological College. The Texas Tech Board of Directors hired Richard B. Amandes as the School of Law’s first dean in 1966, and in 1967, the first class, comprised of 72 students, enrolled at Texas Tech Law. The ABA granted accreditation to the school in August 1970, which followed accreditation from the Supreme Court of Texas in 1968. In 1969, Texas Tech Law gained membership to the Association of American Law Schools, and in 1974, was elected to the Order of the Coif, a qualification shared by less than half of the nation’s law schools.

Since opening, the School of Law has graduated more than 8,000 students, including the first woman to head a major federal-law enforcement agency, the Army’s highest-ranking legal officer, general counsels of corporations, elected officials, state and federal judges, and some of the nation’s top litigators.

Texas Tech Law offers a robust clinical program, three academic centers, 10 dual-degree programs, three concentration programs, a regional-externship program, a recognized legal-practice program, a public-service graduation requirement, an innovative leadership program, and a nationally competitive advocacy program that boasts 40 national and international championships. In 2016, the Blakely Advocacy Institute ranked Texas Tech Law number 1 for moot-court programs.

Texas Tech Law attracts professors who are passionate about teaching. In fact, Texas Tech Law has won the University’s Departmental Excellence in Teaching Award twice in recent years, two professors have been recognized with the Chancellor’s Council Distinguished Teaching Award since Fall 2013, and seven professors are elected members of the prestigious American Law Institute. Texas Tech Law is also the only law school in the country to have had an entire court—the Seventh Court of Appeals in Amarillo—teach a full-year course.

With quality students, talented faculty, and devoted staff, the School of Law continues to produce gifted attorneys who practice across the state, region, and country.

ACADEMIC STANDARDS & POLICIES

Texas Tech University School of Law students should be familiar with the following policies and procedures that will impact their educational experience:

1. The Texas Tech University School of Law Student Handbook, Honor Code, and Student Code of Professional Conduct (www.depts.ttu.edu/law/studentlife/handbook.php);
2. The Texas Tech University School of Law policies posted online (www.depts.ttu.edu/law/studentlife/policies);
3. The Texas Tech University Code of Student Conduct (www.depts.ttu.edu/dos/handbook);
4. The Texas Tech University Operating Policies and Procedures (www.depts.ttu.edu/opmanual);
5. The Texas Tech University School of Law Catalog (www.depts.ttu.edu/officialpublications); and
6. The Texas Tech University Undergraduate/Graduate Catalog (www.depts.ttu.edu/officialpublications)

Students are expected to read each of these documents and carefully apply the appropriate academic, student life, and student-conduct expectations to their specific situation. The faculty and staff at Tech Law and the greater Texas Tech University are here to assist students navigating these guiding documents and the places where they intersect. Generally, the Law School has provided the appropriate academic and conduct policies and procedures in the Law School Catalog and on-line policies. If a conflict exists between a policy or rule in the Student Handbook and on the law school website, the most recently updated version controls. In the rare case when the Law School has not provided an applicable policy or procedure, the broader Texas Tech University Catalog and/or Code of Student Conduct will apply.

ACADEMIC STANDARDS

The law faculty does not assure any student that it will offer a combination of courses or a sequence of courses that will enable a student to qualify for the law degree other than the normal program of study in three consecutive academic years of two semesters each.

The School of Law reserves the right to modify the requirements for admission or graduation; to change the arrangement or content of courses, the instructional materials used, tuition and other fees; to alter any regulation affecting the student body; to refuse admission or readmission to any student at any time; or to dismiss any student at any time, should it be in the interest of the law school.

To be eligible for graduation, you must pass at least 90 semester credit hours and at the time of graduation have a cumulative grade-point average of 2.250 or better for all credits earned. At the end of each semester, you must meet specified GPA requirements to be in “Good Standing” at the School of Law. Please review the Academic Standards, Dismissal, Readmission and Re-entry policy found in Appendix C for more information. Please note that the GPA requirements increase as you proceed through the degree plan.

www.depts.ttu.edu/law/studentlife/policies/Documents/Academic_Standards_Dismissal_Readmission_and_Re_entry.pdf

IMPORTANT NOTICE REGARDING STUDENT CONDUCT

Students are expected to behave professionally and responsibly as members of the law school community. Disruptive and inappropriate behavior may be addressed as an internal matter through the discretion of the Dean's Office. The Dean's Office may choose to refer the matter for more formal procedures, which typically will be handled by the Law School's Associate Dean for Student Life, in collaboration with the Texas Tech University Office of Student Conduct. Disciplinary matters relating to academics, integrity, and the use of law school property are covered under the Law School Student Code of Professional Conduct. Non-academic matters of student conduct are also covered under the university's Code of Student Conduct. In rare cases, a student may be subject to both the Texas Tech Law Codes and Main Campus Codes.

SKILLS AND ABILITY FOR LAW STUDY

To help applicants for admission and current students understand the rigor of the academic programs offered at the School of Law, and the minimum essential skills and abilities needed for successful completion, the School of Law has developed standards for successful law study. These standards are based in part on the ABA Task Force on Law Schools and the Profession, Legal Education and Professional Development—An Education Continuum (1992) (often referred to as the “MacCrate Report” in honor of the chair of the task force) and the considered judgment of the faculty of the School of Law. Item No. 4 is based on Standard 311(f) of the American Bar Association, Standards for Approval of Law Schools.

1. **Intellectual—Conceptual and Integrative Skills:** The candidate must be able to recall and analyze complex factual information, integrate this information with complex legal theories, and apply to those facts the substantive legal principles that will control the result in a particular case. This form of analytical ability involves the ability to recognize and identify the legal issues that are implicated by specific facts, the ability to sort material facts from immaterial facts, the ability to recognize and evaluate competing legal theories that might apply to the facts, and the use of sound and logical legal reasoning in applying legal principles to material facts to reach a proper result. It also involves the ability to recognize when different legal analysis might lead to a different but nonetheless logically supportable result. The candidate must be able to perform legal research.
2. **Effective Communication Skills:** The candidate must be able to organize ideas and express them with a high degree of organization, clarity, precision, and persuasive force. A candidate must be able to demonstrate ability with the English language and commitment to writing well, including appropriate vocabulary, grammar, syntax, spelling, and punctuation. A candidate must be able to memorialize and organize information in an accessible form. A candidate must be able to communicate candidly and civilly with others. A candidate must be honest in advocating a particular result, and should not misrepresent either facts or the content of any legal principle upon which the candidate relies.
3. **Behavioral and Social Attributes:** A candidate must possess the emotional health required for the full utilization of his or her abilities and possess the interpersonal skills to work with others. The candidate must possess the ability to:
 - Comply with requirements of applicable federal, state, and local laws, regulations, statutes, and applicable orders of a court or tribunal;

- Comply with the ethical norms of the profession as expressed in the Texas Disciplinary Rules of Professional Conduct and the ABA Model Rules of Professional Conduct, including the avoidance of acts that are illegal, dishonest, fraudulent, or deceitful;
 - Avoid acts that exhibit disregard for the rights or welfare of others;
 - Use honest and good judgment in financial dealings on behalf of oneself and others; and
 - Act diligently and reliably in fulfilling one's obligations to others.
4. Attendance and Participation: A candidate must be able to have regular and punctual class attendance and to fully participate in class discussions.
 5. Time Management: A candidate must possess the ability to comply with deadlines and time constraints, and to prioritize and manage multiple tasks.

STUDENT DISABILITY ACCOMMODATIONS

Texas Tech Law does not make independent decisions regarding student disability accommodations. The Associate Dean for Student Life works collaboratively with the TTU Office of Student Disability Services (SDS) to implement and grant accommodations to students whom they certify. A student who believes that he or she is eligible for classroom and testing accommodations due to a disability should contact SDS to begin the certification process. When a student has been certified by SDS to receive accommodations, SDS will send an electronic copy of the accommodation paperwork to the Associate Dean for Student Life. The Associate Dean for Student Life distributes the paperwork to the necessary Tech Law staff to implement each specific accommodation.

Students are highly encouraged to take care of their accommodation paperwork as early as possible. Students must request accommodations at least 7 days before the date the accommodations will be needed. This may not be the end of the semester if your professor assigns quizzes, midterms, or papers. If a student requires notetaking assistance, the notetaking assistance will become effective approximately 7–10 days after the Law School receives the official paperwork. If a student does not submit accommodation paperwork for notetakers until the middle or end of the semester, he or she may not have access to material that has already passed.

The Associate Dean for Student Life will notify the Registrar's Office of all students who have been certified for accommodations on exams. If a student believes that he or she should be receiving accommodations on a midterm or exam and has not heard from the Registrar or the Associate Dean, the student must contact one of them immediately. This procedure applies to all exams, including midterm exams. Unscheduled "pop quizzes" do not qualify for extra time.

CONTACT INFORMATION AND MESSAGES

We understand that communication platforms can change over time, and that members of the Tech Law community communicate in a variety of ways (e.g., social media, email, telephone, text message, U.S. mail). While recognizing that there are a number of communication methods, Tech Law's official means of communication is through the university email account. Each student is expected to check his or her university email account and message box daily. The law school also uses TechLawAnnounce to notify students of policies and procedures, events, opportunities, and other matters. Students should read TechLawAnnounce messages on a regular basis

Students are required to update their permanent address, local address, and telephone numbers as soon as feasible after a change. The law school and university use these means to communicate official

notices, and each student will be responsible for complying with any notices and requirements sent by any of these means. In addition, students are strongly encouraged to register with the Tech Alert System (appserv.itts.ttu.edu/EmergencyAlert).

Please visit www.depts.ttu.edu/law/studentlife to view important contact information for the Academic Affairs, Admissions, Career Services, Communications, Development, Financial Aid, Registrar, Student Life, and Veterans' Affairs departments.

THE HONOR SYSTEM

Law is an honorable, self-disciplining profession. Lawyers are responsible for monitoring and responding to the conduct, reputation, and public work of other lawyers. The spirit of this system is reflected in the Honor System that governs the ethos of Tech Law. The Tech Law community expects that students will conduct themselves in a manner that is above reproach at all times and in accordance with the Honor Code and Student Code of Professional Conduct. Students are expected to be honest and hard-working people of integrity. Tech Law faculty, staff, and administrators seek to model this behavior and expect students to do the same. All types of examinations at the law school are given under the honor system. Students pledge that they will follow the Honor Code when they enter law school. Details of the honor system are contained in the Honor Code (Appendix B).

ACADEMIC AND STUDENT SUPPORT

Office of Academic Success

The Office of Academic Success Programs at the Texas Tech University School of Law is dedicated to helping all law students achieve their full academic potential while at Texas Tech. The office works with new law students (1Ls) as well as returning law students (2Ls and 3Ls) and students preparing for the bar examination. For more information, please visit the Office of Academic Success, located on the third floor of the library (LAW 319 & 320).

Student Support and Emergency Team

The Student Support and Emergency Team (SSET) is a standing group of law school administrators and faculty members who assist law students experiencing a variety of personal and institutional problems. These issues range from serious illness or death in the family to mental health issues and threats of violence. SSET works with the Student Counseling Center and other university resources to help students resolve these issues in the best way possible. Students, faculty, and staff can refer issues and emergencies directly to any member of the SSET.

Texas Lawyers Assistance Program (TLAP)

Like the practice of law, law school can be mentally and physically strenuous. The State Bar of Texas created the Texas Lawyers Assistance Program (TLAP) to help both attorneys and law students stay healthy and happy. Visit TLAP's law student page for more information and stress management techniques.

Helpful Numbers

Need help? Texas Tech and the State Bar of Texas offer a number of programs free of charge to provide a support system and help you through any problems that you may encounter. For helpful numbers, please visit www.depts.ttu.edu/law/studentlife/student-support.

If you need other assistance, contact Alison Myhra, Associate Dean for Academic Affairs, at alison.myhra@ttu.edu, or John Delony, Associate Dean for Student Life, at john.delony@ttu.edu.

STUDENT COUNSELING CENTER

The Texas Tech University Student Counseling Center is a wonderful resource for students experiencing a broad range of transitions, challenges or difficulties. They celebrate and affirm the differences among people from all walks of life and offer individual, group, and couples counseling. For more information on the Student Counseling Center, please contact the Associate Dean for Student Life or visit the Student Counseling Center at www.depts.ttu.edu/scc.

EVENTS CALENDAR

Major Law School events are posted on the Master Event Calendar (calendar.law.ttu.edu/MasterCalendar/MasterCalendar.aspx). Faculty, staff, students, and student organizations may request to post their upcoming events to the Master Event Calendar. Requests should be submitted at least one week prior to event date, and will be approved by the Director for Calendar & Events. Please consult the Master Event Calendar prior to submitting your event request to ensure that conflicts with large events do not occur. If conflicts are found, your request may be rejected or you may be asked to find an alternative date. For more assistance, contact Erica Lux, Director of Calendar and Events, at erica.lux@ttu.edu.

STUDENT SERVICES AND FACILITIES

All of the following facilities and services are available to law students and most require a student's ID for admission or services.

Athletic Tickets

Athletic event tickets may be purchased through the Texas Tech University Web site at texastech.com. Many events are free to students (with student ID) as the costs are included in student fees.

Campus Bus Service

The Bus Service provides free transportation throughout campus and to nearby residential areas.

- From 6:50 p.m. to 12:45 a.m., Citibus provides a campus night shuttle as a free service to students. Call (806) 742-NITE (6483) for a pick-up at any on-campus location to any other on-campus location. A valid student ID is needed.
- Call and get a ride from Thursday-Saturday, 9 a.m.-2 a.m. (Must have valid Tech I.D.) Call 742-RIDE (7433) Safe Ride for a taxi pick up anywhere within the Lubbock City limits for delivery to your residence.

Campus Bookstore

Law students will find books required for law courses, as well as study aids in the Barnes & Noble Bookstore in the Student Union Building (742-3816). Official jewelry with the law school crest may be ordered at the bookstore. Rental arrangements for graduation regalia are also handled through Barnes & Noble Bookstore. Books can also be purchased through off campus and/or online book store providers.

Check Cashing Service

The Student Union has ATMs available for student use. Anyone having ATM access cards honored by financial institutions may use these machines for a variety of transactions. The ATMs are normally accessible 24 hours a day in the east lobby of the Student Union.

The Texas Tech Credit Union has free check cashing services for members of the credit union at two on-campus locations: 1A-99 Health Sciences Center and the main office at 18th and Knoxville. There is also an off-campus branch at 98th and Oxford. ATMs are available 24 hours a day at the main office and the Student Union Building.

Counseling and Health Services

The Student Wellness Center is located at 1003 Flint Avenue (743-2848) and provides a walk-in type ambulatory clinic for health services and personal and group mental health counseling. All students are required to submit a copy of their shot records to Health Services. For more information on the types of available services, go to www.ttuhsc.edu/studenthealth.

Student Disability Services

Information and assistance for students with disabilities is available through the Office of Student Disability Services in West Hall Room 335. Disabled students seeking accommodations are required to apply for services and may fill out an online application through the SDS website (www.depts.ttu.edu/sds). For more information, please call the Office of Student Disability Services at (806) 742-2405 or contact John Delony, Associate Dean for Student Life at john.delony@ttu.edu (Lanier Center Room 251A).

Food Services

Food service is available for breakfast and lunch on most class days during the fall and spring semesters in Sam's Club in the Commons area of the law school. Students may also purchase a dining plan and learn more about on campus dining locations by visiting the TTU Hospitality Services website (www.depts.ttu.edu/hospitality). Students can also access Sam's West in Wiggins Hall without a dining card.

Insurance Programs

Information on property and health insurance programs for students is available at orientation. Information about health insurance is also available at ttu.myahpcare.com.

Intramural Sports

Law students may participate in the intramural sports program of the university by joining law or graduate competitive teams. Information can be found at www.depts.ttu.edu/recsports and then clicking "Intramurals" on the left hand side.

International Students

International students may use the services of the Office of International Programs to obtain information about student visas, housing and many other services designed to ease cultural adjustment. This office is located on Indiana Avenue in the International Cultural Center (ICC). International students should also contact Stephen Black, Assistant Dean for Strategy and Innovation, at stephen.black@ttu.edu.

U.S. students who plan to travel abroad may also use the services of the ICC and the Law School International Programs Office for information on travel requirements, visas, etc., and for overseas educational programs.

Recreation Center

Many activities are available at the Recreation Center including handball, basketball, racquet ball, weight lifting, exercise rooms, sauna, gymnastics, and swimming (742-3351); www.depts.ttu.edu/recsports.

Student Business Services

Tuition and fee payments may be made in person or by mail at the Student Business Services in Room 301 of West Hall (742-3272). Student Business Services is open from 8:00 a.m. to 4:30 p.m., Monday through Friday. Students may find information regarding tuition and fees, payment options, important dates, and refunds on the Student Business Services website (www.depts.ttu.edu/studentbusinessservices).

Student Legal Services

Student Legal Services (SLS) provides legal advice, counsel and limited representation for currently enrolled students. Services include document preparation, notary services, advising, and research. The attorneys can represent students in landlord/tenant disputes, uncontested family matters, name changes, essential needs licenses, expunctions, and small claims disputes. Representation must be in Lubbock County. SLS is staffed by full-time licensed attorneys, clerical staff, and several law clerks and interns. For more information please visit www.depts.ttu.edu/sls or call 742-3289.

SLS cannot advise students in matters against another student, faculty, or staff member, department, or the University as a whole. SLS does not advise or represent in areas of tax, immigration, or bankruptcy.

Student Union Building.

Facilities include a cafeteria, snack bar, game rooms, an automated post office, check cashing, TV lounges, typing and photocopy service, cultural events, movies and other programs. The Student Union has several automated teller

machines available 24 hours a day for use by students who have access cards.

Military & Veterans Programs

Information on military and veterans' programs, including benefits and dependent programs, is available at the Military & Veterans Programs Office, which is located in Drane Hall, Room 147. The telephone number is (806) 742-6877. More information can be found at www.depts.ttu.edu/diversity/mvp.

STUDENT ORGANIZATIONS

Administrative Law Journal
Asian Law Students Association
Black Law Students Association
Board of Barristers
Business Law Association
Business & Bankruptcy Law Journal
Christian Legal Society
Criminal Law Association
Delta Theta Phi
Energy Law Interest Group
Environmental Law Society
Estate Planning & Community Property Law Journal
Estate Planning Law Society
Family Law Society
Federalist Society
Hispanic Law Students Association
Intellectual Property Student Association

Immigration Law Association
International Law Society
J. Reuben Clark Law Society
Journal of Biosecurity, Biosafety, & Biodefense Law
Lavender Law
Longhorn Bar Association
Organization of Women Law Students
Personal Financial Planning Legal Society
Phi Alpha Delta
Phi Delta Phi
Red Raider Bar Association
Student Animal Legal Defense Fund
Tech Health Law Association
Tech Law Military Association
Texas Bank Lawyer
Texas Tech Law Review

NATIONAL ORDERS AND SOCIETIES

The Order of the Barristers

Students selected as members of the national Order of the Barristers have exhibited excellence and attained high honors through the art of courtroom advocacy.

The Order of the Coif

The Law School was elected to the Order of the Coif, the only national legal honor society in the United States, effective May 15, 1974. Fewer than half of the nation's law schools have qualified for a chapter of this honorary association. Members are elected annually from those students ranking in the top ten percent of the graduating class whose character and activities in legal education indicate their worthiness for membership in the order.

Phi Kappa Phi

Students are chosen annually for membership in Phi Kappa Phi, an academic honorary society, from the top 10% of the third-year class as of the end of the fall semester.

PUBLIC-SERVICE GRADUATION REQUIREMENT

Students entering Texas Tech Law as new J.D. students in or after Fall 2015 must complete at least 30 hours of public service before they graduate. At least 15 hours must be in pro bono legal service, and the remaining 15 hours may be in pro bono legal service or non-legal community service.

PRO BONO PROGRAM

A crucial part of a legal education involves preparing students for all aspects of their professional commitments as lawyers. To give back to the community and give our students additional opportunities to interact with attorneys and clients, Texas Tech Law now has a public-service graduation requirement. J.D. students who enter in or after Fall 2015 will perform 30 hours of public service, at least half of which must be law related. The 30 hours will begin in the first year and continue until completion. The law school provides myriad opportunities to perform pro bono legal work and community service for low-income and disadvantaged individuals in Lubbock and throughout Texas. Students are also free to locate or create their own opportunities anywhere in the world. Please contact the Office of Student Life (Room 251) for more information.

STUDENT OUTSIDE EMPLOYMENT

The law school strongly recommends that first-year students not undertake outside employment. Except as authorized by the Associate Dean for Academic Affairs (with the concurrence of the Assistant Dean for Strategy and Innovation for LL.M. students), no student shall undertake outside employment exceeding 20 hours per week in which the student is enrolled in twelve or more credit hours. Employment is not considered an excuse for poor grades or class attendance or preparation, and students whose employment is interfering with academic requirements will be required to reduce their working hours or withdraw from school until such time as they can attend with fewer hours of employment. Students on scholastic probation may not be employed outside of the law school for compensation without the permission of the Associate Dean for Academic Affairs or the Associate Dean for Student Life.

APPENDIX A - STUDENT DISABILITY SERVICES

STUDENT RIGHTS AND RESPONSIBILITIES – TEXAS TECH SCHOOL OF LAW

RIGHTS

It is your right to have your letter of accommodation (referred to hereafter as LOA) sent to the School of Law-Dean for Student Life via the Student Disability Services (secure) online system. You may not need all accommodations for every class, but the Dean for Student Life must receive your LOA in order for you to receive accommodations.

It is your right not to use your LOA for any class during a semester. This does not affect your right to have accommodations again for any subsequent semester.

It is your right to request adjustments to your LOA regarding the accommodations for which you are eligible. Additions to your LOA must be supported by appropriate documentation.

It is your right to have your disability kept confidential. Student Disability Services will not share information regarding your disability with any faculty, staff, parent, or other entities unless you have given written permission to do so.

It is your right to have your approved accommodations provided for you free of charge, as mandated in the Americans with Disabilities Act. Student Disability Services will never charge you for your classroom accommodations.

RESPONSIBILITIES

It is your responsibility to request your electronic LOA be sent to the School of Law-Dean for Student Life each semester. Once this is complete, it is also your responsibility to meet with the Dean for Student Life preferably during the first week of class, or within one week of requesting your Letter of Accommodation if it is during the semester, to review your LOA. The LOA becomes effective once the Dean for Student Life receives it and you have discussed the accommodations needed, and the LOA is not retroactive.

Accommodations received in a face to face classroom may not be the same as in an online setting. It is your responsibility to discuss each needed accommodation with the Dean for Student Life in order to understand how the accommodation will be provided. Likewise, you may choose accommodations differently based on the teaching method of the course.

Students' acceptance to Student Disability Services has no effect on class attendance. All students are required to follow class policy for attendance as outlined on the course syllabus.

It is your responsibility to report problems with professors who are not allowing accommodations to the Student Disability Services office or to the School of Law-Dean for Student life. This must be done during the semester the problem is occurring and not after grades have been given for the course. University policy states that instructors have one week as a reasonable amount of time to implement the accommodations. If this does not occur, the student should contact a counselor in the SDS office immediately.

It is your responsibility to request LOAs through the online system each semester that you are going to need accommodations. If you decide to add/delete approved accommodations from your LOA, you will be able to make that choice online, or speak to your SDS counselor.

If you have note-taking assistance as an accommodation, you must attend class and be attentive. You do not have the right to copies of notes from a class for which you were absent. Power Point slides and fill in the blank note packets are approved supplemental note taking accommodations. Please remember, these are supplemental notes and you are required to still take your own notes. If you do not attempt to take notes, you are not eligible to receive the supplemental notes.

If you receive alternative test location and/or extra time on examinations please contact the School of Law-Dean for Student Life for assistance in scheduling these exams.

Books in Electronic Format: If you have textbooks or documents that you need converted into an electronic version, this material must be delivered to the SDS office at least one week prior to the date needed. Material brought in less than 7 days before needed cannot be guaranteed to meet the requested deadline. A receipt showing purchase of the book to be scanned must be provided along with your scanning request. Student Disability Services will make a copy of the receipt and return it to the student. It is also the student's responsibility to pick up textbooks and/or completed materials from SDS upon completion.

For Interpreter Services: Requests for interpreter services should be completed immediately following your registration for classes in order to assure this accommodation is provided on the first day of class. In order to be provided Interpreter Services you **MUST** request your LOA (online) prior to Interpreters accompanying you to the classroom. Per Interpreter Request Form, Interpreters are available for your meeting with instructors to discuss your LOAs.

APPENDIX B - THE HONOR CODE

1. INTRODUCTION

A. Preamble

Texas Tech University School of Law's Honor Code emphasizes the importance of academic integrity. Academic integrity refers to honest and ethical behavior within an academic community. The Honor Code promotes an atmosphere in which students can work and interact with mutual respect, trust, and individual responsibility.

Faculty, staff, and students have a responsibility to uphold the principles of academic integrity, and to create an environment that encourages honesty and an open discussion of integrity. Students in the School of Law are expected to exhibit the same qualities of honesty, responsibility, and respect for the rights of others that are demanded of members of the legal profession.

Each student has a responsibility to uphold the spirit of the Honor Code. When a student has reason to believe that a violation of the Code has occurred or will occur soon, he or she has a duty to report the matter to the Dean or the designated faculty Honor Code Investigator. A student who fails to report a suspected violation may violate the Student Code of Professional Conduct. If a student reports a suspected violation to a faculty or staff member and that person also has reason to believe that a violation of the Code has occurred or will occur soon, the faculty or staff member has a duty to report it to the Dean or the Honor Code Investigator. To avoid concerns about the confidentiality of a conversation, faculty and staff members should inform students of the faculty or staff member's duty to report.

B. Scope

The Honor Code applies to all students admitted to Texas Tech University School of Law. Students are responsible for their conduct at the law school; they also will be responsible for their off-campus and virtual and online conduct when the law school's programs, activities, or reputation, the student's ability to practice law, or the professional well-being of other School of Law students, faculty, or staff are implicated.

The Honor Code governs conduct related to integrity and academic endeavors at all times — from submission of an application for admission through graduation. If an Honor Code matter is pending when a student is scheduled to graduate, the student's degree may be withheld at least until the matter is resolved. An investigation may arise regarding a graduate when the conduct in question arose before graduation. A finding of a violation that occurred before a student graduated may result in the revocation of a degree previously awarded.

C. Relation to Student Code of Professional Conduct & University Code of Student Conduct

The Honor Code and the Student Code of Professional Conduct are two of the three codes that govern the conduct of law students at Texas Tech University. The third is the Texas Tech University Code of Student Conduct, which can be found in the University Student Handbook.

Law students are held to standards beyond those of other students at the University because they intend to enter a profession that has high expectations of character and ethical behavior.

The Honor Code and the Student Code of Professional Conduct set out guidelines and expectations for appropriate behavior and professional decorum; the Honor Code primarily governs academic

matters while the Student Code of Professional Conduct governs primarily non-academic matters. The Honor Code Investigator and the Honor Council typically resolve matters relating to the Honor Code, while the Dean's Delegate, typically the Associate Dean of Student Life, most often resolves matters involving of the Student Code of Professional Conduct.

The School of Law partners with the University in attempting to provide a disciplinary process to law students that addresses problem behavior fairly and respectfully. This Code typically will govern the conduct of law students in cases where the Honor Code and the University Code of Student Conduct might apply concurrently. The Dean will confer as necessary with appropriate University officials when questions arise concerning whether this Code, the University Code of Student Conduct, or both should apply.

2. CONDUCT SUBJECT TO SANCTION

The Honor Code addresses matters of academic dishonesty, based on the following principles that illustrate the rigorous demands of integrity required of students.

Principle One - A Law Student Should Always Act with Honor and Integrity in Matters Pertaining to Legal Education.

Principle Two - A Law Student Should Perform All Work in Academic Matters Honestly.

Principle Three - A Law Student Should Not Take Unfair Advantage in Academic Matters of Another Student, Faculty Member, Staff Member, or the Law School.

The following list includes, but is not limited to, acts that violate the Honor Code.

A. Cheating

A student cannot use or attempt to use unauthorized materials or sources in connection with any assignment, examination, or other academic exercise, or have another person do work for a class when not expressly authorized by the instructor. This includes copying another's work on an examination, assignment, or other academic exercise. Conduct of this kind typically violates Principle One, Principle Two, Principle Three, or a combination.

B. Improper Collaboration

A student cannot work with another person without express authorization from the supervising instructor or a sponsoring organization, such as a journal. This includes work done for an internal or external advocacy competition. Prohibited conduct may include talking about the assignment, assisting or receiving assistance with editing, or sharing research. Students cannot collaborate in any manner on the write-on competition for journals. Conduct of this kind typically violates Principle Two, Principle Three, or both.

C. Unfair Academic Advantage

A student violates this Code by intentionally causing a disadvantage to other students by failing to return needed library books, damaging or removing pages or materials from needed books such that others cannot use them, gaining unauthorized access to an examination before the examination period, continuing to work on an examination after time has been called, handing in another person's work as one's own for credit, or trying to duplicate from memory, photographs, or otherwise specific questions from an examination not intended for circulation to others. Other forms of unfair academic

advantage may be represented by taking, keeping, misplacing, damaging or altering property. This type of conduct may violate Principle Two, Principle Three, or both.

D. Deception and Misrepresentation

A student violates this Code by lying about or misrepresenting his or her work, academic records, credentials, or other academic matters or information. This includes, but is not limited to forging a signature on any document, forging letters of recommendation, falsifying externship or clinical documentation, falsifying pro bono records, falsifying class attendance rolls, or falsely claiming to be a licensed attorney. This type of conduct may violate Principle One, Principle Three, or both.

E. Electronic Dishonesty

A student cannot use a network or gain access to a computer inappropriately, in a way that affects a class or other students' academic work. A non-exhaustive list of examples include tampering with another student's account so that the student cannot complete or submit an assignment, stealing a student's work through electronic means, or knowingly spreading a computer virus or malware, impersonating another via electronic means, improperly accessing online accounts or data, and using a computer or device during class in a manner not authorized by the instructor in a way that affects other student's academic work. Conduct of this kind typically violates Principle Three.

F. Plagiarism

A student cannot represent the words or ideas of another as his or her own. The misrepresentation does not need to be intentional. It is oftentimes manifested by a failure to properly cite or acknowledge the words or work of others. Plagiarism includes, but is not limited to:

1. Quoting without citations or without appropriate punctuation, including quotation marks;
2. Paraphrasing without appropriate attribution;
3. Misrepresenting another's analysis, synthesis, organization, or compilation of sources as one's own; or
4. Using Internet sources without appropriate attribution, on the same basis as any other source.

Conduct of this kind typically violates Principle One, Principle Two, Principle Three, or a combination.

3. HONOR COUNCIL

A. Members

The Honor Council consists of five members: three full-time law faculty and two students. Each year, the Dean will appoint the faculty members, designating one as the Chair of the Honor Council. The Dean may also appoint two additional full-time faculty members as alternates. The Dean will arrange training for the members and alternate members of the Honor Council every year. Each faculty member will serve for the entire academic year and will continue until the Dean appoints a successor. Student members are elected by their peers. One must be a third-year student at the time of election and is elected by the third-year class. The other must be a second-year student at the time of election and is elected by the second-year class. The Dean may replace any faculty member who fails to serve or is otherwise unable to serve. If any student member fails to serve or is otherwise unable to serve, the Chair of the Honor Council may appoint a student from the same class year as the replaced student member, after consulting with the Student Bar Association and the Dean.

B. Quorum

A quorum of the Council consists of three members. At least two must be faculty members and at least one must be a student. A Council member who recuses himself or herself, or is otherwise unable to serve, may have a temporary replacement appointed, as described above.

C. Challenges

Council members who feel they are or may be biased in a particular case will recuse themselves from the hearing and consideration of the case. Previous enrollment of the student in question in a class taught by a faculty member on the Council is not in itself grounds for recusal. Any student accused of violating the Honor Code may challenge any Council member as biased and present facts and arguments to support the challenge. Members of the Council who have not been challenged will determine, by majority vote, whether the challenged member is recused. The Dean may appoint replacement Council members as described above to hear a challenge if fewer than three members are available to hear the challenge. Following any challenges, the Chair of the Council will reschedule the hearing if the remaining members do not conform to the quorum requirements above.

4. PROCESS

A. General Provisions

An Honor Council hearing is not a court proceeding, nor is it designed to imitate one. The proceeding provides an educational and non-adversarial process to resolve matters concerning academic misconduct and dishonesty. It is not governed by legal rules of evidence or rules of procedure in criminal or civil court. Students are expected to cooperate fully with matters connected to the allegation. Students may not retaliate against, harass, or threaten anyone participating in the process.

B. Honor Code Investigator

Each year, the Dean will appoint an Honor Code Investigator, typically a full-time faculty member, to conduct preliminary factual investigations of alleged violations of the Honor Code. The Dean may appoint multiple Honor Code Investigators in years when several suspected violations must be processed. The Investigator will report the findings of all investigations to the Dean.

If the Dean or the Investigator determines, at any point, that the Investigator has a conflict of interest or is unable to serve, the Dean will appoint another Investigator for that particular matter.

C. Referral and Investigation

Students or other members of the law school community may consult with the Honor Code Investigator, the Associate Dean for Student Life, or a faculty or staff member, about possible academic misconduct or dishonesty. When a student has reason to believe that a violation of the Code has occurred or will occur soon, he or she has a duty to report the matter to the Dean or the designated faculty Honor Code Investigator. If a student reports a suspected violation to a faculty or staff member and that person also has reason to believe that a violation of the Code has occurred or will occur soon, the faculty or staff member has a duty to report it to the Dean or the Honor Code Investigator.

If a student consults with a faculty or staff member, that faculty or staff member should report the concern to the Dean, the Honor Code Investigator or the Associate Dean for Student Life. Ultimately, the Honor Code Investigator will decide whether an investigation is necessary to determine whether probable cause exists to believe that the student has violated this Code.

At any time after receiving a referral, the Honor Code Investigator may consult with the Dean's Delegate to determine whether the matter should proceed under this Code, the Student Code of Professional Conduct, or both. This Code typically will be selected to resolve cases in which the academic issue dominates, and the Student Code of Professional Conduct typically will be selected to resolve cases in which an issue of professional behavior dominates. If the Delegate and the Investigator do not agree, they shall consult with the Dean (or the Dean's designee for this purpose), and the Dean will decide.

If the Honor Code Investigator decides that the allegation does not indicate a possible Honor Code violation, the Investigator will send a written report to the Dean to that effect. If the Dean believes that an investigation is necessary, the Investigator will begin an investigation to determine whether probable cause exists to believe that the student has violated this Code, as described below.

If the Honor Code Investigator decides that an investigation is necessary, the Investigator will conduct an investigation of the alleged conduct to determine whether probable cause exists to believe that a violation of this Code has occurred. The Investigator may contact the student who is the subject of the allegation as part of the determination of whether probable cause exists. As part of the investigation, the Investigator may, among other things, contact students and others about their alleged involvement, send an email message to the student body requesting individuals with information to come forward, or communicate with professors who have information regarding the allegations. During the investigation process, the Investigator will act with the utmost care to keep the identity of the involved students confidential.

Students have a duty to cooperate during the investigation process. Students also have an obligation to respond in a timely manner to communications related to the investigation. Failure to respond or cooperate during the investigation process may result in a violation of the Student Code of Professional Conduct.

D. Determination by Investigator

Following the investigation, if the Honor Code Investigator determines that no probable cause exists to believe that a violation occurred, the Investigator will close the matter and send a written report to the Dean to that effect. The Investigator will notify the student in writing of the determination and prepare a memorandum for the student's file that the student can use if ever asked about the matter.

If the Investigator determines that probable cause exists to believe that a violation occurred, the Investigator, after notifying the Dean, will then determine whether the matter should be sent to the Honor Council or if it qualifies for administrative disposition as described in Part 4.E. below. If the Investigator determines that the matter does not qualify for administrative disposition, the Investigator will transfer his or her file to the Honor Council, without including any findings of fact.

E. Administrative Disposition

The School of Law encourages students who have violated the Honor Code or Student Code of Professional Conduct to be honest in any investigation and hearing. The Honor Code Investigator may offer an administrative disposition in lieu of an Honor Council hearing when:

1. the allegation involves a less serious matter, such as a failure to disclose a legal or academic offense as required in the student's application for admission;
2. the key facts do not appear to be in dispute; and
3. the student acts with candor and is forthright during the investigation. A decision by the Investigator to offer administrative disposition or to refer a matter eligible for administrative disposition to the Honor Council is subject to review only by the Dean.

Purpose

An administrative disposition provides an avenue for students who have violated the Honor Code to admit their violations, agree to sanctions that will reconcile their standing at the School of Law, and avoid Honor Council hearings. If the Investigator offers an administrative disposition, a student may decide whether to accept it or proceed to an Honor Council hearing. By accepting an administrative disposition, the student agrees to waive any right to appeal.

Limitation

A student who has received an administrative disposition for an Honor Code violation previously cannot receive another for a subsequent violation.

Mitigating or Aggravating Factors

The Investigator may consider mitigating or aggravating factors in determining whether to offer an administrative disposition and in recommending what sanctions should be imposed.

The following non-exhaustive list provides examples of such factors.

1. **Pre-referral admission:** When a student voluntarily admits misconduct to the Investigator before learning that someone has referred the matter or is about to refer the matter, the Investigator may consider the admission as a mitigating factor.
2. **Other admissions:** An admission after a referral has been made may still have some mitigating value. However, a post-referral admission is not as strong a mitigating factor as pre-referral admission.
3. **Cooperation:** The Investigator may consider how cooperative the student was during the investigation process. This includes, but is not limited to, whether the student responded timely and respectfully to inquiries and requests for meetings, provided requested information, and dealt honestly with the Investigator and with others involved.
4. **Intent/discriminatory motive:** The Investigator may consider intent when recommending sanctions. A violation of the Honor Code that is malicious, willful, intentional, reckless, or grossly negligent may be an aggravating factor. Where conduct may be considered merely negligent, accidental, or careless, the sanction may be less severe. If a student violated the Honor Code and also directed the conduct intentionally toward a person or group because of race, color, religion, age, national origin, ancestry, disability, gender, sexual orientation, gender identity, gender expression, status as a protected veteran, marital, or parental status of the targeted group or person, the Investigator may find the discriminatory motive to be an aggravating factor in recommending sanctions.
5. **Degree of harm or seriousness of offense:** The degree of harm to others and the seriousness of the violation are relevant factors in recommending sanctions.
6. **Prior violations:** The Investigator may consider prior violations of the Honor Code or the Student Code of Professional Conduct as aggravating factors.
7. **Willingness to make restitution:** The Investigator may consider a student's willingness to make restitution. Restitution may include compensation for loss, damage, or injury, in the form of appropriate service or monetary or material replacement.

Notification

If the Investigator determines that the student qualifies for an administrative disposition, the Investigator will inform the student in writing. The writing will notify the student that accepting an administrative disposition constitutes an admission that the student violated the Honor Code. The notice will include findings of fact, a description of the appropriate

sanction or sanctions, and a letter of admonishment from the Dean. The notice will also inform the student that if he or she does not accept the offer of an administrative disposition, the matter will be referred to Honor Council. The student will have ten business days from receiving written notice to accept or reject the offer and must do so in writing. If a student refuses to accept the offer, the Investigator will transfer the file to the Honor Council, without including any findings of fact.

Exceptions for Inaccurate Disclosure on Application for Admission

If the alleged violation involves an inaccurate disclosure on the Application for Admission, the Investigator cannot initiate any administrative disposition until the School of Law's procedure for initial consideration of these matters has been completed.

F. Notice of Hearing

After the Investigator transfers the file, the Chair of the Honor Council will notify the student in writing of the allegation or allegations, the time set for the hearing, and the procedure that the Honor Council will follow. Students may request that witnesses provide information for them to the Council. The Chair will inform the student in writing of any witnesses the Council intends to call.

G. Hearing

At the hearing, the student may question any witnesses called by the Honor Council. The student may make a statement on his or her behalf, but the student may choose to remain silent. If the student offers a statement, members of the Council may question the student.

A student cannot be represented by an attorney or other person at the hearing. A student is free to retain counsel who can be present at the hearing, but cannot participate in the proceeding. The student, however, can confer with counsel outside the hearing room. A member of the Texas Tech University faculty, staff, or student body cannot serve as counsel for any student during any process under this Code.

The Honor Council hearing may be recorded (limited to audio recording) if the student requests this at least 24 hours before the hearing.

H. Determination by Honor Council

The Honor Council will determine whether the student violated the Honor Code, based on clear and convincing evidence. The Council may find a violation based on a student's intentional, knowing, reckless, or negligent act.

If the Council finds no violation of this Code, the Chair of the Honor Council will issue a report to that effect to the student, the Honor Code Investigator, and the Dean. Absent exigent circumstances, the report should be issued within two weeks of the hearing.

If the Council finds a violation, it will then determine the appropriate sanction or sanctions to recommend to the Dean. A majority of the Council members present must vote affirmatively to find that a violation of the Honor Code has occurred and to select one or more sanctions to recommend to the Dean.

The Honor Council may consider mitigating and aggravating factors, a non-exhaustive list of which appears in Part 4.E. above, in determining which sanction or sanctions to recommend to the Dean.

Following a hearing, the Chair of the Honor Council will issue findings of fact, the Honor Council's decision, and the recommended sanction or sanctions. Absent exigent circumstances, these documents should be provided to the student and the Dean within two weeks of the hearing.

I. Failure to Appear

Students who fail to attend their scheduled Honor Council hearings forfeit their right to respond, absent some extenuating circumstance as determined by the Honor Council. If the student fails to attend or fails to respond to requests to participate, the Honor Council may proceed to determine whether the student violated this Code and recommend one or more sanctions to the Dean.

5. SANCTIONS

For any violation of the Honor Code, the Honor Council may recommend one or more of the following sanctions that it considers appropriate. These options are not exhaustive.

1. Expulsion from the School of Law;
2. Suspension from the School of Law;
3. Suspension or revocation of a degree, certificate, recognition, or other award conferred by the School of Law;
4. Satisfaction of additional work in the School of Law for graduation not to exceed a total of 15 additional hours (e.g., taking additional courses in a subject area);
5. Written letter of reprimand from the Dean that will be placed in the student's permanent file;
6. Educational or restorative sanctions to include, but not limited to, a research project, a letter of apology, or counseling;
7. Disciplinary probation. Disciplinary probation is distinct from academic probation. It is a period prescribed by the Investigator (as part of an administrative disposition) or by the Honor Council during which time conditions imposed as sanctions must be met or during which time the student's behavior will be subject to review. The conditions of disciplinary probation may be varied, depending on the circumstances.

Each year, the Chair of the Honor Council will publish a summary of cases heard in which violations were found and sanctions imposed. Names of offenders will not be revealed. The Chair will not report summaries of cases heard in which the Council found no violations. The Chair of the Honor Council will not include administrative dispositions in the report. For years in which three or fewer cases must be reported, the Chair of the Council may delay reporting and include the summaries in the report for the next year, to help protect the identity of the students involved.

6. REVIEW

If the student consents to the sanction or sanctions recommended by the Honor Council, the Dean shall impose the recommended sanction or sanctions and send written notice to the Honor Code Investigator and to the Chair of the Honor Council. The Investigator shall forward a copy of the notice to the student and to any other necessary persons.

If the student does not consent, the student may submit a written request for a review by the Dean, asking the sanction or sanctions be reduced or vacated and including the reasons for the request. This statement will be submitted to the Dean no later than 30 calendar days from the date of the Council's report to the Dean and the student.

The Dean may impose, modify, or vacate any sanction recommended, but cannot increase the severity of a sanction. The Dean cannot modify or vacate the finding of a violation of this Code made by the Honor Council, except when the Dean determines that the Council's finding is clearly erroneous. If the Dean finds such an error, the Dean will include the basis for this determination in his or her decision. The Dean will send notice of his or her decision to the student, the Honor Code Investigator, and the Chair of the Honor Council.

There is no further right to appeal or review within the University.

7. RECORD KEEPING AND REPORTING

The Registrar will record the findings of the Honor Council and the Honor Code Investigator, in the case of an administrative disposition. If a violation was found, the Registrar will also record the sanction or sanctions imposed by the Dean. The Registrar will ensure the record is kept in the appropriate law school files.

The School of Law will report all matters in which the Honor Code Investigator determined that probable cause existed to believe that a violation of this Code occurred to the extent required by the Texas Board of Law Examiners (BLE) or similar authorities in other states, regardless of whether violations of this Code were found. Students found to have violated the Honor Code will likely face a formal hearing before the BLE or similar authorities in other states to determine the students' character and fitness to practice law.

APPENDIX C - STUDENT CODE OF PROFESSIONAL CONDUCT

1. INTRODUCTION

A. Preamble

Students of Texas Tech University School of Law are expected to maintain the highest ideals of academic and social conduct. The purpose of the Student Code of Professional Conduct is to ensure students maintain high standards of professionalism in all local, state, national, and international communities, interact with School of Law students, faculty, staff, and community with the utmost respect, and represent the School of Law in a dignified manner. This Code also serves a pedagogical purpose, connecting law-student behavioral expectations to professional behavioral expectations for lawyers and legal professionals.

It is important students understand what will be expected of them when they become lawyers. The Rules of Professional Conduct, published by each state's respective bar, describes these expectations. This Code is intended to parallel the expectations and professional behavior of a practicing attorney.

B. Scope

The Student Code of Professional Conduct applies to all students admitted to Texas Tech University School of Law. Students are responsible for their conduct at the law school and the University; they also will be responsible for their off-campus and virtual and online conduct when the law school's programs, activities, or reputation, the student's ability to practice law, or the professional well-being of other School of Law students, faculty, or staff are implicated. This Code applies as well to the actions of law school student organizations. References to students in this Code include student organizations.

This Code governs conduct at all times — from submission of an application for admission through graduation. An investigation may arise regarding a graduate when the conduct in question occurred before graduation. If a Student Code of Professional Conduct matter is pending when a student is scheduled to graduate, the student's degree may be withheld at least until the matter is resolved.

C. Relation to the Honor Code & University Code of Student Conduct

The Student Code of Professional Conduct and the Honor Code are two of the three codes that govern the conduct of law students at Texas Tech University. The third is the Texas Tech University Code of Student Conduct, which can be found in the University Student Handbook. Law students are held to standards different from those of other students at the University because they intend to enter a profession that has its own stated expectations of character and ethical behavior.

The Honor Code and the Student Code of Professional Conduct set out guidelines and expectations for appropriate behavior and professional decorum; the Honor Code primarily governs academic matters while this Code governs primarily non-academic matters. The faculty Honor Code Investigator and the Honor Council typically resolve matters relating to the Honor Code, while the Dean's Delegate (typically the Associate Dean of Student Life) most often resolves matters involving the Student Code of Professional Conduct.

The School of Law partners with the University in attempting to provide a disciplinary process to law students that addresses problem behavior fairly and respectfully. This Code typically will govern the conduct of law students in cases where the Student Code of Professional Conduct and the University Code of Student Conduct might apply concurrently. The Dean will confer as necessary with appropriate University officials when questions arise concerning whether this Code, the University Code of Student Conduct, or both should apply.

2. PROFESSIONAL CONDUCT VIOLATIONS

Lawyers are held to high standards of personal and professional behavior. As such, law students are expected to conduct themselves in a manner that is professional, dignified, and respectful, befitting the requirements of good character and fitness to practice law. When a student applies for admission to the Bar, the Dean (or designee) must certify that student's good character and fitness. The following non-exhaustive list provides illustrations of conduct that may violate this Code.

A. Policy Violations

A student who violates any other School of Law or Texas Tech University published policies, rules, or regulations may violate this Code.

B. Legal Violations

A student who violates or is convicted of any federal, state, local law, ordinance, or regulation may violate this Code. Prosecution for criminal acts on or off campus will not preclude action by the School of Law if such acts also violate this Code.

C. Disruptive Conduct

A student who engages in conduct that disrupts the normal operation or educational mission of the School of Law, its students, faculty, staff, or guests may violate this Code. Normal operations include, but are not limited to, studying, teaching, research, disciplinary procedures, or fire, police, or emergency services.

D. Harmful or Threatening Behavior

A student may violate this Code by engaging in conduct that harms, threatens, or endangers the physical or emotional health or safety of self and others, including but not limited to:

1. **Assault:** causing physical harm to another individual. Causing physical contact with another when the student knows or should reasonably believe that the other will regard the contact as offensive or provocative.
2. **Harassment:** engaging in behavior that is sufficiently severe, pervasive or persistent as to create an objectively hostile environment that interferes with or diminishes the ability of an individual to participate in or benefit from the services, activities, or privileges provided by the School of Law;
3. **Bullying or cyberbullying:** engaging in repeated or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally.

E. False Reports

A student may violate this Code by making a false report against a member of the School of Law community alleging a violation of this Code, local, state, or federal law.

F. Failure to Comply with Official Requests

A student may violate this Code by failing to comply with requests or directives of School of Law officials acting within the scope of their duties.

G. Violation of Professional Duties

A student may violate this Code by failing to uphold professional or fiduciary obligations including, but not limited to, performance related to clinical programs, student-bar association activities, leadership in student organizations, maintenance of financial records, and pro bono activities.

H. Failure to Comply with Official Sanctions or Directives

A student may violate this Code by failing to comply with the sanctions or directives issued by the Dean, the Honor Council, the Honor Code Investigator, the Dean's Delegate, or another official of the School of Law or Texas Tech University.

I. Financial Default

A student may violate this Code by defaulting on any financial obligations to the School of Law or Texas Tech University without making payment arrangements in a timely manner.

J. Repeated Unprofessional Conduct

A student may violate this Code by engaging in repeated incidents of unprofessional behavior. While one event alone may not constitute a violation, repeated incidents may rise to the level of a violation of this Code when the behavior raises a question about a student's character and fitness.

K. Other Unprofessional Conduct

A student may violate this Code by engaging in other unprofessional conduct including, but not limited to, using obscenities or using degrading, abusive, or offensive language or gestures, except when discussing such matters from an academic perspective. This Code parallels what is expected of law students once they become practicing attorneys.

3. PROCESS

A. General Provisions

Proceedings under this Code are intended to be part of a non-adversarial process to resolve matters relating to a student's conduct or professionalism. As such, a student or organization cannot be represented by an attorney or other person at the educational conference or any other proceeding under this Code. A student or organization is free to retain counsel who can be present at a proceeding, but who cannot participate in the proceeding. The student or representatives of the organization, however, can confer with counsel outside the conference room or other proceeding. A member of the Texas Tech University faculty, staff, or student body cannot serve as counsel for any student or organization during any process under this Code.

B. Referral & Determination to Investigate

1. Referral. Students, as well as other members of the law school and University communities, may consult with the Dean's Delegate about a possible violation of this Code.
2. Determination to Investigate. During or following the referral consultation, the Dean's Delegate may informally contact the student or organization to ascertain whether an investigation is necessary to determine if probable cause exists to believe that a student or organization has violated this Code.

If the Dean's Delegate determines that no investigation is necessary, the matter will be closed, and the Delegate shall prepare a report for the Dean of this determination. The Delegate shall send a copy of the report to the student or organization (including the organization's faculty advisor). The person consulting with the Dean's Delegate may request review by the Dean of the determination not to investigate. If the Dean deems it appropriate, the Dean's Delegate will conduct an investigation as described below. If the Dean's Delegate determines that an investigation is necessary, the Delegate shall commence the investigation as promptly as the circumstances permit. The Delegate shall give written notice of the investigation to the subject student or organization (including the organization's faculty advisor). The notice shall include a brief statement of the

nature of the matter together with a brief summary of the procedures under this Code. Notice ordinarily shall be given prior to commencing the investigation, but may be given after commencement of the investigation if, in the Delegate's opinion, exigent circumstances exist.

C. Interim and Other Administrative Actions

At any time after receiving a referral, the Dean's Delegate may take any of the following interim and administrative actions.

- 1. Interim Action.** If the Dean's Delegate believes that exigent circumstances exist, the Delegate may take interim action while the process under this Code is pending. In the case of a student, exigent circumstances include evidence that the student (i) represents a threat of serious harm to himself or herself, to others, to the property of others, or to the normal operations of the School of Law; or (ii) faces allegations of a serious criminal activity.

In the case of a student, interim action may include restrictions placed on the student or separation of the student from the law school community. In the case of an organization, interim action may include the suspension of an organization's activities. Interim action is not a sanction. Instead, it is an effort to protect the safety and well-being of the student involved and the School of Law community.

If circumstances permit, the Delegate will provide written notice to the student or organization of the decision to impose an interim action. Otherwise, the Delegate will communicate the decision orally to be followed by written notice. The interim action will be effective immediately, and will remain in effect until a final determination has been made or until the Delegate determines that the reasons for imposing the interim action no longer exist. Failing to comply with interim action restrictions may result in an additional violation of this Code.

A student or an organization subjected to interim action may seek review of the action by the Dean. If the Dean determines that the circumstances of the matter do not require interim action, the Dean's Delegate will remove the restrictions placed on the student or organization.

- 2. Referral to Honor Code Investigator.** The Dean's Delegate may consult with the Honor Code Investigator to determine whether the matter should proceed under this Code, the Honor Code, or both. The Honor Code typically will be selected to resolve cases in which an academic issue dominates, and this Code typically will be selected to resolve cases in which an issue of professional behavior dominates. If the Delegate and the Investigator do not agree, they shall consult with the Dean (or the Dean's designee for this purpose), and the Dean will decide.

If the determination is that the matter should proceed under the Honor Code, whether in lieu of or in conjunction with a proceeding under this Code, the Investigator will proceed with the referred matter in accordance with the provisions of the Honor Code.

- 3. Special Appointment for Professional Conduct.** If the Dean's Delegate does not have a J.D. and determines that the matter involves primarily an issue relating to professionalism, the Delegate shall consult with the Dean (or the Dean's designee for this purpose), and the Dean may appoint a person with a J.D., who shall be a faculty or staff member, to act in the place of the Delegate. In such instance, the Delegate will serve as a resource to the appointee and may assist in the conduct of any educational conference, but the appointee will make all determinations allocated to the Delegate under this Code, including whether a violation has occurred, and, if so, recommending one or more sanctions to the Dean.
- 4. Special Appointment for Possible Serious Sanctions.** If the Dean's Delegate believes at any time that the matter appears serious enough that a determination of a violation may result in

a recommendation of suspension or expulsion, the Delegate shall consult with the Dean (or the Dean's designee for this purpose) and the Dean may appoint an Advisory Committee to act in the place of the Delegate. The Advisory Committee will consist of two faculty members and one student. If an Advisory Committee is appointed, the Delegate will serve as a resource to the Committee and may assist in the conduct of any educational conference, but the Committee will make all determinations allocated to the Delegate under this Code, including whether a violation has occurred, and, if so, recommending one or more sanctions to the Dean.

D. Investigation & Probable Cause Determination

Following a determination to investigate under Part 3.B., the Dean's Delegate will conduct a factual investigation of the alleged conduct to determine whether probable cause exists to believe that a violation of this Code has occurred. The Delegate may, among other things, contact students and others about their alleged involvement, send an email message to the student body requesting individuals with information to come forward, or communicate with professors who have information regarding the allegations. Students have a duty to cooperate during the investigation process. Students also have an obligation to respond in a timely manner to communications related to the investigation. During the investigation process, the Delegate will act with the utmost care to keep the identity of the involved students confidential.

If the Delegate determines after an investigation that no probable cause exists to believe that a violation of this Code has occurred, the Delegate will prepare a memorandum to that effect for the Dean and dismiss the matter. The Delegate shall send a copy of the memorandum to the student or organization (including the organization's faculty advisor).

If the Dean's Delegate determines instead that probable cause exists to believe that the student or organization violated this Code, the Delegate will hold an educational conference with the student or organization, as described in Part 3.E.

E. Educational Conference & Determination of Violation

1. **Notice & Nature of Conference.** Following a determination of probable cause, the Dean's Delegate shall give written notice to the student or organization (including the organization's faculty advisor) and schedule a time for an educational conference. During the educational conference, the Delegate and the student or the organization's representatives will discuss the relevant sections of this Code and the nature of the conduct that is the basis for the violation. The Dean's Delegate will summarize the information gathered during his or her investigation and give the student or organization a reasonable opportunity to respond.
2. **Further Investigation or Conferences.** Following the response, the Delegate may determine that further investigation or educational conferences or both would be appropriate. In that instance, the Delegate shall conduct such further investigation and schedule such further conferences as the Delegate deems necessary.
3. **Evidentiary Standard & Culpability.** If the Delegate determines that no further investigation is necessary, or following such further investigation and conferences as the Delegate deems necessary, the Delegate shall determine whether it is more likely than not that a violation has occurred. The Delegate may find a violation based on a student's intentional, knowing, reckless, or negligent act.
4. **Determination.** If the Delegate determines that it is more likely than not that no violation occurred, the matter will be closed and the Delegate will advise the student or the organization (including the organization's faculty advisor) in writing of this determination. The Delegate shall prepare a report for the Dean of the findings and the determination of no violation as provided in Part 6., and shall forward a copy of the report to the student or organization (including the organization's faculty advisor).

If the Delegate determines that it is more likely than not that the student violated this Code, and after taking into account any mitigating or aggravating factors as provided in Part 3.G., the Delegate will recommend the sanction or sanctions the Delegate deems appropriate as provided in Part 4. The Delegate will advise the student or the organization (including the organization's faculty advisor) in writing of this determination and the recommended sanctions. The Delegate shall prepare a report for the Dean of the findings, the determination of a violation, and any recommended sanctions as provided in Part 6., and shall forward a copy of the report to the student or organization (including the organization's faculty advisor).

F. Failure to Appear

A student or an organization that fails to attend an educational conference will forfeit the right to respond, absent some extenuating circumstance. If the student or organization fails to attend or fails to respond to requests to participate, the Dean's Delegate may proceed to recommend a sanction.

G. Mitigating or Aggravating Factors

The Dean's Delegate may consider mitigating or aggravating factors in recommending sanctions. The following non-exhaustive list provides examples of such factors.

1. **Pre-referral admission:** When a student or organization voluntarily admits misconduct to the Dean's Delegate before learning that someone has referred the matter or is about to refer the matter, the Dean's Delegate may consider the admission as a mitigating factor.
2. **Other admissions:** An admission after a referral has been made may still have some mitigating value. However, a post-referral admission is not as strong a mitigating factor as pre-referral admission.
3. **Cooperation:** The Dean's Delegate may consider how cooperative the student or organization was during the process. This includes, but is not limited to, whether the student or organization responded timely and respectfully to inquiries and requests for meetings, provided requested information, and dealt honestly with the Dean's Delegate and those involved with the process.
4. **Intent/discriminatory motive:** The Dean's Delegate may consider intent when recommending sanctions. A violation of this Code that is malicious, willful, intentional, reckless, or grossly negligent may be an aggravating factor. However, where conduct may be considered merely negligent, accidental, or careless, the sanction may be less severe. If a student or organization has violated this Code and also directed the conduct intentionally toward a person or group because of race, color, religion, age, national origin, ancestry, disability, gender, sexual orientation, gender expression, gender identity, status as a protected veteran, marital, or parental status of the targeted group or person, the Dean's Delegate may find the discriminatory motive to be an aggravating factor in recommending sanctions.
5. **Degree of harm or seriousness of offense:** The degree of harm to others and the seriousness of the violation are relevant factors in recommending sanctions.
6. **Prior violations:** The Dean's Delegate may consider prior violations of the Honor Code or this Code as aggravating factors.
7. **Willingness to make restitution:** The Dean's delegate may consider a student's or organization's willingness to make restitution. Restitution may include compensation for loss, damage, or injury; in the form of appropriate service or monetary or material replacement.

4. SANCTIONS

For any violation of this Code, the Dean's Delegate may recommend to the Dean one or more sanctions that the Delegate considers appropriate. The following list of options is not exhaustive. All sanctions imposed will be included in the student's file.

1. Written reprimand.
2. Letter of apology or explanation of conduct.
3. Restorative sanctions including, but not limited to, a reflective paper, community service, or counseling.
4. Disciplinary probation, which is a prescribed period during which conditions imposed as sanctions must be met or during which time the student's conduct will be subject to review.
5. Sanctions for student groups may include any of the above for individuals of the group. In addition, the School of Law may suspend the group's recognition, funding, or both.
6. Suspension from the School of Law for one or more semesters.
7. Expulsion from the School of Law.

Typically, only an Advisory Committee, acting in the place of the Dean's Delegate as described in Part 3.C.4 above, would recommend the sanctions of suspension and expulsion.

5. REVIEW

If the student consents to the sanctions to be imposed, the Dean shall impose the recommended sanction(s) and send written notice to the Dean's Delegate. The Delegate shall forward a copy of the notice to the student or organization (including the organization's faculty advisor) and to any other necessary persons.

If the student does not consent, the student may request in writing a review by the Dean, asking that the sanction or sanctions be reduced or vacated. The student must include reasons for the request and must submit it to the Dean no later than 30 calendar days from the date of the Delegate's report to the Dean and the student. The Dean may impose, modify, or vacate any sanction recommended, but may not increase the severity of a sanction. The Dean will notify the Dean's Delegate of his or her decision, and the Delegate will then notify the student and any other necessary persons.

There is no further right to appeal or review within the University.

6. RECORD KEEPING AND REPORTING

The Dean's Delegate will record the findings, determination, and sanction(s) and will ensure that the record is filed in the student's permanent file.

The School of Law will report all investigations of alleged violations to the extent required by the Texas Board of Law Examiners (BLE) or similar authorities in other states, regardless of whether violations of this Code were found. Students found to have violated the Student Code of Professional Conduct will likely face formal hearings before the BLE or similar authorities in other states to determine the students' character and fitness to practice law.