

Texas Tech University School of Law

Student Handbook



Message from SBA President Jaime Peebles

Class of 2019,

Today, each of you are taking the first step towards living the noble and awesome life of a lawyer. Over the next three years at the Texas Tech University School of Law, you will be surrounded by brilliant professors, helpful and considerate faculty members, and ambitious law students. I encourage you to visit each one of your professors as frequently as possible, reach out to the supportive faculty members, and join student organizations with your peers. Building all of these connections will lead you towards achieving great success and happiness in your legal education and your career.

While the ins and outs of different legal subjects is exactly what your syllabus says you will learn, studying the law will teach you something incredible. The most important thing to learn through your legal education is the ability to “think like a lawyer.” One who “thinks like a lawyer” analyzes the world around them and is able to conceptualize why things are the way they are. As you learn more and more, you will begin to analyze and understand the way things work. The value of this profound way of thinking is immeasurable. Throughout your legal education, I hope you learn as much as you can about the law, and I challenge you to “think like a lawyer” as often as possible.

“When faced with a large project, remember you move a mountain one stone at a time.”

—Catherine Pulsifer

Learning the law will require you to learn an amount of information that is larger than the entirety of your prior education. To accomplish this task, you will have to read thousands of pages, thousands of cases, and thousands of legal rules. Simply put, law school will be like moving a mountain, so always focus on moving one stone at a time. 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 completing all you have in front of you is impossible. During those times, remind yourself to move your mountain one stone at a time and you will make it possible.

Each of you came here for different reasons. You may be here because you want to help other people, make a lot of money, pursue an honorable career, or change the world. Whatever your goal is, remember it, write it down, and keep it in the front of your mind. Use that goal to push yourself further and farther than you have ever been. Every page you read, every early morning and late night in the library, and every bit of work you do will bring you one step closer towards achieving that goal.

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 “think like a lawyer”, move your mountain one stone at a time, and achieve every one of your goals.

Jaime Peebles

President, Student Bar Association

Class of 2017

Mission Statement

The mission of Texas Tech University School of Law is to educate and train individuals for the ethical practice of law in the 21st century; to engage in productive, effective scholarship, both within our academic community and within the larger academic community throughout our state and nation; and to render public service.

Vision Statement

To be a premier student-centered law school developing effective, ethical lawyers and leaders for Texas and for the diverse world of the 21st century.

About Texas Tech University School of Law

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 over 8,000 students, including the first woman to head a major federal law enforcement agency, the Army’s highest-ranking legal officer, general counsel 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, nine dual-degree programs, four concentration programs, a regional externship program, a nationally recognized legal-practice program, a publicservice graduation requirement, an innovative leadership program, and a nationally competitive advocacy program that boasts 38 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 in two of the past five 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.

Guiding Documents

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 (This document), Honor Code (Appendix B), and law-school policies posted online (<http://www.law.ttu.edu/policies/>);
2. The Texas Tech University Code of Student Conduct (<http://www.depts.ttu.edu/studentconduct/conductcode.php>);
3. The Texas Tech University Operating Policies and Procedures (<http://www.depts.ttu.edu/opmanual/>);
4. The Texas Tech University School of Law Catalog (<http://www.depts.ttu.edu/officialpublications/>); and
5. The Texas Tech University Undergraduate/Graduate Catalog (<http://catalog.ttu.edu>)

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 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.¹ 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.

Important Notice Regarding the Guiding Documents

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 Honor Code. 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 Tech Law Honor Code and the Code of Student Conduct.

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.

¹ <http://www.law.ttu.edu/policies/>

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.

Academic Standards

In February of 2015, the Tech Law faculty voted to amend the academic standards of Texas Tech University School of Law. All students entering in or after July 2015 are subject to the new academic standards. Please refer to Appendix C for the Revision to Academic Standards for Tech Law.

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.²

The Associate Dean for Student Life will notify the Law School Assistant Dean and Registrar 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.

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. We encourage students to read all TechLawAnnounce messages.

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 (<https://appserv.itts.ttu.edu/EmergencyAlert/>).

Please visit <http://www.law.ttu.edu/contact/> 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. 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).

² See Student Disability Rights and Responsibilities (Appendix A)

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.

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:

Texas Lawyers Assistance Program

(800) 343-8527

<http://www.texasbar.com/tlap>

TTUHSC Student Health Services Appointment Line

(806) 743-2848

Texas Tech University Red to Black Program (Credit and Financial Counseling)

(806) 742-9781

Texas Tech University Student Counseling Center

(806) 742-3674

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

Texas Tech University 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 <http://www.depts.ttu.edu/scc/>.

Events Calendar

Major Law School events are posted on the Master Event Calendar. Faculty, staff, students, and student organizations may request to post their upcoming events to the Master Event Calendar (<https://calendar.law.ttu.edu/MasterCalendar/MasterCalendar.aspx>). 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 <http://www.texastech.com>. Many events are free to students 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 1:15 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 10 p.m. - 4 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 academic 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 four automatic teller machines 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 <http://www.ttuhs.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 the Law School's Associate Dean for Student Life (Lanier Center Room 251).

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 (<http://www.depts.ttu.edu/hospitality/>).

Insurance Programs. Information on property and health insurance programs for students is available at orientation. Information about health insurance is also available at www.academichealthplans.com/ttu.

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 <http://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); <http://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 <https://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 <http://www.depts.ttu.edu/diversity/mvp/>.

Law Student Organizations

American Bar Association, Law Students Division
Asian Law Students Association
Black Law Students Association
Board of Barristers
Business & Bankruptcy Law Association
Business & Bankruptcy Law Journal
Christian Legal Society
Criminal Law Association
Delta Theta Phi
Energy Law Interest Group
Environmental Law Society
Estate Planning Law Society
Estate Planning & Community Property Law Journal
Family Law Society
Federalist Society
Health Law Student Association
Hispanic Law Students Association
Immigration Law Association
Intellectual Property Students Association
International Law Society
J. Reuben Clark Society
Jewish Law Students Association

Journal of Biosecurity, Biosafety, and Biodefense Law
Lavendar Law Association
Law & Technology Association
Longhorn Bar Association
Organization of Women Law Students
Personal Financial Planning Legal Society
Phi Alpha Delta
Phi Delta Phi
Red Raider Bar Association
Roo Bar Association
Sports & Entertainment Law Society
Student Animal Legal Defense Fund
Student Bar Association
Student Recruitment Council
Tech Law Hunting & Fishing Club
Tech Law Mentors
Tech Law Military Association
Texas Aggie Bar Association
Texas State Bar Association — Student Representative
Texas Tech Administrative Law Journal
Texas Tech Law Review
The Texas Bank Lawyer

Honorary Organizations

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. Students who perform at least double the number of required hours by graduation will be recognized for their outstanding service. Please contact the Office of Student Life (Room 251) for more information.

Student Outside Employment

Approved By The Law Faculty (November 5, 2014)

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.

Student Disability Rights and Responsibilities

After being approved and granted accommodations for your disability, you need to be aware of the rights you have regarding these accommodations. Likewise, you also need to understand your responsibilities that go with the accommodations.

Rights

It is your right to have your letter of accommodation (referred to hereafter as LOA) sent to any and all instructors via the Student Disability Services (secure) online system. You may not need all accommodations for every class, but any professor that you will need an accommodation from **must** receive the LOA, so you must choose to have it sent.

It is your right not to use your LOA (or choose to have it sent to your faculty members) 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 your faculty members each semester. Once this is complete, it is also your responsibility to meet with each professor preferably during the first week of class, or within one week of receiving your Letter of Accommodation if it is during the semester, to review your LOA. **The LOA becomes effective once the professor receives it and you have discussed the accommodations needed, and the LOA is not retroactive.**

Students' acceptance to Student Disability Services has no affect 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 by making an appointment with a counselor. 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 require an alternative test location or extra time on examinations, professors are able to choose to use the Academic Testing Services (ATS) office or to test you within the department. If the ATS office is chosen, then it is your responsibility to arrange for this accommodation through the Academic Testing Services office and follow their requirements. ATS is a separate department and has specific procedures that must be followed. Be sure to make note of their due date for Academic Testing Forms, and if you do not meet the deadline you will be ineligible to take your final in ATS. Additionally, remember that you must communicate with your faculty members in relation to coordination of testing. Be sure to double check with the ATS office to ensure that your test has been delivered prior to testing time. You will receive reminder emails from Academic Testing Services; it is your responsibility to check your email and respond to the ATS office in a timely and responsible manner.

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.

For Brailing Services: Requests for brailing services must be completed two weeks prior to the date that the material is needed. It is the student's responsibility to provide this office with any and all materials needing to be brailled. Likewise, it is the student's responsibility to deliver and pick up completed materials from the Student Disability Services office.

The Honor Code

Preamble

Recognizing That

Those who embark upon the legal profession have chosen to be judged by a high standard of personal honor and the ethical principles of that profession;

The governing principle of conduct for members of the legal profession is individual adherence to the highest ethical standards to assure that the public trust in the legal profession is never compromised or questioned;

Fulfilling the responsibilities of the legal profession ultimately depends on the conduct and beliefs of its individual members;

Integrity and conduct beyond reproach are essential attributes for persons preparing for entry into the legal profession;

Fulfilling the responsibilities of the Honor System ultimately depends on the conduct and beliefs of the individual students at the Texas Tech University School of Law; and

The Honor System has existed as an unwritten Code of Conduct for students at the Law School since the School began.

Now Therefore

To set forth the requirements of the Honor System, its violations, sanctions, and enforcement, this Honor Code is promulgated in written form.

I. Principles of Conduct Interpretive Comment

When being applied, this Honor Code should be interpreted in light of the broader principles of the Honor System. A breach of any Principles of Conduct of this Code is a violation of the Honor System of the School of Law. Examples in the Explanatory Comment of the Principles illustrate types of conduct that are clear violations of the Code. In this Code, as in the Code of Professional Responsibility governing conduct of attorneys, it is impossible to define each type of conduct that could be a violation. Moreover, specific definition is undesirable because the Honor Code could then be treated as a set of self-contained rules which invite interpretation and application of the Code by a search for loopholes. In that event the emphasis would be on the form rather than the substance of the Principles. The enumeration of specific examples is not intended to be exclusive, and an example may apply to more than one Principle. The test for determining whether a violation occurred is whether a reasonably prudent person would conclude that a violation has occurred.

The heart of the Honor System is that individuals bound by the system can operate among themselves in an atmosphere of mutual confidence and trust. Violations of the Honor Code should not be tolerated by any persons, but especially not by those who are bound by the Honor System.

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

Explanatory Comment: This Principle emphasizes that a law student must engage in conduct beyond reproach at all times. This in turn requires self-awareness and self-discipline during an individual's legal education. The First Principle also emphasizes that the law student should be careful in his or her conduct not only with respect to persons at the Law School. Principle One also covers failure to report a violation of the Honor Code and failure to appear in any proceedings held according to this Honor Code. The Principle merely restates the fact that the law student's conduct is under scrutiny by those within the Law School and university. As viewed by the public, a law student's conduct reflects on the Law School, the university, and the legal profession in general.

The First Principle reaches more obvious examples of dishonest behavior. These would include lying, cheating, stealing, or deceiving others in any aspect of the student's relationship with the Law School and the university. Other matters covered would include providing false information for university records; submitting inaccurate time sheets for courses which rely on them for credit such as clinical programs, moot court, or law review; submitting inaccurate time sheets for employment purposes; falsifying grades or class rank on a resume; handing in a memorandum or brief prepared by an employer for the student's research credit; and disclosing matters that are confidential under this Code.

A student's failure or refusal to admit or confess a violation of the Honor Code is not itself a violation of the Code. A student's response to any official inquiry conducted under this Code may not be used as a basis for charging that student with prior failure to report a violation of the Code.

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

Explanatory Comment: The Second Principle is a prohibition of any form of academic dishonesty. What constitutes

academic dishonesty may vary depending on the work required by a course. Examinations are presumptively closed book and are to be completed without the use of any outside materials or any help from others. Research papers for a course, on the other hand, presumably may be discussed and talked over with other students or persons. But in all cases, the final product must be the individual student's effort. If any doubt exists concerning authorized source materials, consultation or cooperation with others, or any other matter concerning any assignment, the student should contact the person making the assignment for clarification.

Examples of academic dishonesty which would violate the Second Principle include: a) copying another's examination answer; b) using unauthorized material on an examination during an examination period; c) talking about the examination with other students during the examination period; d) permitting another to use or copy an answer to an examination question; e) beginning an examination before the stipulated time or working on an examination after the conclusion of the examination period; f) taking or gaining access to an examination before the time one is scheduled to take the examination; g) handing in another person's work as one's own for credit; h) using all or part of another person's research paper as one's own for credit; and i) taking an examination for another person.

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

Explanatory Comment: Principle Three reaches conduct intended to give one student an advantage not equally available to all persons. It encompasses failing to return needed library books, cutting articles from books or periodicals, misappropriating or hoarding library materials, gaining unauthorized entry into the library or Law School, gaining unauthorized access to an examination before the examination period, permitting another person to hand in one's research paper for the other's credit, and trying to duplicate from memory or otherwise specific questions from an examination intended to be uncirculated. Principle Three also is the underlying tenet of the anonymous grading system. It permits examinations without proctor or monitoring. A student is expected to act honestly and before final grades are issued, should not reveal an examination number or the contents of an examination answer to a professor or try to seek favor from a professor in any other unauthorized way.

Principle Four: The Property in the Law School and Law Library Should Be Protected and Preserved at All Times.

Explanatory Comment: Principle Four addresses the problem of misuse of personal property, public or private, located in the Law School. It covers the misappropriation, damaging, misuse, or destruction of library or privately owned books,

study materials, or other personal property or equipment in the Law School. It emphasizes the special importance of the property to legal research, legal education, and the legal profession. Principle Four is needed in addition to Principle Three because the conduct may occur for reasons other than gaining unfair advantage over other students or persons. For example, it may occur for employment benefits, personal financial advantage, or other reasons unrelated to academic performance at the Law School. Conduct could, depending on the facts, be a simultaneous violation of Principles One, Three, and Four.

II. Jurisdiction

This Honor Code applies to any conduct by a Law Student that directly or indirectly affects or arises from the person's status as a Law Student or the person's relationship with the Law School.

Explanatory Comment: The Honor Code usually does not apply to off-campus conduct by Law Students that does not involve the Law School directly. However, if the off-campus conduct is done while the student is on a Law School business trip or is representing the Law School, or if it involves the misuse of Law School property, the nexus between the conduct and the student relationship existing between the offender and the Law School is direct. In that case, the Honor Code governs. Also, any behavior such as harassment or threat that would be actionable had it occurred face to face is equally actionable whether it occurs through email, text, social media, or any other means other than in person.

This Code applies to conduct occurring before the Law Student was enrolled if it affected the admission, readmission, or transfer into the Law School, as well as all conduct occurring when the person charged was a student in the Law School even though at the time the violation is discovered the person is no longer a Law Student.

The terms "Student" and "Law Student" mean persons enrolled in any course in the Law School curriculum or in any course for which credit is given towards a degree from the School of Law and who are working towards a degree from the School of Law and/or are preparing for entry into the legal profession.

In addition to the Honor Code, Tech Law students and registered organizations are also subject to the Texas Tech University Code of Student Conduct. In specific situations, students may find themselves in violation of either the Code of Student Conduct or the Honor Code of the School of Law, or both. Each document has its own respective disciplinary processes and at times, a single behavioral violation may require two separate disciplinary processes. Questions concerning the respective jurisdiction of the Code of Student Conduct and the Honor Code of the School of Law will be resolved by the Vice Provost for Undergraduate Education and the Dean of the School of Law, or designee. Tech Law students are responsible for being familiar with both codes of conduct.

The Honor Code of the School of Law (located within the Student Handbook) is located and maintained on the MyTechLaw website. To locate the Student Handbook, please follow below:

1. Go to *MyTechLaw.law.ttu.edu*;
2. Under “Departments,” select “Student Affairs;”
3. The Student Handbook will be available on the left-hand sidebar.

The Texas Tech University Code of Student Conduct (located within the Student Handbook) can be found at: <http://www.depts.ttu.edu/dos/handbook/>

III. Honor Council

The Honor Council is comprised of seven members, and the term of each member is for the entire academic year and shall continue until a successor is appointed by the Dean. Four members are fulltime teaching members of the faculty, appointed annually by the Dean. Three members are students, elected each fall. Two of the students are elected by the third-year class and must be members of that class at the time of their election. One student is elected by the second-year class and must be a member of that class at the time of his or her election. Five members constitute a quorum, so long as three of the five are members of the faculty. Any Honor Council member who fails to serve, becomes disqualified to serve, or is otherwise unable to serve on the Council, shall be replaced by a person named by the Dean. A designated student member must be from the same class as the replaced member.

In any case where a member of the Council feels himself or herself to be biased, he or she will disqualify himself or herself from the hearing and recommendation of the case and an alternate (named by the Dean if necessary) will serve. Any student charged with a violation of this Code may challenge any member of the Council as biased and present facts and arguments in support of the challenge. The members of the Council who have not been challenged will determine by majority vote whether the member is recused.

IV. Procedure

A. Any complaint concerning a violation of the Honor Code shall be presented to the Office of the Dean of the Law School. The Dean’s delegate, typically the Associate Dean for Student Life, shall conduct a preliminary factual investigation of the complaint containing the alleged violation and shall set the parameters of the preliminary investigation based upon the nature and the seriousness of the alleged violation. The Dean’s delegate may, among other things, post a notice requesting individuals with knowledge of the facts related to the alleged violation to come forward; such notice shall be drafted in a manner that avoids the disclosure of the student names.

If the Dean’s delegate determines that there exists sufficient cause to believe that the student may have violated the Honor Code, and the matter is not appropriate for administrative disposition under section IV. E, the Dean’s

delegate shall forward the matter in writing, together with any relevant material, to the Chair of the Honor Council for hearing. In addition, the Dean’s delegate shall notify the student, in writing, of the action taken. If the Dean’s delegate determines that there exists insufficient cause to believe that the student violated the Honor Code, the Dean’s delegate shall dismiss the complaint and advise the student in writing.

B. The Honor Council shall notify in writing the student charged of the charges filed, the time set for a hearing, and the following rights:

1. Upon timely written request, to have witnesses called by the Honor Council;
2. To be informed of the identity of any witnesses known to the Honor Council;
3. To question any witnesses called by the Honor Council to the hearing;
4. To appear in person or through written sworn statement;
5. To remain silent; and
6. To be represented before the Honor Council by an attorney or the person whom the student chooses.
7. To have a record made of the proceedings, as follows:
If the student so requests no later than twenty-four hours prior to a hearing, the Council shall make an audio recording of the hearing and make it available to the student. If another form of recording is desired by the student or the Council, the cost of such recording will be borne by that party.

C. If the student desires to interview a witness before the Council hearing, a request shall be made to the council chair, who will determine if the witness agrees. If the witness agrees, the witness may have a disinterested third person present for the meeting between the witness and the student or the student’s representative. The Council may consider any relevant evidence and assign it such weight as the Council deems appropriate. The Council is not bound by the rules of evidence.

D. After the hearing is completed by the Honor Council, it shall make a written summary of the evidence with appropriate exhibits, which shall be the record in the case. It shall state its findings of fact and its disposition of the matter separately. A determination that a violation of the Honor Code has occurred and the determination of the sanction for the violation requires the affirmative vote, based on clear and convincing evidence, of four members of the Council. The Honor Council shall notify in writing the student and the Dean of its disposition of the case.

E. In the following situations, the Dean’s delegate may, after finding sufficient cause to believe that a student may have violated the Honor Code, administratively dispose of the Honor Code allegation by allowing the student to agree to a reprimand in lieu of the matter being forwarded to the Honor Council pursuant to Section IV. A of the Honor Code. If the alleged violation is one of inaccurate disclosure on the Application for Admission, the Dean’s delegate

shall not initiate administrative disposition or referral to the Honor Council until the Law School's procedure for initial consideration of these cases has been completed. A decision by the Dean's delegate to refer a matter eligible for administrative disposition to the Honor Council or to offer administrative disposition is final, and not subject to review by either the Law School Dean or the faculty. By agreeing to administrative disposition, the student admits that the Honor Code has been violated and waives any of the procedures of the Honor Code, including any appeals of findings and sanctions imposed.

Administrative disposition may be offered a student only once. An allegation of a subsequent Honor Code violation against a student who has previously agreed to administrative disposition is not eligible for administrative disposition.

1. Matters Eligible for Administrative Disposition.

Administrative disposition will be confined to the following situations:

a. Inaccurate or Incomplete Disclosure on Admission Application. A student's incomplete disclosure or failure to disclose information on the law school application is eligible for administrative disposition if the omitted information involved a minor offense or offenses arising out of a single transaction and the student did not receive a penalty more serious than a small fine, probation, community service, deferred adjudication, or comparable penalty, and the student sought to amend his or her application to law school on or before November 1 of the student's first year of law school.

b. Alleged Honor Code Violations from Conduct Other than Inaccurate or Incomplete Disclosure on the Admission Application. An alleged Honor Code violation arising from conduct other than the inaccurate or incomplete disclosure on the admission application is eligible for administrative disposition, in the discretion of the Dean's delegate, if the alleged violation is no more serious than the category of cases defined in 1. a. above and the Dean's delegate determines that a reprimand is an appropriate sanction for the violation.

2. Procedure for Administrative Disposition. The procedure for administrative disposition of an alleged Honor Code violation will be as follows:

a. The Dean's delegate will notify the student in writing that there exists sufficient cause to believe that the student may have violated the Honor Code, that the matter is one for which administrative disposition is available, and that the Dean's delegate is offering the student the option of administrative disposition. The student will be informed that an acceptance of administrative disposition constitutes an admission that the Honor Code has been violated and will result in a letter of reprimand from the Dean. The student will also be informed that if the student does not accept the

offer of administrative disposition, the matter will be referred to the Honor Council pursuant to Section IV. A. of the Honor Code.

b. The student will have ten days from receiving written notification that administrative disposition is being offered to accept the offer in writing (not via e-mail). If the student does not accept the offer, the matter will be forwarded to the Honor Council.

c. If the student accepts the offer of administrative disposition, the Dean will issue a reprimand, which will include a statement that the student has violated the Honor Code.

V. Sanctions

A. For any violation of the Honor Code, the Honor Council may recommend the following sanction or sanctions as it considers appropriate:

1. Expulsion from the School of Law;
2. Suspension from the School of Law;
3. Withdrawal of degree previously awarded;
4. Satisfaction of additional work in the School of Law for graduation not to exceed a total of fifteen (15) additional hours;
5. Censure from the Honor Council by a written resolution that shall be placed in the violator's Student File and a copy of which shall be given to the violator;
6. Reprimand from the Dean by letter that shall be placed in the violator's Student File, and a copy shall be given to the violator.

For a violation of Principle One of the Honor Code involving failure to disclose one or more academic offenses or legal offenses as required by the Application for Admission, the Honor Council shall recommend suspension from the School of Law for one or more semesters, except in rare circumstances. The Honor Council may also recommend delaying the imposition of a suspension until the beginning of a subsequent fall or spring semester. The Honor Council may also recommend that a sanction be stayed as permitted under subsection B.

B. The Honor Council may also make any of the following recommendations in addition to any of the sanctions above as it considers appropriate:

1. The enforcement of any of the sanctions may be suspended for a period of time not to exceed two years conditioned on reasonable requirements.
2. A reprimand or censure may include the condition that a subsequent violation of the Honor Code will result in automatic suspension or expulsion from the School of Law.
3. For a violation of Principles of Conduct One, Two, or Three of the Honor Code, the Council may recommend a failing grade for the course. This provision does not preempt the instructor of the course from assigning a failing grade if the Council does not recommend this sanction.
4. The offender may be required to pay for restoration

or replacement of any property stolen, damaged or destroyed, and make restitution for any harm caused by or expenses incurred from the violation.

C. A summary of cases heard and sanctions imposed shall be published annually. Names of offenders shall not be released.

VI. Appeal

The Dean shall review each recommendation of the Honor Council, except that findings of fact that exonerate the student or the disposition calling for no sanctions may not be reviewed. The record, the findings of fact, and the recommendation of the Honor Council shall be considered. The student may submit a statement giving reasons why the recommendation of the Council should be modified or vacated. This statement shall be submitted to the Dean not 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 the sanction recommended, but in no event increase the severity of the sanction. The Dean shall notify the student, the Honor Council, the Director of Student Life, and any other affected person, of his or her decision and take the necessary action to execute any sanction. There is no further right to appeal or review within the university.

Note: Any disciplinary investigation must be reported to the Board of Law Examiners (BLE), and an investigation that results in a student's being found to have violated the Honor Code typically results in a formal hearing before the BLE to determine the student's character and fitness to practice prior to being licensed.

Common Honor Code Issues

This section addresses two common Honor Code issues: 1) amendments to the law school application for admission resulting from inaccurate or incomplete disclosure of information on the initial application, and 2) plagiarism/collaboration on assignments.

Amendments to Law School Applications. On occasion, students find it necessary to amend their law school applications to add information that they failed to disclose initially in the application (i.e., pre-admission incidents). Students should be aware that such requests may raise issues of academic dishonesty under the Law School's Honor Code. Therefore, requests to amend an application should be in writing (not via e-mail) and dated and should thoroughly explain both the information sought to be added to the application and the student's reason for failing to include the information on the application initially. (A student amending an application should realize that all submitted documents will become part of the student's permanent file and likely be reviewed by the Board of Law Examiners.) Requests to amend applications should be directed to the Associate Dean for Student Life, who, under the Honor Code, is the Dean's delegate for making the determination of whether failure to disclose information

on the law school application provides sufficient cause to believe that an Honor Code violation may have occurred.

Students also have an ongoing obligation to timely disclose any incidents that occur post-admission that would have been required to be disclosed if they had occurred pre-admission. Disclosure should be made to the Associate Dean for Student Life and should be made in writing (not via e-mail) and dated. It will become part of the student's permanent file.

Review Process in an Instance of Inaccurate or Incomplete Disclosure on the Application for Admission.

1. A panel appointed by the Dean consisting of three members of the Admissions Committee shall consider all cases involving accepted applicants and students who fail to disclose information fully on the Application for Admission to the School of Law. The panel shall determine whether the accepted applicant or student would have been admitted had the offense or offenses been disclosed and shall make this determination before the Dean's delegate considers the case under Section IV of the Honor Code.
2. If the panel determines that the accepted applicant or student would have been admitted had the offense or offenses been disclosed, the panel shall refer the case to the Dean's delegate for consideration under the Honor Code.
3. If the panel determines that the accepted applicant or student would not have been admitted had the offense or offenses been disclosed, the panel shall revoke admission to the School of Law. The accepted applicant or student may request a hearing in writing within 10 days of being notified of the panel's determination to explain the offense or offenses not disclosed. An enrolled student who requests a hearing may continue to attend classes until the panel has heard the case and issues its decision. If the panel determines that the explanation is sufficient to allow an accepted applicant to enroll or a student to remain enrolled, the panel may reinstate admission. If the panel reinstates admission, it shall refer the case to the Dean's delegate as an allegation of an Honor Code violation. If the panel determines that the explanation is not sufficient to allow an accepted applicant to enroll or a student to remain enrolled, admission shall not be reinstated.
4. The accepted applicant or student may appeal the panel's decision to the Dean, by submitting a written statement giving reasons why the panel's decision to revoke admission should be vacated. The accepted applicant or student shall submit this written statement within 10 calendar days from the date of the panel's decision. An enrolled student may continue to attend classes during the consideration of the appeal.
5. There is no further right to appeal or review within the university.

Specific Information on Academic Plagiarism and Collaboration. This information on plagiarism

and collaboration should serve as a guide to what might constitute a violation of the Honor Code relating to these topics.

“Plagiarism means taking the literary property of another without attribution, passing it off as one’s own, and reaping from its use the unearned benefit from an academic institution.”³ The law school’s Honor Code, in Principles Two⁴ and Three,⁵ emphasizes the seriousness of and provides examples of what might constitute this offense.

Academic Plagiarism and Collaboration

Standards.⁶ The standards of plagiarism differ between (1) practical works for a skills course in an academic setting, (2) practical works in a practice setting, and (3) academic works (research papers, law review articles, etc.). In the practice of law, the final product and outcome are more important than authorship. (Correct attribution of authority is important in all three settings.) However, in an academic setting, students are judged on their individual ability to think and analyze. Therefore, the process is more important than the final answer, and authorship is very important. Even when a student is preparing a practical work, he or she is doing so in an academic setting for an academic grade. Therefore, the standards that apply are academic standards rather than practice standards.

Collaboration With Others. Students are responsible for understanding what constitutes permissible collaboration in a particular course. In a course that does not permit any collaboration, a student may not be permitted even to let another person proofread or edit a paper. A student who is concerned about the appropriateness of consultation with the school’s writing specialist should speak with the professor teaching the course and the writing specialist about permissible consultation.

One’s Own Work. In most courses, unless otherwise permitted by the professor, all individual writing assignments must be exclusively one’s own work.

Attribution. Because discussion and cooperation between students and between students and professors is encouraged, at times the line between impermissibly taking another’s idea without attribution (plagiarism) and ideas generally developed in discussion or through instruction can be a fuzzy one. A student should err on the side of attribution, not on the side of withholding information.⁷ Check with the professor before turning in any work in order to resolve any problems before they arise.

Recent Disciplinary Situations. Recent disciplinary situations related to plagiarism and collaboration have included the following:

- Copying another student’s Legal Practice assignment,
- Taking copies of another student’s assignment from a common area or computer and passing it off as one’s own,
- Submitting a prior year’s exercise answers or parts of a class “script” as the student’s own work,
- Insufficiently attributing primary authority in a written submission, and
- Collaborating on an assignment that was to be completed individually.

The sanctions recently imposed have ranged from loss of credit to a written reprimand to suspension from the law school. Any disciplinary investigation must be reported to the Board of Law Examiners, and an investigation that results in a student’s being found to have violated the Honor Code typically results in a formal hearing before the BLE to determine the student’s character and fitness to practice prior to being licensed.

³ Terri LeClerc, Failure to Teach: Due Process and Law School Plagiarism, 49 J. Legal Educ. 236 (1999).

⁴ “What constitutes academic dishonesty may vary depending on the work required by a course . . . Research papers for a course . . . presumably may be discussed and talked over with other students or persons. But in all cases, the final product must be the individual student’s effort. If any doubt exists concerning authorized source materials, consultation or cooperation with others, or any other matter concerning any assignment, the student should contact the person making the assignment for clarification.

Examples of academic dishonesty that would violate [this principle] include: . . . g) handing in another person’s work as one’s own for credit; h) using all or part of another person’s research paper as one’s own for credit . . .”

⁵ “Principle Three reaches conduct intended to give one student an advantage not equally available to all persons. It encompasses failing to return needed library books, cutting articles from books or periodicals, misappropriating or hoarding library materials, gaining unauthorized entry into the library or Law School, gaining unauthorized access to an examination before the examination period, permitting another person to hand in one’s research paper for the other’s credit, and trying to duplicate from memory or otherwise specific questions from an examination intended to be uncirculated.” [emphasis added]

⁶ This information, taken from the Legal Practice Program syllabus, was originally adapted in part from the Howard University School of Law collaboration and plagiarism policy.

⁷ The following citation and attribution guidelines are provided to help students avoid plagiarism:

1. Cite sources for all direct quotations;
2. Cite sources from which language, facts, or ideas have been paraphrased or summarized;
3. Cite sources for any idea or information that could be regarded as common knowledge, but (a) was not known to the writer before encountering it in a particular source or (b) might be unfamiliar to the reader;
4. Cite sources that add relevant information to the particular topic or argument propounded; and
5. Cite sources relied upon for authority to support any legal proposition or rule.

Robert D. Bills, *Plagiarism in Law School: Close Resemblance of the Worst Kind?* 31 Santa Clara L. Rev. 103 (1990).

Revision To Academic Standards

Approved By The Law Faculty (February 28, 2015)

C. Graduation and Academic Requirements.

Students entering in or before Fall 2014: To be eligible for graduation, students must: (a) pass at least 90 semester credit hours (55 of which are required courses); and (b) have a cumulative grade average for all credits taken of 2.000 or better.

Students entering in or after July 2015: To be eligible for graduation, students must: (a) pass at least 90 semester credit hours (55 of which are required courses); and (b) at the time of graduation have a cumulative grade average for all credits taken of 2.250 or better.

Required Courses.

Students entering in or before Fall 2014: A student must complete successfully all courses designated in the curriculum as required. If a student has taken a required course for a grade before matriculation in law school and received a grade of C+ or better, the student will not receive law school credit for the course but may not be required to repeat the course if approved by the Associate Dean for Academic Affairs when another course is available in the same subject area, which may be taken in substitution for equivalent credit hours and then be a part of such student's required first year curriculum. A student who fails a required course must retake and pass that course when it is next offered. Any exception to this rule for a particular required course must be approved by the faculty. If another section is available, the student must not enroll with the same professor from the failed class.

Students entering in or after July 2015: A student must complete successfully all courses designated in the curriculum as required. If a student has taken a required course for a grade before matriculation in law school and received a grade of C+ or better, the student will not receive law school credit for the course but may not be required to repeat the course if approved by the Associate Dean for Academic Affairs when another course is available in the same subject area, which may be taken in substitution for equivalent credit hours and then be a part of such student's required first year curriculum. A student who fails a required course must retake and pass that course when it is next offered. Any exception to this rule for a particular required course must be approved by the faculty. If another

section is available, the student must not enroll with the same professor from the failed class. A student who fails a first-year or advanced-required course may only retake the course once. If a student fails the course a second time, he or she will be dismissed for academic deficiency, regardless of the student's cumulative GPA.

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J. Academic Standards, Dismissal, Readmission and Re-entry.

Academic Standards for Good Standing and Academic Probation.

Students entering in or before Fall 2014:

(a) **Academic Requirements for Good Standing.** Students must maintain a cumulative grade point average of at least 2.000 and a semester average of at least 2.000 for each fall and spring semester in order to remain in good standing

(b) **Academic Probation and Dismissal for Academic Deficiency.** If a student's cumulative grade point average or semester average or both fall below the required level (2.000), he or she will be placed on scholastic academic probation. To be removed from probation, a student must attain cumulative and semester grade point averages of 2.000 or better in the next long semester. Students on scholastic academic probation will be required to take no fewer than 14 credits and no more than 16 credits during the semester of probation, unless they lack 13 or fewer to graduate. Students on probation who do not attain the required cumulative and semester grade point averages will be dismissed for academic deficiency.

(c) **Restrictions on Extracurricular Activities and Outside Employment for Students on Academic Probation.** Students on probation are prohibited from participating in Board of Barristers activities and other advocacy competitions. They are prohibited also from serving on the staff of any publication for which students provide services and are ineligible to serve as an officer in any student organizations. Further, they may not be employed outside of the School of Law for compensation, except by permission of the Associate Dean for Academic Affairs or the Associate Dean for Student Life, and may not

serve as mentors to first-year students.

(d) Academic Requirement to Participate in Semester-Abroad Programs.

(i) To be eligible to participate in such a program, students must maintain a cumulative grade point average of 2.000 or higher for ABA-approved summer-law programs or 2.500 or higher for our semester-abroad exchange programs. In addition, students may not be on scholastic academic probation. Enrollment in such programs is limited, so the Associate Dean for International Programs may impose additional academic requirements when necessary.

(ii) Students whose cumulative grade point averages are below 1.700 at the end of the fall semester are not allowed to register for classes in the first summer session, including the Summer Law Institute in Guanajuato, Mexico and Lithuania Summer Program offered by Texas Tech University School of Law, until their grades for the spring semester have been reported. The Associate Dean for Academic Affairs may grant exceptions only in rare circumstances. Students on scholastic academic probation are not considered to be in good standing and thus will not be given permission to be visiting students at other law schools.

(e) **Academic Disqualification.** Any student who is on scholastic academic probation and does not meet the requirements for good standing at the end of the next long semester will be notified by the Associate Dean for Academic Affairs that he or she is academically disqualified and not eligible to continue in school.

(f) **Summer Term and Scholastic Academic Probation.** A student placed on scholastic academic probation following the spring term may attend class in summer term, but removal from probation shall be determined by academic performance in the following fall semester, as though the student had not attended summer term. If probation is satisfied after considering only the grades for the spring and fall semesters, any grades and credits earned in the summer term will then be added to the cumulative GPA. If inclusion of summer grades then lowers the cumulative grade average below the prescribed minimum, the student has not satisfied probation and will be dismissed.

(g) **Scholastic Academic Counseling.** A student shall be notified when placed on scholastic academic probation and shall be referred to the Assistant Dean for Academic Success Programs.

Students entering in or after July 2015:

(a) Academic Requirements for Good Standing.

(i) A student who has a grade-point average (GPA) at or below 1.600 at the end of the first fall semester will be dismissed for academic deficiency. A student who

has a cumulative GPA below 2.000 at the end of the first spring semester will be dismissed for academic deficiency.

(ii) The required cumulative GPA for good standing at the end of a student's first long semester as a second-year student is GPA 2.125. Thereafter, the cumulative GPA for good standing is 2.250. The cumulative GPA required to graduate is 2.250.

(b) Academic Probation and Dismissal for Academic Deficiency.

(i) A first-year student who has a grade-point average below 2.000 but above 1.600 at the end of the first fall semester will be placed on academic probation. To be removed from probation, the student must attain cumulative and semester grade point averages of 2.000 or better in the first spring semester. A first-year student who, at the end of his or her second long semester, has a semester grade-point average below 2.000 but a cumulative grade-point average of at least 2.000 will be placed on academic probation. To be removed from probation, the student must attain semester grade-point average of at least 2.000 and a cumulative grade point average of at least 2.125 by the end of the first long semester of his or her second year. Students who fail to achieve the required semester and cumulative grade-point averages will be dismissed for academic deficiency.

(ii) A student who has a cumulative GPA below 2.125 at the end of the first long semester of his or her second year will be placed on academic probation. A student who has a cumulative GPA below 2.250 at the end of his or her second year or during either long semester in his or her third year will be placed on academic probation. Students on academic probation will be required to take no fewer than 14 credits and no more than 16 credits during the semester of probation, unless they lack 13 or fewer to graduate. Students on probation who do not attain the required cumulative and semester grade point averages will be dismissed for academic deficiency.

(c) Required Curriculum for Students with Low Cumulative Grade Point Averages (GPA).

[RESERVED]

(d) **Restrictions on Extracurricular Activities and Outside Employment for Students on Academic Probation.** Students on academic probation at the beginning of a semester are prohibited from participating in Board of Barristers activities and other advocacy competitions, serving on the staff of any law school journals, law reviews, or other publications, participating in externships, enrolling in clinical programs, or serving as an officer of a student organization. Further, they may not be employed outside of the School of Law for compensation, except by permission of the Associate Dean for Academic Affairs or the Associate Dean for Student Life, and may not serve as

mentors to first-year students.

(e) Academic Requirement to Participate in Semester-Abroad Programs.

- (i) Students must be good standing to be eligible to participate in such a program. Enrollment in such programs is limited, so the Associate Dean for International Programs may impose additional academic requirements when necessary.
- (ii) Students desiring to enroll in the Summer Law Institute in Guanajuato, Mexico and Lithuania Summer Program offered by Texas Tech University School of Law, must be in good standing. The Associate Dean for Academic Affairs may grant exceptions only in rare circumstances. Students on academic probation are not considered to be in good standing and thus will not be given permission to be visiting students at other law schools.

(f) Academic Disqualification. Any student who is on academic probation and does not meet the requirements for good standing at the end of the next long semester will be notified by the Associate Dean for Academic Affairs that he or she is academically disqualified and not eligible to continue in school.

(g) Summer Term and Academic Probation. A student placed on academic probation following the spring term may attend class in summer term, but removal from probation shall be determined by academic performance in the following fall semester, as though the student had not attended summer term. If probation is satisfied after considering only the grades for the spring and fall semesters, any grades and credits earned in the summer term will then be added to the cumulative GPA. If inclusion of summer grades then lowers the cumulative grade average below the prescribed minimum, the student has not satisfied probation and will be dismissed.

(h) Academic Counseling. A student shall be notified when placed on academic probation and shall be referred to the Assistant Dean for Academic Success Programs.

Academic Deficiency in the Graduating Term.

Students entering in or before Fall 2014:

(a) Graduation Requirements. To graduate, a student must have a cumulative grade-point average for all credits taken of at least 2.000. If the student is not already on academic probation, a student whose semester grade-point average is less than 2.000 in the student's graduating term will be permitted to graduate if the student's cumulative grade-point average is at least 2.000.

(b) Students Ineligible for Graduation. A student will not be permitted to graduate if the student:

- (i) Is on probation when entering the graduating term and

fails to be removed from probation at the end of that term, or

- (ii) Fails to earn a cumulative grade-point average of at least 2.000 at the end of the graduating term.

(c) Readmission of J.D. Students for the Purpose of Meeting Graduation Requirements.

Absent extraordinary circumstances, a J.D. student will not be readmitted to enroll in additional courses in an effort to be removed from academic probation or to achieve the 2.000 cumulative grade-point average needed to graduate.

- (i) A student who has been excluded at the end of the graduating term and seeks readmission must follow the procedures and conditions described below for "Readmission and Re-entry to the Law School." The Academic Standards Committee's decision on readmission under this section is final.
- (ii) A student's petition for readmission may be granted only if all three of the following criteria are satisfied: (A) the student's failure to maintain good academic standing was due to extraordinary circumstances ("extraordinary circumstances" do not include events for which the student had a reasonable opportunity to recover or obtain administrative relief before completing a significant portion of the work on which course grades were based); (B) those extraordinary circumstances either no longer exist or will no longer substantially interfere with the student's academic performance; and (C) the student's admission and academic record, together with any other relevant information, demonstrate a convincing likelihood that the student is capable of successfully performing at a level to be removed from academic probation and earn a cumulative GPA of at least 2.000.
- (iii) A student who has a cumulative grade-point average below 1.950 may not, under any circumstances, be permitted to apply for readmission under this section.
- (iv) No student will be readmitted for more than one additional semester, during which the student may not enroll in more than 16 law credit hours.

Students entering in or after July 2015:

(a) Graduation Requirements. To graduate, a student must have a cumulative grade-point average for all credits taken of at least 2.250. If the student is not already on academic probation, a student whose semester grade-point average is less than 2.250 in the student's graduating term will be permitted to graduate if the student's cumulative grade-point average is at least 2.250.

(b) Students Ineligible for Graduation. A student will not be permitted to graduate if the student:

- (i) Is on probation when entering the graduating term and fails to be removed from probation at the end of that

term, or

- (ii) Fails to earn a cumulative grade-point average of at least 2.250 at the end of the graduating term.

(c) Readmission of J.D. Students for the Purpose of Meeting Graduation Requirements. Absent extraordinary circumstances, a J.D. student will not be readmitted to enroll in additional courses in an effort to be removed from academic probation or to achieve the 2.250 cumulative grade-point average needed to graduate, except as provided below.

- (i) A student who has been excluded at the end of the graduating term and seeks readmission must follow the procedures and conditions described below for “Readmission and Re-entry to the Law School.” The Academic Standards Committee’s decision on readmission under this section is final.
- (ii) A student’s petition for readmission may be granted only if all three of the following criteria are satisfied: (A) the student’s failure to maintain good academic standing was due to extraordinary circumstances (“extraordinary circumstances” do not include events for which the student had a reasonable opportunity to recover or obtain administrative relief before completing a significant portion of the work on which course grades were based); (B) those extraordinary circumstances either no longer exist or will no longer substantially interfere with the student’s academic performance; and (C) the student’s admission and academic record, together with any other relevant information, demonstrate a convincing likelihood that the student is capable of successfully performing at a level to be removed from academic probation and earn a cumulative GPA of at least 2.250.
- (iii) A student who has a cumulative grade-point average below 2.150 may not, under any circumstances, be permitted to apply for readmission under this section.
- (iv) No student will be readmitted for more than one additional semester, during which the student may not enroll in more than 16 law credit hours.
- (v) No student who has been readmitted for the purpose of bringing up the student’s cumulative GPA to the 2.250 required for graduation is permitted to take the bar exam during such readmission semester. The law school will not certify such a student to take the bar exam until after such time as the student’s cumulative GPA attains or exceeds a 2.250 and the student graduates from the law school.

Readmission of LL.M. Students for the Purpose of Meeting Graduation Requirements. At the discretion of the Associate Dean for International Programs, an LL.M. student with a cumulative grade-point average of between 1.700 and 1.999 at the end of the graduating term may

be permitted to enroll for a “long” semester or a complete summer term (Summer I and Summer II), during which the student may take up to 16 semester credit hours to achieve a 2.000 cumulative grade point average. If, at the end of the “long” semester or summer term, the student still has not earned a cumulative grade-point average of at least 2.000, the student will receive a document recognizing program participation, but not a degree. Please consult the Associate Dean for International Programs and the LL.M. Student Handbook for additional information.

Re-entry and Readmission to Law School.

Students entering in or before Fall 2014:

(a) **Petitions for Readmission and Reentry.** A student who is academically disqualified may, depending on credit hours attempted and overall GPA, petition the Academic Standards Committee for readmission to the law school to continue with his/her studies or for re-entry to the law school as a 1L student. A student may be granted re-entry only once.

(b) **Process for Readmission and Reentry.** A student wishing to seek readmission to continue legal studies must begin the process by meeting with the Associate Dean for Academic Affairs, who shall inform the student that readmission is not automatic but is discretionary with the Committee. A petition for readmission should include (i) reasons why the student was not successful in meeting the requirements for good standing and (ii) measures the student has taken to correct any problems that contributed to that status. In this regard the Committee should consider the student’s conduct while on probation including the extent to which the petitioning student has worked with the Assistant Dean for Academic Success Programs. A student who is readmitted must consult with the Assistant Dean for Academic Success Programs and develop a plan for addressing the student’s academic problems.

(c) **Criteria for Readmission and Reentry.** A student’s petition for readmission may be granted only if all three of the following criteria are satisfied:

- (i) The student’s failure to maintain good academic standing was due to extraordinary circumstances (“extraordinary circumstances” will seldom include events for which there was reasonable opportunity for the student either to recover or obtain administrative relief prior to completing a significant portion of the work on which course grades were based); and
- (ii) Those extraordinary circumstances either no longer exist or will no longer substantially interfere with academic performance; and
- (iii) The student’s admission and academic record, together with any other relevant information, demonstrate a convincing likelihood that the student is capable of achieving and maintaining academic good standing in all future semesters. No student may be

readmitted by the Committee if the student's cumulative grade point average is below 1.700.

(d) Academic Standards Committee Considerations.

- (i) In evaluating the petition for readmission or reentry, the Committee may consider, as part of its decision-making, the responsibility of the law school to ensure that its graduates meet minimum, basic standards for fitness to practice law.
- (ii) If a student has a grade point average of 1.700 or higher but lower than 1.900 at the end of the first year of law school, the student may petition for readmission or for re-entry to law school to retake all courses. If a student has a grade point average below a 1.700 at the end of the first year of law school, the student may petition for re-entry to law school to retake all courses (readmission is not permitted). A petition to re-enter may be granted only if the Committee concludes that the three readmission criteria are satisfied. Absent compelling circumstances, a student who has attempted more than 32 credits cannot petition for reentry. When considering a petition for readmission, the Committee, at its discretion, may transform the petition into one for re-entry.
- (iii) If a student is readmitted or permitted to re-enter, the Dean's office shall place a statement of the considerations that led to the decision in the student's file. Readmission or re-entry may be conditional or subject to stipulations imposed by the Committee. Students who re-enter law school may be subject to conditions such as the following:
 - (A) Prohibited from participating in Board of Barristers activities and other advocacy competitions; and
 - (B) Prohibited from serving on the staff of any publication for which students provide services and as an officer in any student organizations.
- (iv) The Committee's decision on any petition is final.

Students entering in or after July 2015:

(a) **Petitions for Readmission and Reentry.** Except as provided herein, a student who is academically disqualified may, depending on credit hours attempted and overall GPA, petition the Academic Standards Committee in writing for readmission to the law school to continue with his or her studies or for re-entry to the law school as a 1L student. A student may be granted re-entry only once. A student dismissed for academic deficiency during or at the end of his or her first year may apply to reenter as a 1L student only after sitting out two long semesters following the academic year of his or her dismissal. A student dismissed for academic deficiency during or at the end of his or her first year may not apply for readmission. Only second- and third-year law students may petition for readmission.

(b) **Process for Readmission and Reentry.** A student wishing to seek readmission to continue legal studies must begin the process by meeting with the Associate Dean for Academic Affairs, who shall inform the student that readmission is not automatic but is discretionary with the Committee. A petition for readmission should include (i) reasons why the student was not successful in meeting the requirements for good standing and (ii) measures the student has taken to correct any problems that contributed to that status. In this regard the Committee should consider the student's conduct while on probation including the extent to which the petitioning student has worked with the Assistant Dean for Academic Success Programs. A student who is readmitted must consult with the Assistant Dean for Academic Success Programs and develop a plan for addressing the student's academic problems.

(c) **Criteria for Readmission and Reentry.** A student's petition for readmission may be granted only if all three of the following criteria are satisfied:

- (i) The student's failure to maintain good academic standing was due to extra-ordinary circumstances ("extraordinary circumstances" will seldom include events for which there was reasonable opportunity for the student either to recover or obtain administrative relief prior to completing a significant portion of the work on which course grades were based); and
- (ii) Those extraordinary circumstances either no longer exist or will no longer substantially interfere with academic performance; and
- (iii) The student's admission and academic record, together with any other relevant information, demonstrate a convincing likelihood that the student is capable of achieving and maintaining academic good standing in all future semesters. No student may be readmitted by the Committee if the student's cumulative grade point average is below 1.950.

(d) Academic Standards Committee Considerations.

- (i) In evaluating the petition for readmission or reentry, the Committee may consider, as part of its decision-making, the responsibility of the law school to ensure that its graduates meet minimum, basic standards for fitness to practice law.
- (ii) If a student has a grade point average of 1.950 or higher but lower than 2.250 at the end of the second or third year of law school, the student may petition for readmission or for re-entry to law school to retake all courses. If a student has a grade point average below a 2.000 at the end of the first year of law school, the student may petition for re-entry to law school to retake all courses (readmission is not permitted). A petition to reenter may be granted only if the Committee concludes that the three readmission criteria are satisfied. Absent

compelling circumstances, a student who has attempted more than 32 credits cannot petition for reentry. When considering a petition for readmission, the Committee, at its discretion, may transform the petition into one for re-entry.

- (iii) If a student is readmitted or permitted to re-enter, the Dean's office shall place a statement of the considerations that led to the decision in the student's file. Readmission or re-entry may be conditional or subject to stipulations imposed by the Committee.

Students who re-enter law school may be subject to conditions such as the following:

- (A) Prohibited from participating in Board of Barristers activities and other advocacy competitions; and
- (B) Prohibited from serving on the staff of any publication for which students provide services and as an officer in any student organizations.

- (iv) The Committee's decision on any petition is final.